

**INDUSTRIAL PRETREATMENT SETTLEMENT AGREEMENT  
BETWEEN THE CITY OF PHOENIX AND PMA INDUSTRIES, LLC**

CONTRACT NO. \_\_\_\_\_

This INDUSTRIAL PRETREATMENT SETTLEMENT AGREEMENT (“Agreement”) is made and entered into by and between the CITY OF PHOENIX (the “City”), an Arizona municipal corporation, and PMA INDUSTRIES, LLC (“Industrial User”), a Delaware limited liability company with operations at 18008 North Black Canyon Highway, Phoenix, Arizona 85053-1715 (“Facility”). The City and Industrial User may be referred to individually as “Party” and collectively as “Parties” herein.

**RECITALS**

- A. Pursuant to the Clean Water Act (33 U.S.C. 1251, et seq), General Pretreatment Regulations (40 C.F.R. Part 403), Arizona Statute (A.R.S. § 9-276 and § 49-391), Phoenix City Charter (Ch. IV § 2), and Phoenix City Code (Ch. 28), the City administers an Industrial Pretreatment Program (“IPP”) to permit the discharge of industrial wastewater to the City’s Publicly Owned Treatment Works (“POTW”) and an Enforcement Response Plan (“ERP”) to investigate and respond to instances of noncompliance.
- B. Pursuant to the City’s IPP, Industrial User was issued Class A Wastewater Discharge Permit No. 2005-46927 (“Permit No. 2005”) on April 24, 2020, attached as Exhibit A and incorporated herein by reference, authorizing the discharge of industrial wastewater from its Facility to the City’s POTW in accordance with the effluent limitations, sampling requirements, and other conditions set forth in Permit No. 2005, the Permit Standard Conditions dated July 30, 2015, and Chapter 28 of Phoenix City Code. Permit No. 2005 became effective on May 1, 2020.
- C. Pursuant to the City’s IPP, Industrial User was subsequently issued Class A Wastewater Discharge Permit No. 2212-50248 (“Permit No. 2212”) on December 9, 2022, attached as Exhibit B and incorporated herein by reference, authorizing the discharge of industrial wastewater from its Facility to the City’s POTW in accordance with the effluent limitations, sampling requirements, and other conditions set forth in Permit No. 2212, the Permit Standard Conditions dated February 14, 2022, and Chapter 28 of Phoenix City Code. Permit No. 2212 became effective on December 12, 2022, and replaced all previously issued permits.
- D. Pursuant to the City’s ERP, Industrial User was issued the following notices (collectively “Notices”), attached as Exhibit C and incorporated herein by reference, regarding instances of noncompliance with the effluent limitations, sampling requirements, and other conditions of Permit No. 2005, and Permit No. 2212:

1. June 23, 2022, Notice of Violation for the discharge of industrial wastewater in violation of discharge limits for concentrations of Copper.
  2. July 20, 2022, Notice of Violation for the discharge of industrial wastewater in violation of discharge limits for concentrations of Copper.
  3. August 15, 2022, Notice of Violation for the discharge of industrial wastewater in violation of discharge limits for concentrations of Copper.
  4. September 20, 2022, Notice of Violation for the discharge of industrial wastewater in violation of discharge limits for concentrations of Copper and Nickel.
  5. November 30, 2022, Determination of Compliance Status notifying Industrial User that it has been determined to be in Significant Noncompliance (“SNC”) with pretreatment requirements.
  6. February 13, 2023, Notice to Show Cause notifying Industrial User that the City will use all appropriate remedies to address its discharge of industrial wastewater in violation of discharge limits and scheduling a Show Cause Proceeding for March 10, 2023.
- E. The Parties met on March 10, 2023, for a Show Cause Proceeding to address Industrial User’s discharge of industrial wastewater in violation of discharge limits.
- F. The Parties desire to resolve all disputes between them arising out of Industrial User’s discharge of industrial wastewater in violation of discharge limits from May 1, 2022, to October 31, 2022.

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties hereto, intending to be legally bound, do hereby agree as follows:

#### **AGREEMENT**

1. Recitals. The Recitals set forth above are incorporated herein by this reference.
2. Effective Date. This Agreement shall become effective on the date attested by the City Clerk (“Effective Date”).
3. Negotiated Settlement. This Agreement is made upon the express understating that it constitutes a settlement pursuant to A.R.S. § 49-391(C), and Phoenix City Code Ch. 28 Art. IV Sec. 28-46.5 to: (i) enforce Industrial User’s compliance with the conditions set forth in Permit No. 2005 and Permit No. 2212, and (ii) establish the specific actions that Industrial User must take to correct its noncompliance.

4. Compliance with Permit. Industrial User must comply with the effluent limitations, sampling requirements, and other conditions set forth in Permit No. 2212, the Permit Standard Conditions dated February 14, 2022, and Chapter 28 of Phoenix City Code.
5. Specific Actions. Industrial User must take the following specific actions to correct its noncompliance:
  - 5.1. Facility Operations. Industrial User shall sample the process discharge tank (Compliance Sampling Point No. 50248.02) – on a quarterly basis. Additionally, in the event any changes in chemical use or processes that feed Compliance Sampling Point No. 50248.02 shall also require immediate collection of a compliance sample (as specified in the Time Composite and Grab Composite Sampling Procedures for Industrial Users) and subsequent analysis to be performed. The compliance sample shall be independently analyzed by Legend Technical Services, Inc., or other certified state approved laboratory services firm. Test results are to be maintained and stored by Industrial User for review by City, as determined by the City.
6. Public Comment Period. Upon execution of this Agreement, the City must provide a public comment period of thirty (30) days pursuant to A.R.S. § 49-391(C) and Phoenix City Code Ch. 28 Art. IV Sec. 28-46.7.
  - 6.1. Notice Fee. Industrial User shall pay a notice fee of five hundred (\$500) dollars pursuant to Phoenix City Code Ch. 28 Art. X Sec. 28-84 to publish a notice in a newspaper of general circulation informing the public of the public comment period, the name and address of the Industrial User, the terms of this Agreement, and the locations where the public may examine this Agreement.
  - 6.2. Termination: The City may terminate this Agreement, at its sole discretion, upon written notice to Industrial User at any time up to fourteen (14) days after the end of the public comment period.
7. Payments. Within thirty (30) days of the Effective Date of this Agreement, Industrial User shall pay the City five hundred dollars (\$500) pursuant to the notice fee required by Subparagraph 6.1. Payments should be delivered to:

City of Phoenix Law Department  
Attn: Assistant City Attorney Axel Buchwalter  
200 West Washington Street, 13th Floor  
Phoenix, Arizona 85003
8. Settlement. In exchange for Industrial Users continued compliance with the conditions set forth in Permit No. 2212 or subsequent permits, completion of the specific actions

described in Paragraph 5, and the payment of the notice fee required by Subparagraph 7, the City agrees not to take any further enforcement actions for the violations described in the Notices. If Industrial User fails to comply with, pay, or complete any of the conditions, penalties, fees, or specific actions described herein, the City may take any and all actions allowable by law to address the violations.

9. Notice.

9.1 Any notice, consent or other communication (“Notice”) required or permitted under this Agreement will be in writing and either: (i) delivered in person; (ii) sent via e-mail, return receipt requested; (iii) sent via facsimile transmission; (iv) deposited with any commercial air courier or express delivery service; or (v) deposited in the United States mail, postage prepaid to the Parties at the following addresses, which may from time to time be changed by the Parties by Notice to the other Party:

For the City:

City of Phoenix, Law Department  
Attn: Axel Buchwalter, Assistant City Attorney  
200 West Washington Street, 13<sup>th</sup> Floor  
Phoenix, Arizona 85003  
Axel.Buchwalter@phoenix.gov

With copy to:

City of Phoenix, Water Services Department  
Environmental Service & Safety  
Attn: Chelsey Weaver, Chief Water Quality Inspector  
2474 South 22nd Avenue, Building 31  
Phoenix, Arizona 85009  
Chelsey.Weaver@phoenix.gov

For Industrial User:

PMA Industries, LLC  
Attn: Ralph McRoberts  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715  
rmcroberts@pmaindustriesinc.com

With copy to:

PMA Industries, LLC

Attn: Jim Everson  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715  
jeverson@pmaindustriesinc.com

- 9.2. Notice will be deemed received: (i) at the time it is personally served; (ii) on the day it is sent via e-mail; (iii) on the day it is sent by facsimile transmission; (iv) on the second day after its deposit with any commercial air courier or express delivery service; or (v) five business days after the Notice is deposited in the United States mail as above provided. Any time period stated in a Notice will be computed from the time the Notice is deemed received.
- 9.3. Notices sent by e-mail and facsimile transmission will also be sent by regular mail to the recipient at the above address. This requirement for duplicate Notice is not intended to change the effective date of the Notice sent by e-mail or facsimile transmission.
10. Severability. If any provision or application of any provision of this Agreement is held invalid, illegal, or unenforceable, the remainder of this Agreement shall remain unaffected and enforceable to the fullest extent permitted by law.
11. Authority. The Parties represent and warrant that the undersigned have the authority to enter into and execute this Agreement and that this Agreement is a legal, valid, and binding obligation, enforceable in accordance with its terms.
12. Integration; Modification. This Agreement constitutes the full and complete understanding and agreement of the Parties hereto and supersedes all prior representations, understandings, or agreements, whether oral or written. No supplement, modification, or amendment of this Agreement's shall be effective unless in writing and signed by the Parties.
13. No Waiver; Cumulative Remedies. The failure to exercise or delay in exercising, on the part of the City, any provision, right, remedy, power or privilege hereunder shall not operate as a waiver thereof; nor shall any single or partial exercise of any provision, right, remedy, power or privilege hereunder preclude any other or further exercise thereof or the exercise of any other provision, right, remedy, power, or privilege. The rights, remedies, powers, and privileges herein provided are cumulative and not exclusive of any rights, remedies, powers, and privileges provided by law.
14. Governing Law; Forum; Venue. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Arizona without giving effect to any choice or conflict of law provision or rule (whether of the State of Arizona or any other jurisdiction) that would cause the application of laws of any jurisdiction other than those of the State of Arizona. Any legal suit, action, or proceeding arising out of or related to

this Agreement or the matters contemplated hereunder shall be instituted exclusively in the federal courts of the United States or the courts of the State of Arizona in each case located in the city of Phoenix and County of Maricopa County, and each Party irrevocably submits to the exclusive jurisdiction of such courts in any such suit, action, or proceeding and waives any objection based on improper venue or forum non conveniens. Service of process, summons, notice, or other document by mail to such Party's address set out herein shall be effective service of process for any suit, action, or other proceeding brought in any such court.



15. No Third-Party Beneficiaries. The Parties expressly agree that this Agreement is for the sole benefit of the Parties hereto and their respective successors and assigns and nothing herein, express or implied, is intended to or shall confer upon any other person or entity any legal or equitable right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.
16. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the Parties hereto and their respective successors and assigns.
17. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.
18. Conflicts of Interest. This Agreement is subject to the requirements of A.R.S. § 38-503.
19. Licenses and Permits; Compliance with Laws. Industrial User shall procure at his own expense all necessary licenses and permits and shall comply with all applicable federal, state and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any court, or administrative bodies or tribunals in any manner affecting the performance of this Agreement.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS THEREFORE, the Parties hereof have caused this Agreement to be executed by their duly authorized representatives as of the dates written below.

**PMA INDUSTRIES, LLC A DELAWARE  
LIMITED LIABILITY COMPANY**

**CITY OF PHOENIX,  
AN ARIZONA MUNICIPAL  
CORPORATION**

By:  

By: \_\_\_\_\_

Name: Ralph McRoberts

Name: \_\_\_\_\_

Title: Senior Chemical Machining Specialist  
& Water and Air Compliance

Title: \_\_\_\_\_

Date: 4/7/2023 \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

APPROVED AS TO FORM:

JULIE KRIEGH, CITY ATTORNEY

\_\_\_\_\_

**Exhibit A**

Class A Wastewater Discharge Permit No. 2005-46927





**City of Phoenix**  
**WATER SERVICES DEPARTMENT**  
Quality Reliability Value

April 24, 2020

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

RE: Class A Wastewater Discharge Permit № 2005-46927

Dear Mr. McRoberts:

Enclosed is your new Class A Wastewater Discharge Permit № 2005-46927 (Permit) for the PMA Industries of Arizona, Inc. facility located at 18008 North Black Canyon Highway in Phoenix, Arizona which becomes effective on May 1, 2020 and expires on April 30, 2025.

**Permit Sections**

- The first section consists of **nine** pages and is specific to this facility. Please review this section of the Permit thoroughly and in particular, pages three (3) through six (6).
- The second section of the Permit is the Permit Standard Conditions which include conditions, limitations, and requirements applicable to all Permittees.

**Requirements**

1. Please complete Total Toxic Organic (TTO) baseline monitoring at both sampling points (46927.01 and 46927.02) utilizing process day samples and the lists on pages eight (8) and nine (9) of the Permit in order to verify that the submitted Toxic Organic Management Plan (TOMP) can be implemented with results submitted **no later than June 30, 2020**.
2. Please submit a signatory letter as outlined in Permit Standard Conditions Section I –**Signatory Requirements no later than June 1, 2020**. See example enclosed.
3. Please develop for yourself and submit a copy of an annual sampling schedule for the parameters required to be self-monitored by PMA Industries of Arizona, Inc. listed on Pages three (3) and four (4) by **May 8, 2020**. See enclosure.
4. Permittee is **required** to sample for BOD and TSS once monthly during the first 6-months of the Permit effective date in order to establish baseline billing rates.

Mr. Ralph McRoberts  
April 24, 2020  
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### **Permit Fee and Wastewater Billing Rates**

Businesses determined to be Industrial Users (SIUs), as defined by the Phoenix City Code, Chapter 28, entitled Sewers, will incur associated costs. These costs are outlined in sections 28-39 and 28-92. Included in these costs is an annual pretreatment permitting fee of \$1009 for the Class A Wastewater Discharge Permit. Phoenix City Codes may be viewed and printed by going to the web link <http://www.codepublishing.com/az/phoenix/html/pdfs/Phoenix28.pdf>.

Type User 07 Industrial User wastewater billing rates are calculated and updated approximately every two years using data collected from wastewater monitoring. Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), and percentage of water discharged to sewer for process and non-process uses (% Flow to Sewer) will be calculated for the account(s) listed during 2021 for PMA Industries of Arizona, Inc. This letter has been electronically forwarded to Water Customer Services notifying them of the pending changes.

Should you have any questions, please contact me at phone № 602-495-5926, or e-mail me at [chelsey.weaver@phoenix.gov](mailto:chelsey.weaver@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Chelsey Weaver  
Chief Water Quality Inspector

Enclosures: Class A Wastewater Discharge Permit № 2005-46927  
Self-Monitoring Report Forms  
Signatory Authorization Letter Example  
Annual Sampling Schedule Form  
RCRA Notification Letter

e-copy: Linda Palumbo  
Chelsey Weaver  
Brett Melendez  
Jesse Flores  
Kyle Smith  
Lisa-Marie Carlson  
CSDPremiseCreation WSD  
Industrial WSD/WSD/PHX



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
Quality Reliability Value

## **Class A Wastewater Discharge Permit № 2005-46927**

In compliance with the provisions of the Clean Water Act, (33 U.S.C. 1251, et seq.), the July 1, 2003 General Pretreatment Regulations (40 CFR Part 403), the Federal Metal Finishing Regulations (40 CFR 433.17), and Chapter 28 of the Phoenix City Code, and any amendments or supplements thereto, the City of Phoenix, Water Services Department, Environmental Services Division authorizes

**Business Name:** PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.

**Facility Address:** 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

to discharge industrial wastewater into the City of Phoenix sanitary sewer system in accordance with the effluent limitations, sampling requirements, and other conditions set forth in this Permit, the Permit Standard Conditions dated July 30, 2015, and Chapter 28 of the Phoenix City Code

This Permit replaces all previously issued Permits and becomes effective at 12:00 a.m. **May 1, 2020** and expires at 11:59 p.m. on **April 30, 2025**.

Issued on **April 24, 2020**

Linda Palumbo  
Environmental Programs Coordinator

**A Petition for Review of the conditions and limitations contained in this Permit may be filed with the Environmental Services Division within twenty (20) days of the receipt of this Permit as provided by Section 28-46.1 of the Phoenix City Code.**

## **Prohibited Discharges**

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Wastewater or wastestreams are generated from the following sources:

- Ferric etch process wastewater*
- Untreated concentrated process wastewater*

## **Allowed Discharges**

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Wastewater generated from the following sources is allowed for discharge into the City of Phoenix sanitary sewer under the conditions of this permit and Chapter 28 of the Phoenix City Code.

- |                              |  |
|------------------------------|--|
| <i>Sanitary wastes</i>       | <i>Filter press liquor</i>                 |
| <i>Pumice scrubs</i>         | <i>Photo &amp; graphics (silver saver)</i> |
| <i>Panel polishing</i>       | <i>Etching rinses</i>                      |
| <i>Developer rinses</i>      | <i>Stripper rinses</i>                     |
| <i>Fume scrubber</i>         | <i>RO reject</i>                           |
| <i>Ion exchange</i>          | <i>Evaporative coolers</i>                 |
| <i>Developer concentrate</i> |  |

## Discharge Limits and Sampling (Monitoring) Requirements

### Compliance Sampling Point 46927.01

▪ Effluent limits and sampling for the Permittee apply at Compliance Sampling Point № **46927.01**, described as the **Waste Treatment Process Analysis Tank sampling port** located at the **Southwest corner of the building in the Pretreatment Area**.

▪ Wastewater generated from the following sources result in discharge through Compliance Sampling Point № 46927.01:

*Pumice scrubs  
Panel polishing  
Fume scrubber*

*Filter Press Liquor  
Developer rinses  
Etching rinses*

- Permittee must limit and sample the allowed discharges of the sources specified above in accordance with the table below; wherein the most stringent of the limits apply as indicated in bold, and wherein all parameters are “Totals” limited in concentration.
- The sampling frequency shown is the minimum required; Permittee may sample more often than required, but must report the results of any extra samples collected.
- Discharges through the compliance sampling point average **350** gallons per day and are not expected to exceed **1,500** gallons during any single day.
- Wastewater generated from the categorical process operations are subject to the Federal Metal Finishing Regulations (40 CFR 433.17).

Parameter	Units	Minimum Sampling Frequency	Sampling Method	Daily Minimum		Daily Maximum			Monthly Average	
				FINAL Limit	Local Limit	FINAL Limit	PSNS Limit	Local Limit	FINAL Limit	PSNS Limit
Arsenic	mg/L	1 per 6-Months	Composite	-	-	<b>0.13</b>	-	0.13	-	-
BOD**	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
Cadmium	mg/L	1 per Quarter	Composite	-	-	<b>0.047</b>	0.11	0.047	<b>0.07</b>	0.07
Chromium	mg/L	1 per Quarter	Composite	-	-	<b>2.77</b>	2.77	-	<b>1.71</b>	1.71
Copper	mg/L	1 per Quarter	Composite	-	-	<b>1.5</b>	3.38	1.5	<b>2.07</b>	2.07
Cyanide	mg/L	1 per Quarter	Grab	-	-	<b>1.20</b>	1.20	2.0	<b>0.65</b>	0.65
Lead	mg/L	1 per Quarter	Composite	-	-	<b>0.41</b>	0.69	0.41	<b>0.43</b>	0.43
Mercury	mg/L	1 per Quarter	Composite	-	-	<b>0.0023</b>	-	0.0023	-	-
Nickel	mg/L	1 per Quarter	Composite	-	-	<b>3.98</b>	3.98	-	<b>2.38</b>	2.38
pH*	SU	1 per Batch	Grab	<b>5.0</b>	5.0	<b>10.5</b>	-	10.5	-	-
Molybdenum *	mg/L	1 per 6-Months	Composite	-	-	<b>BMP</b>	-	BMP	-	-
Selenium	mg/L	1 per Quarter	Composite	-	-	<b>0.10</b>	-	0.10	-	-
Silver	mg/L	1 per Quarter	Composite	-	-	<b>0.43</b>	0.43	1.2	<b>0.24</b>	0.24
TSS***	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
TTO – 433*	µg/L	1 per 6-Months	Composite	-	-	<b>2130</b>	2130	-	-	-
Zinc	mg/L	1 per Quarter	Composite	-	-	<b>2.61</b>	2.61	3.5	<b>1.48</b>	1.48

PSNS – Pretreatment Standards for New Sources

\* See Sampling and Analysis Notes for Additional Information \*\*Biological Oxygen Demand \*\*\*Total Suspended Solids

## Discharge Limits and Sampling (Monitoring) Requirements

### Compliance Sampling Point 46927.02

- Effluent limits and sampling for the Permittee apply at Compliance Sampling Point № **46927.02**, described as the **T3 Process Analysis Tank sampling port** located **at the Southwest corner of the building in the Pretreatment Area**.

- Wastewater generated from the following sources result in discharge through Compliance Sampling Point № 46927.02:

*Photo & graphics (silver saver)*

*Stripper rinses*

*Filter press liquor*

*Developer concentrate*

- Permittee must limit and sample the allowed discharges of the sources specified above in accordance with the table below; wherein the most stringent of the limits apply as indicated in bold, and wherein all parameters are “Totals” limited in concentration.
- The sampling frequency shown is the minimum required; Permittee may sample more often than required, but must report the results of any extra samples collected.
- Discharges through the compliance sampling point average **350** gallons per day and are not expected to exceed **1,500** gallons during any single day.
- Wastewater generated from the categorical process operations are subject to the Federal Metal Finishing Regulations (40 CFR 433.17).

Parameter	Units	Minimum Sampling Frequency	Sampling Method	Daily Minimum		Daily Maximum			Monthly Average	
				FINAL Limit	Local Limit	FINAL Limit	PSNS Limit	Local Limit	FINAL Limit	PSNS Limit
Arsenic	mg/L	1 per 6-Months	Composite	-	-	<b>0.13</b>	-	0.13	-	-
BOD**	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
Cadmium	mg/L	1 per Quarter	Composite	-	-	<b>0.047</b>	0.11	0.047	<b>0.07</b>	0.07
Chromium	mg/L	1 per Quarter	Composite	-	-	<b>2.77</b>	2.77	-	<b>1.71</b>	1.71
Copper	mg/L	1 per Month	Composite	-	-	<b>1.5</b>	3.38	1.5	<b>2.07</b>	2.07
Cyanide	mg/L	1 per Quarter	Grab	-	-	<b>1.20</b>	1.20	2.0	<b>0.65</b>	0.65
Lead	mg/L	1 per Quarter	Composite	-	-	<b>0.41</b>	0.69	0.41	<b>0.43</b>	0.43
Mercury	mg/L	1 per Quarter	Composite	-	-	<b>0.0023</b>	-	0.0023	-	-
Nickel	mg/L	1 per Month	Composite	-	-	<b>3.98</b>	3.98	-	<b>2.38</b>	2.38
pH*	SU	1 per Batch	Grab	<b>5.0</b>	5.0	<b>10.5</b>	-	10.5	-	-
Molybdenum *	mg/L	1 per 6-Months	Composite	-	-	<b>BMP</b>	-	BMP	-	-
Selenium	mg/L	1 per Quarter	Composite	-	-	<b>0.10</b>	-	0.10	-	-
Silver	mg/L	1 per Month	Composite	-	-	<b>0.43</b>	0.43	1.2	<b>0.24</b>	0.24
TSS***	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
TTO – 433*	µg/L	1 per 6-Months	Composite	-	-	<b>2130</b>	2130	-	-	-
Zinc	mg/L	1 per Month	Composite	-	-	<b>2.61</b>	2.61	3.5	<b>1.48</b>	1.48

PSNS – Pretreatment Standards for New Sources

\* See Sampling and Analysis Notes for Additional Information \*\*Biological Oxygen Demand \*\*\*Total Suspended Solids

## Discharge Limits and Sampling (Monitoring) Requirements

### Sampling and Analysis Notes:

1. Unless otherwise specified, all samples are required to be taken as Flow Proportional Composite samples. See the City of Phoenix Permit Standard Conditions dated July 30, 2015, for definitions.
2. The first weekly sampling period ends at midnight **May 10, 2020**. The first monthly sampling period ends at midnight **May 31, 2020**. The first quarterly sampling period ends at midnight **June 30, 2020**. The first six months sampling period ends at midnight **June 30, 2020**.
3. Permittee is required to implement chemical substitution via use of Molybdenum-free chemicals in sterilizers, cooling towers, and closed-loop chillers in accordance with the June 2005 SROG Best Management Practices Technical Memorandum - Molybdenum BMP.
4. The standard for pH is an Instantaneous Effluent Limitation of 5.0 - 10.5 standard units (SU). Analysis of the effluent sample for **pH must be performed at the facility immediately following sample collection**, in accordance with field methods approved by Arizona Department of Health Services and 40 CFR 136 Methods Table 1B for Hydrogen Ion (pH), pH units. Please note that the use of pH strips is not an approved method for analysis of pH for compliance purposes.
5. Federal regulations require monitoring once every 6-months (semi-annual) for Total Toxic Organic (TTO) compounds reasonably expected in the wastestream for specific industry classifications. Applicable list(s) of TTO parameters are contained in the section titled **Total Toxic Organic Compound List** in this permit. Permittee has an approved Toxic Organic Management Plan (TOMP). Therefore, Permittee may submit TOMP Implementation Certifications, in lieu of monitoring for TTO compounds. If the Permittee fails to implement the TOMP or to submit the TOMP Implementation Certification once per month as specified in the Reporting section of this permit, the Permittee is required to monitor for TTOs at the frequency specified. Changes to the approved TOMP must be submitted to the City for approval 30-days prior to enacting the changes.

## Reporting Requirements

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### Self-Monitoring Report

Permittee is required to submit a compliance monitoring report [Self-Monitoring Report (SMR)] no later than the 28<sup>th</sup> day of every calendar month. Each SMR shall indicate, for the prior calendar month:

- The nature and concentration of all pollutants analyzed under this Permit
- The measured maximum and average daily flows
- The measured total monthly flow
- Measured calibration checks of secondary flow meter(s)
- Maintenance of compliance sampling point(s)
- Zero Discharge Certifications for any calendar weeks for which no discharge occurs and for which there is a 1 per week monitoring requirement for any parameter.
- Method Quality Control data and measured calibration checks for pH meter(s) used for compliance sample analysis
- TOMP Implementation Certification for the preceding month which includes the following statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge [self-] monitoring report. I further certify that this facility is implementing the toxic organic management plan (TOMP) submitted to the City of Phoenix."

Permittee must meet the information and requirements of Part D of the Permit Standard Conditions, July 30, 2015.

For any calendar month in which no discharge occurs, in lieu of the SMR, Permittee must submit a Zero Discharge Certification no later than the 28<sup>th</sup> day of the following calendar month.

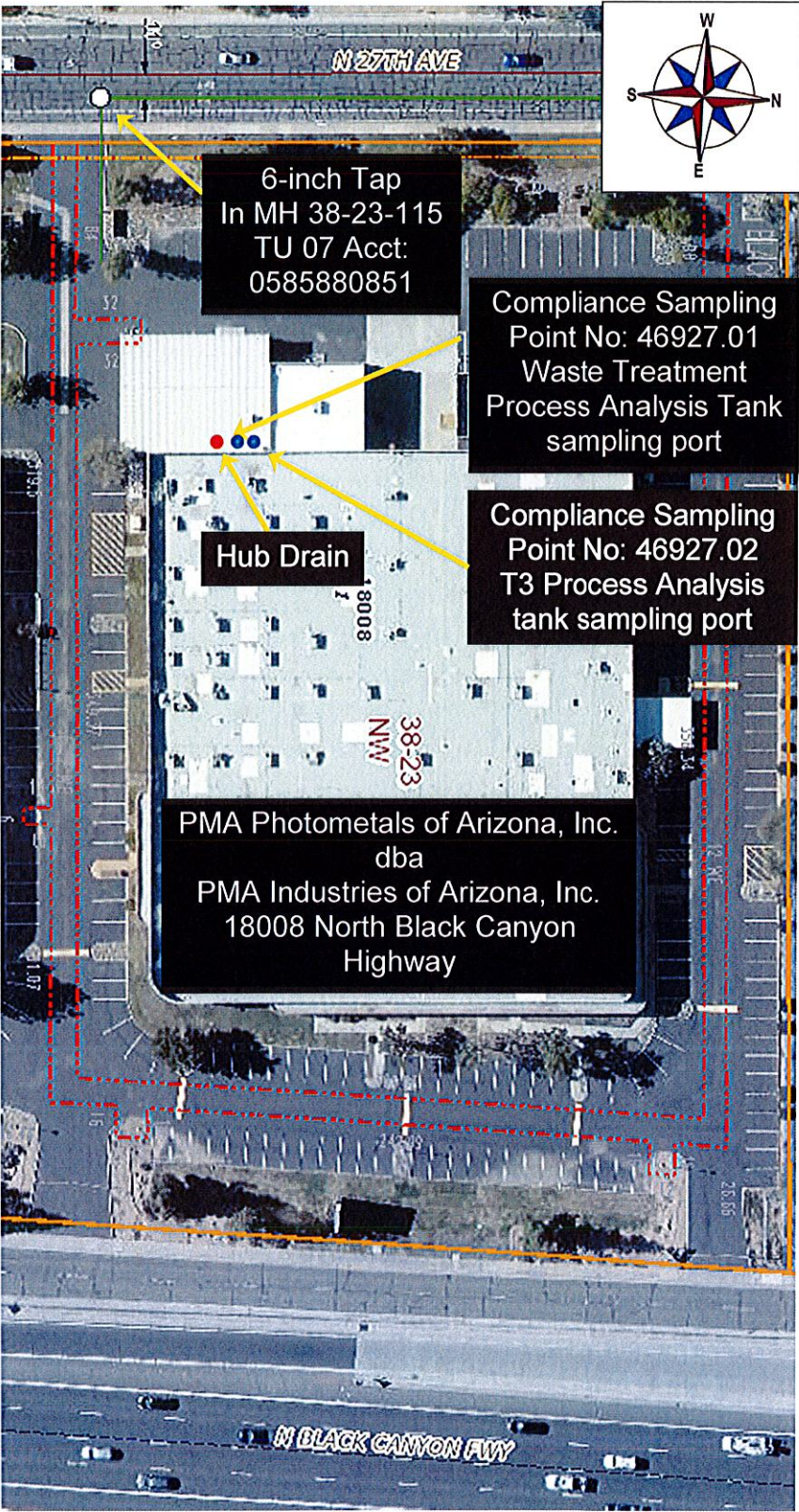
### Special Conditions

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1. Permittee is required to implement and comply with its approved Slug Control Plan. See Section H of the Permit Standard Conditions for additional requirements regarding Slug Control and Accidental Discharge.
2. Permittee is required to sample for BOD and TSS once monthly during the first 6-months of the Permit effective date in order to establish baseline billing rates.



**Compliance Sampling Point Drawing**



## Total Toxic Organic Compound List 40 CFR 433

### TTO – 433

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The term "TTO" shall mean total toxic organics, which is the summation of all quantifiable values greater than 0.01 milligrams per liter for the following toxic organics:

Acenaphthene	2,4-Dimethylphenol
Acrolein	2,4-Dinitrotoluene
Acrylonitrile	2,6-Dinitrotoluene
Benzene	1,2-Diphenylhydrazine
Benzidine	Ethylbenzene
Carbon tetrachloride (tetrachloromethane)	Fluoranthene
Chlorobenzene	4-Chlorophenyl phenyl ether
1,2,4-Trichlorobenzene	4-Bromophenyl phenyl ether
Hexachlorobenzene	Bis (2-chloroisopropyl) ether
1,2,-Dichloroethane	Bis (2-chloroethoxy) methane
1,1,1-Trichloroethane	Methylene chloride (dichloromethane)
Hexachloroethane	Methyl chloride (chloromethane)
1,1-Dichloroethane	Methyl bromide (bromomethane)
1,1,2-Trichloroethane	Bromoform (tribromomethane)
1,1,2,2-Tetrachloroethane	Dichlorobromomethane
Chloroethane	Chlorodibromomethane
Bis (2-chloroethyl) ether	Hexachlorobutadiene
2-Chloroethyl vinyl ether (mixed)	Hexachlorocyclopentadiene
2-Chloronaphthalene	Isophorone
2,4,6-Trichlorophenol	Naphthalene
p-chloro-m-cresol	Nitrobenzene
Chloroform (trichloromethane)	2-Nitrophenol
2-Chlorophenol	4-Nitrophenol
1,2-Dichlorobenzene	2,4-Dinitrophenol
1,3-Dichlorobenzene	4,6-Dinitro-o-cresol
1,4-Dichlorobenzene	N-nitrosodimethylamine
3,3-Dichlorobenzidine	N-nitrosodiphenylamine
1,1-Dichloroethylene	N-nitrosodi-n-propylamine
1,2-Trans-dichloroethylene	Pentachlorophenol
2,4-Dichlorophenol	Phenol
1,2-Dichloropropane	Bis (2-ethylhexyl) phthalate
1,3-Dichloropropylene (1,3-dichloropropene)	Butyl benzyl phthalate
Di-n-octyl phthalate	Di-n-butyl phthalate
Diethyl phthalate	Chlordane (technical mixture and metabolites)

## Total Toxic Organic Compound List 40 CFR 433

### TTO – 433

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Dimethyl phthalate	Alpha-endosulfan
1,2-Benzanthracene (benzo(a)anthracene)	Beta-endosulfan
Benzo(a)pyrene (3,4-benzopyrene)	Endosulfan sulfate
3,4-Benzofluoranthene (benzo(b)fluoranthene)	Endrin
11,12-Benzofluoranthene (benzo(k)fluoranthene)	Endrin aldehyde
Chrysene	Heptachlor
Acenaphthylene	Heptachlor epoxide
Anthracene	Alpha-BHC
1,12-Benzoperylene (benzo(ghi)perylene)	Beta-BHC
Fluorene	Gamma-BHC
Phenanthrene	Delta-BHC
1,2,5,6-Dibenzanthracene (dibenzo(a,h)anthracene)	PCB-1242 (Arochlor 1242)
Indeno(1,2,3-cd) pyrene (2,3-o-phenylene pyrene)	PCB-1254 (Arochlor 1254)
Pyrene	PCB-1221 (Arochlor 1221)
Tetrachloroethylene	PCB-1232 (Arochlor 1232)
Toluene	PCB-1248 (Arochlor 1248)
Trichloroethylene	PCB-1260 (Arochlor 1260)
Vinyl chloride (chloroethylene)	PCB-1016 (Arochlor 1016)
Aldrin	Toxaphene
Dieldrin	2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)
4,4-DDT	
4,4-DDE (p,p-DDX)	
4,4-DDD (p,p-TDE)	

## Permit Standard Conditions July 30, 2015

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The terms and conditions contained herein are in addition to those specified elsewhere in the Permit. Where conflicts may arise, the more specific terms and conditions of the Permit control.

### A. Standard Definitions

#### 1. Approved Laboratory Procedures

The measurements, tests and analyses of the characteristics of water and wastewater in accordance with analytical procedures as established in Title 40, Code of Federal Regulations, Part 136, as revised, that are performed by an environmental laboratory licensed by the State of Arizona pursuant to A.R.S. Section 36-495 et seq. The Water Services Director (Director) in accordance with applicable federal regulations may approve alternative procedures.

Approved Laboratory Procedures are strictly followed during receipt, preparation, analysis, review, and reporting of environmental samples. Approved Laboratory Procedures generate technically **Valid Data** of known and legally defensible quality.

#### 2. Average Daily Flow

The total volume of wastewater flowing through each compliance sampling point during a calendar month, divided by the number of days in that month for which there was a process wastewater discharge through the compliance sampling point and expressed in gallons per day (GPD). To calculate the monthly average flow, sum the daily flow entries specified on the Self-Monitoring Report (SMR) for all days in that month for which there was process wastewater discharge through the compliance sampling point and divide by the total number of process wastewater discharge days in the month (do not include days for which there was zero flow). Do not divide by the number of days in the calendar month unless there was process wastewater discharge on each and every day.

#### 3. Aware Date

Determination of the Permittee's aware date of analytical results from sampling or flow rate monitoring results shall be based upon:

- a.) The date and time recorded on the written report of laboratory analyses performed by an environmental laboratory licensed by the State of Arizona;
- b.) The date and time that field analysis for pH was completed, and as recorded on the original hardcopy log or record; and/or
- c.) The date and time recorded by an electronic continuous monitoring data logger.

#### 4. AZPDES Permit

Arizona Pollutant Discharge Elimination System Permit. As authorized by the State of Arizona, the **Arizona Pollutant Discharge Elimination System (AZPDES)** permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches.

#### 5. Best Management Practices or BMPs

The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Title 40 of the Code of Federal Regulations Subpart 403.5(a)(1) and (b) and the Phoenix City Code Section 28-8. BMPs also include pretreatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

### 6. Categorical Standard

National technology-based standards which limit the pollutant discharges to POTWs from specific process wastewaters of particular industrial categories and apply regardless of whether an industrial user has been issued a control mechanism or permit. These industries are called Categorical Industrial Users. Categorical standards are promulgated by United States Environmental Protection Agency (USEPA) in accordance with Section 307 of the Clean Water Act and are designated in the Effluent Guidelines & Limitations (Code of Federal Regulations Title 40, Parts 405-471) by the terms "Pretreatment Standards for Existing Sources (PSES)" and "Pretreatment Standards for New Sources (PSNS)".

### 7. Compliance Sampling Point

A manhole, petcock, valve, sampling port, open-channel flow device, or other waste plumbing appurtenance specifically designated by the Director for monitoring wastewater flows and for collection of samples for determination of compliance with effluent limitations.

### 8. Daily Discharge

The discharge of a pollutant measured during any 24-hour period that reasonably represents a process wastewater discharge day for purposes of sampling. For pollutants with limitations expressed in other units of measurement (e.g., concentration) the daily discharge is calculated as the average measurement of the pollutant throughout the day.

### 9. Daily Maximum Effluent Limitation

The maximum allowable daily discharge of a pollutant. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken over a sampling day. Because the control authority must independently determine industrial user compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Daily Maximum Limitations.

### 10. Dilution

Increasing the use of potable or process water in any way, mixing separate waste streams with the result of or for the purpose of diluting a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with Permit limitations and/or federal pretreatment standards.

### 11. Director

The Water Services Department Director or authorized representative (Industrial Pretreatment Program staff).

### 12. Flow Proportional Composite Sample

A combination of individual samples obtained at regular intervals over a sampling day. The volume of each individual sample shall be proportional to the flow rate during the sampling day. A sampling day is any consecutive period of time that represents Permittee's discharge occurring during a normal operating day.

### 13. Flow Weighted Average Concentration

The calculated concentration of pollutant based upon analytical derived concentrations of pollutants obtained from multiple compliance sampling points collected during a single daily discharge period plus or minus 60-minutes, multiplied by their corresponding measured flow volumes, and divided by the total sum of the flow volumes.

### 14. Grab Sample

An individual sample collected in less than fifteen (15) minutes without regard to the amount of flow or the time of day. Because the control authority must independently determine industrial user compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Daily Maximum Limitations.

### 15. Instantaneous Effluent Limitation

The maximum allowable concentration in the discharge at any time as measured in a grab sample. Because the control authority must independently determine industrial user compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Daily Maximum Limitations.

### 16. Monthly Average Effluent Limitation

The maximum allowable average of daily discharge values collected from a specific compliance sampling point over a calendar month; calculated as the sum of all daily discharge results measured during a calendar month, divided by the number of days for which monitoring was performed and valid data from analytical results were obtained. The monthly average result may be derived from a single analytical result. Because the control authority must independently determine industrial user compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Average Monthly Discharge Limitations.

### 17. Municipal Separate Storm Sewer System (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): 1.) Owned and operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act (CWA) that discharges to waters of the United States 2.) Designed or used for collecting or conveying stormwater; 3.) Which is not a combined sewer; and 4.) Which is not part of a POTW.

### 18. NPDES Permit

National Pollutant Discharge Elimination System Permit. As authorized by the Clean Water Act, the **National Pollutant Discharge Elimination System (NPDES)** permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches.

### 19. Pretreatment

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d), i.e., dilution is not pretreatment. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e), i.e., combined wastestream formula.

### 20. Process Wastewater

Any water which, during manufacturing or processing, comes into direct contact with, or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

### 21. Publicly Owned Treatment Works (POTW)

A treatment works, as defined by Section 212 of the Clean Water Act (CWA), which is owned by the state or municipality. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant.

### 22. Representative Sample

A sample which mimics the volume and nature of the discharge, reflects the normal process or operating cycle of the facility, is collected from a designated compliance sampling point and/or downstream of pretreatment and upstream of other confluences, is collected using grab (discrete), continuous, or composite techniques as specified in 40 CFR 136.3.

Representative samples must be collected where the wastewater is well mixed, near the center of the flow channel, at approximately 40 to 60 percent of the water depth, where the possibility of solids settling is minimized. Skimming the water surface or dragging the channel bottom shall be avoided. However, allowances should be made for fluctuations in water depth due to flow variations.

Composite samples shall be obtained by **Flow Proportional Composite Sampling** techniques except where the Director has given written permission specifying an alternate technique. The Director may allow or conduct composite sampling by time-proportional techniques or by the compositing or averaging of one or more grab samples. Where manual compositing is employed, the individual sample portions must be thoroughly mixed before pouring the individual aliquots into the composite container. For manual composite sampling, the individual sample aliquots shall be preserved at the time of sample collection.

### 23. Secondary Containment:

Owners and operators of industrial, commercial, and non-commercial properties are required to store all hazardous materials; hazardous wastes; oils of petroleum, mineral, animal, or vegetable origin; and other liquids or solids which may contribute to environmental contamination using secondary containment, such as spill pallets or berms to contain either 10 percent of the total enclosed container volume or 110 percent of the volume contained in the

largest container, whichever is greater, or, if a single container, 110 percent of the volume of that container.

### 24. Self-Monitoring

Sampling and analyses performed by the Permittee or their designated agent for determination of compliance with a permit or other regulatory requirements.

### 25. Valid Data

Data obtained, measured, and/or analyzed which meets written performance and/or method criteria including quality control. Valid data stands up to the scrutiny of data validation procedures which is a detailed review of sampling practices and data quality control measures specified in 40 CFR 136, Arizona Department of Health Services requirements for AZPDES and APP wastewater exempt field methods, analytical methods, and/or standard operating procedures.

## B. General Prohibitions

1. **Sanitary Sewer Prohibitions:** Permittee shall comply with the General User Requirements in Section 28-8 of the Phoenix City Code and shall not discharge to the Publicly Owned Treatment Works and Connecting Sewer Collection System:
  - a.) Any storm water, surface water, ground water, roof runoff, surface drainage, cooling water or unpolluted process waters that may constitute inflow. Inflow is water other than wastewater that enters the POTW (including sewer service connections) from sources such as roof leaders, cellar drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters or drainage.
  - b.) Pollutants which create a fire or explosion hazard to the POTW. In no case shall pollutants be discharged with a closed cup flashpoint less than 140 degrees Fahrenheit (60 degrees Centigrade), or pollutants which cause an exceedance of 10% of the lower explosive limit (LEL) at any point within the POTW for any single reading, or more than 5% for any two consecutive readings.
  - c.) Solid or viscous pollutants, animal fats, oils and grease, petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that may cause interference or pass through or that may cause obstruction to the flow in sewers or other damage to the POTW.
  - d.) Any waters or wastes containing a toxic, radioactive, poisonous or other substances in sufficient quantity to cause or have the potential to cause injury or damage to a person or property or interference with any sewage treatment process, cause corrosive structural damage, constitute a hazard to humans or create any hazard to the sewage system or in the receiving waters of the POTW or pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems. Compliance determination for toxic vapors and gases shall be based upon the more stringent of the vapor toxicity screening levels developed by the USEPA in Appendix J, Table 7 of the EPA Local Limits Guidance Appendices, July 2004; Tables 4-2 and B-1 of EPA's Guidance to Protect POTW Workers From Toxic and Reactive Gases and Vapors, June 1992; and Title 40 § 261.24 Table 1 Maximum Concentration of Contaminants for the Toxicity Characteristic.
  - e.) Any waters with a pH less than 5.0 Standard Units (SU) or greater than 10.5 SU.



## Permit Standard Conditions July 30, 2015

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- f.) Any waters with a temperature greater than 150 degrees Fahrenheit (66 degrees Centigrade) or heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no event heat in such quantities that the temperature at the headworks of the POTW treatment plant exceeds 104 degrees Fahrenheit (40 degrees Centigrade).
- g.) Any water or wastewater that has in any way been diluted as a substitute for adequate pretreatment to achieve compliance with the limitations contained in the Permit. Permittee shall not increase the use of potable or process water in any way, nor mix separate wastestreams with the result of or for the purpose of diluting a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the Permit.
- h.) Any water or wastewater that could cause a violation of any categorical standard or pretreatment requirement.
- i.) Any water or wastewater that is transported from the point of generation to the POTW, or any appurtenance to the POTW, by any septic tank pumper, chemical waste hauler, or similarly transported unless the transporter has first:
  - i) Disclosed to the Director the origin, nature, concentration and volume of all pollutants to be discharged; and
  - ii) Obtained the written consent of the Director to discharge.
- j.) Any pollutant(s) which might cause POTW Pass Through or Interference with POTW operations.
- k.) Any discharge that exhibits a characteristic of a hazardous waste, or contains a substance that is listed as a hazardous waste pursuant to either Arizona Administrative Code R-18-8-261, as amended or Title 40, Code of Federal Regulations Part 261, as amended, whichever is applicable, whether or not the discharge is otherwise subject to hazardous waste regulations. This provision does not apply to discharges of hazardous waste that are authorized in writing by the Director. Compliance determination for toxic vapors and gases shall be based upon the more stringent of the vapor toxicity screening levels developed by the USEPA in Appendix J, Table 7 of the EPA Local Limits Guidance Appendices, July 2004; Tables 4-2 and B-1 of EPA's Guidance to Protect POTW Workers From Toxic and Reactive Gases and Vapors, June 1992; and Title 40 § 261.24 Table 1 Maximum Concentration of Contaminants for the Toxicity Characteristic.
- l.) Any waters or wastewater exceeding the following Instantaneous Effluent Limitations, expressed in units of micrograms per liter (ug/L):

<u>Parameter</u>	<u>Limitation</u>
Benzene	35 ug/L
Chloroform	2000 ug/L

- m.) Any of the following prohibited substances:

4,4' -DDE	BHC-gamma (Lindane)
4,4' -DDT	Heptachlor
Aldrin	Heptachlor Epoxide
BHC-alpha	Polychlorinated Biphenyl Compounds (PCBs)
BHC-beta	

## Permit Standard Conditions July 30, 2015

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2. **Stormwater Prohibitions and Permitted Practices:** Permittee shall comply with Section 32C-103 of the Phoenix City Code related to the Municipal Separate Storm Sewer System (MS4):
- a.) It shall be unlawful for any person to use, store, treat or dispose of stormwater, pollutants, or significant materials in a manner that creates a public nuisance as defined in Section 32C-102 of Chapter 32C of the Phoenix City Code.
  - b.) It shall be unlawful for any person to release to a publicly owned right-of-way, retention or detention basin, or public storm drain system any substance that is not composed entirely of stormwater except (1) releases pursuant to an NPDES/AZPDES permit, (2) releases resulting from emergency firefighting activities, and (3) releases of materials as provided in Subsection 6, 7 or 8 of Section 32C-103 of the Phoenix City Code.
  - c.) It shall be unlawful for any person to install or use a direct connection to the public storm drain system without permission of the City Manager.
  - d.) It shall be unlawful for any person to fail to maintain best management practices, including but not limited to stormwater retention and detention basins, drywells, and storage structures.
  - e.) It shall be unlawful for any person to, without good cause, interfere with or prohibit any City employee from conducting any activities in furtherance of the requirements of Chapter 32C of the Phoenix City Code, including conducting inspections and collecting samples.
  - f.) This section does not prohibit releases of stormwater from stormwater retention or detention basins if a permit or approval is first obtained from the City Manager. A person seeking such a permit or approval shall demonstrate that the release is not reasonably expected to cause or contribute to a public nuisance as defined in Section 32C-102 of Chapter 32C of the Phoenix City Code.
  - g.) This section does not prohibit releases from the sources listed in Section 32C-103, F, 1-12 of the Phoenix City Code Chapter 32C, provided those releases are not a significant source of pollutants and are discharged in a manner that does not create a public nuisance as defined in Section 32C-102 of Chapter 32C of the Phoenix City Code.
  - h.) This section does not prohibit releases to the public storm drain system that are authorized pursuant to an NPDES/AZPDES permit; provided, that all conditions of that permit are met and the City has been provided a copy of the applicable authorization to discharge or other written proof of permit coverage. Examples of this include releases authorized under the NPDES/AZPDES general permits for de minimis discharges or stormwater discharges associated with industrial activity. An authorization under a separate NPDES/AZPDES permit, however, does not exempt a person from preparing a stormwater management plan and submitting it to the City, if required under Section 32C-104 of Chapter 32C of the Phoenix City Code.

# Permit Standard Conditions July 30, 2015

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## C. Reports and Oral Notifications

1. Unless otherwise specified, oral notifications of slug discharges and 24-hour oral notifications of known or suspected violations to the City of Phoenix, Industrial Pretreatment Program can be made during normal business hours (8:00 am - 4:30 pm) by telephone to either of the following:

**IPP Chief WQI Desk: 602-495-5926**  
**ESD Main Desk: 602-262-1859**

After business hours, oral notifications of slug discharges are to be made by telephone to ALL of the following:

**91<sup>st</sup> Ave WWTP: 602-722-7956**  
**23<sup>rd</sup> Ave WWTP: 602-316-8175**  
**Water Switchboard: 602-261-8000**  
**IPP Chief WQI Desk: 602-495-5926**

After business hours, 24-hour oral notifications of known or suspected violations to the City of Phoenix, Industrial Pretreatment Program are to be made by telephone to ALL of the following:

**IPP Chief WQI Desk: 602-495-5926**  
**ESD Main Desk: 602-262-1859**

2. Unless otherwise specified, original, signed, hardcopies of all reports (including written notifications, applications, plans, studies, violation response reports, and compliance Self-Monitoring Reports) required by the Permit shall be delivered during normal business hours (8:00 am - 4:30 pm) and/or addressed to:

**City of Phoenix**  
**Water Services Department**  
**Industrial Pretreatment Program**  
**2474 South 22<sup>nd</sup> Avenue, Building 31**  
**Phoenix, Arizona 85009-6918**

NOTE: Electronic document submittals via e-mail or facsimile cannot be accepted. The City of Phoenix Industrial Pretreatment Program does not have an approved electronic document receiving system pursuant to Title 40 Part 3 – Cross-Media Electronic Reporting, Subpart D §3.1000. Electronic submittals may be submitted to meet the deadline and a hard copy of the document with a wet signature must be submitted for compliance requirements.

3. Each submitted report must be signed in accordance with the requirements set forth in Part I of these Standard Conditions.

## D. Monitoring

### 1. Sampling and Flow Measurement

- a.) The analysis of all samples under the Permit shall be performed using **Approved Laboratory Procedures**.
- b.) Samples and measurements taken as required by the Permit shall be **Representative Samples**, representative of the volume and nature of the sampled discharge. All samples shall be taken at the compliance sampling point(s) specified in the Permit. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy.

## Permit Standard Conditions July 30, 2015

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If the Permittee samples any pollutant more frequently than required by the Permit at the compliance sampling point, then the results of such sampling shall be included in the compliance self-monitoring report and included in all calculations required for the report. Such increased sampling frequency shall also be noted on the report.

- c.) Permittee shall measure the daily maximum flows, monthly average daily flow, and total monthly flow discharged through the compliance sampling point(s) described in the Permit and include these results in Permittee's monthly compliance self-monitoring report.
  - i) Appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, operated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.
  - ii) Permittee may request written permission from the Industrial Pretreatment Program to be allowed to estimate daily maximum flows, monthly average daily flow, and total monthly flow. Requests must include a full description of the procedures and mathematic formulas to be used to calculate flow estimates to be considered for approval. Approval to estimate flows may be revoked should estimates fail to represent actual measured flows or the Permittee fails to provide documentation or calculations supporting estimated flows.

### 2. Monitoring Records

- a.) Records of sampling information shall include:
  - i) The date, exact place, time, methods of obtaining samples and measurements, and sample preservation techniques or procedures;
  - ii) Who performed the sampling and measurements;
  - iii) The date(s) analyses were performed;
  - iv) Who performed the analyses;
  - v) The analytical techniques or methods used;
  - vi) The results of such analyses;
  - vii) Original handwritten records or logs; and
  - viii) Unadulterated raw data downloaded from electronic data recorders.
- b.) Records shall demonstrate legally defensible custody of all samples obtained and submitted for analyses.
- c.) Permittee shall maintain records of equipment calibrations, maintenance activities and inspections.

### E. Records

1. 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 the Permit, and records of all data used to complete the application for the Permit, for a period of at least three years from the date of the sample, measurement, report or application.

## Permit Standard Conditions July 30, 2015

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2. Permittee shall maintain records pertaining to the disposal of solids, sludges, filter backwash, or other pollutants removed from Permittee's facility. Permittee shall retain such records for a period of at least three years from the date of disposal or removal from the facility.
3. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Phoenix shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

### F. Proper Operation and Maintenance

#### 1. Proper Operation and Maintenance at All Times

Permittee shall at all times properly operate and maintain all facilities, systems of pretreatment and control, and related appurtenances which are installed or used by the Permittee to achieve compliance with the conditions of the Permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate quantities and types of pretreatment chemicals, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit.

#### 2. Adequate and Qualified Operating Staff

Permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and testing functions required to ensure compliance with the conditions of the Permit.

#### 3. Operation Exceeding Design Flow Rate is Prohibited

Permittee is prohibited from operation exceeding the design flow rate of the wastewater pretreatment system or individual components within the system. Wastewater pretreatment facilities/systems and individual components within the facility/system are designed and constructed with a margin of safety to allow for adequate pretreatment of the wastewater within certain hydraulic limitations or "design flow rate" of the facility/system.

For the purposes of this Permit, the "system design flow rate" is the unit operation or segment of the pretreatment train with the lowest capacity for adequate pretreatment. In other words, when the control efficiency of the pretreatment system is calculated, the individual piece of equipment with the lowest design flow rate in the pretreatment system would set the design flow rate limit for the site. For example, if the control system consists of a settling tank with the anticipated control efficiency at a flow rate of 100 gallons per minute attached to a carbon adsorber with an anticipated control efficiency at a design flow of 50 gallons per minute, the design flow rate of the system would be 50 gallons per minute.

### G. Noncompliance

#### 1. Notification of Noncompliance

Permittee shall notify the Industrial Pretreatment Program **within 24 hours of the aware date** of a discharge that is known or suspected to be in violation with any effluent limitation or provision of the Permit. The notification shall include location of discharge, date and time thereof, type of wastewater including concentration and volume, and corrective actions taken.

#### 2. Automatic Resampling

- a.) If the results of Permittee's self-monitoring indicates a violation has occurred, Permittee must repeat the sampling and pollutant analysis and submit in writing, the results of this automatic resampling analysis **within 30-days of the aware date of the violation**.

- b.) Permittee is not required to resample if the City obtained a sample at the same discharge point for the same pollutant between the time Permittee performed its sampling and the time Permittee receives the results of the sampling.

### H. Slug Discharge; Accidental Discharge

1. For purposes of this section, a Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, treated or otherwise which has a reasonable potential to cause adverse impacts to the collection system, interference to wastewater treatment plant operations, pass through the wastewater treatment plant, or in any other way violate the POTWs ordinances, local limits or permit conditions.

#### 2. Permittee Provides Protection

- a.) Permittee shall control slug discharges and provide protection from accidental discharges of prohibited materials or other wastes regulated by this Permit.
- b.) All discharge points where a hazardous or prohibited substance could potentially be discharged into the Permittee's plumbing system shall be labeled to warn and prevent personnel from the discharge of such substances.
- c.) Permittee shall make available to their employees copies of this Permit together with such other information and notices that may be furnished by the City from time to time for the purpose of improving and making more effective water pollution control.
- d.) Permittee shall furnish and post a notice on Permittee's bulletin board advising officers, agents and employees who to call in case of an accidental discharge in excess of the limits authorized by this Permit.

#### 3. Written Report on Noncompliance Resulting from a Slug Discharge

**Within five calendar days** of the aware date of a slug discharge that results in a violation of any limitation or prohibition specified in the Permit, Permittee shall submit a detailed written report to the Industrial Pretreatment Program. The detailed written report shall contain:

- a.) A description of the cause(s) of the violation. If the cause of the incident has not been definitively determined, the report shall propose a detailed plan and schedule describing the steps to be taken to determine the cause;
- b.) The location of discharge, type, concentration, and volume of discharge;
- c.) Duration of noncompliance, including **exact dates and times of noncompliance**, and if the noncompliance continues, the time by which compliance is reasonably expected to occur;
- d.) All steps taken or to be taken to reduce, eliminate, and prevent a recurrence of the noncompliance.

### I. Signatory Requirements

Permit applications, Self-Monitoring Reports, reports required by this Permit, and any other reports addressing Permit noncompliance or required by any enforcement action taken by the City of Phoenix must be signed by the appropriate signatory or duly authorized representative, as follows:

1. By a responsible corporate officer, if Permittee is a corporation. For purposes of this section, a responsible corporate officer means:

## Permit Standard Conditions July 30, 2015

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- a.) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-or decision-making functions for the corporation, or
  - b.) The manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environment laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. By a general partner or proprietor if Permittee is a partnership or sole proprietorship.
  3. By a duly authorized representative of the individual designated above if:
    - a.) The authorization is made in writing by the individual described in I.1. or I.2. above;
    - b.) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Permitted discharge originates, such as the position of plant manager, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the Permittee; and
    - c.) The written authorization is submitted to the Industrial Pretreatment Program.
  4. Any change in signatures or positions shall be submitted to the Industrial Pretreatment Program in writing prior to or together with any reports to be signed by an authorized representative, but **in no case more than 30-days** after the change.
  5. Any person signing a document under this section shall make the following certification:

*"I 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 properly 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 violations."*

### J. Planned Changes

Permittee shall give written notice to the Industrial Pretreatment Program **not less than 90-days prior** to any facility changes which results or may result in new, increased, or decreased discharges or a change in the nature of the discharge. Detailed engineer's stamped plans and an engineer's stamped basis of design report describing facility expansion, production increase, process modifications, pretreatment system design flow rate, and operating procedures shall be submitted to the Industrial Pretreatment Program for review, and shall be acceptable to the Industrial Pretreatment Program before such facilities are constructed.

### K. Duty to Halt or Reduce Activity

Upon reduction, loss or failure of the pretreatment facility, Permittee shall, to the extent necessary to maintain compliance with its Permit, control production or all discharges or both until operation of the pretreatment facility is restored or an alternative method of pretreatment is provided. Written approval for alternative methods of pretreatment must be obtained from the Director prior to implementation. This requirement applies, for example, when the primary source of power of the pretreatment facility fails or is reduced. **It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the Permitted activity in order to maintain compliance with the conditions of the Permit.**

### L. Adverse Impact

At Permittee's sole cost and expense, Permittee shall take all reasonable steps to minimize or correct any adverse impact to the POTW and the environment resulting from noncompliance with the Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

### M. Bypass

For purposes of this section, the term **Bypass** means the intentional diversion of wastestreams from any portion of a pretreatment facility.

The term **Severe Property Damage** means substantial physical damage to property, damage to the pretreatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that 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.

1. Permittee may allow a bypass to occur which does not result in any violation of the Permit, and only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the notice and prohibition sections below.
2. **Notice**
  - a.) Where the Permittee knows in advance of the need for a bypass, it shall submit prior written notice to the Industrial Pretreatment Program, **at least 10-days** prior to the date of the bypass.
  - b.) Permittee shall submit oral notice to the Industrial Pretreatment Program of an unanticipated bypass that results in violations of the Permit **within 24-hours** from the time the Permittee becomes aware of the bypass. Permittee shall also provide a written notice of the bypass **within 5-days** from the time the Permittee becomes aware of the bypass. The written notice 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 reoccurrence of the bypass. Permittee may submit a written request to the Industrial Pretreatment Program for a waiver of this written notice requirement, which may only be granted by the Industrial Pretreatment Program if the oral report has been received within **24-hours**.
3. **Bypass is prohibited unless:**
  - a.) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;



- b.) There were no feasible alternatives to the bypass, such as the use of auxiliary pretreatment facilities, retention of untreated wastes, or maintenance during 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 a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- c.) Permittee submitted notices as required under subparagraph M.2.

#### 4. Civil and Criminal Liability

Any bypass under this section shall not relieve the Permittee from civil and criminal liability for noncompliance with effluent limitations or prohibitions of the Permit.

#### N. Inspection and Entry

Permittee shall provide free access to any representative of the City of Phoenix Water Services Department Environmental Services Division and/or Industrial Pretreatment Program. **Free Access** means the ability of City personnel to enter facilities under safe and nonhazardous conditions **with a minimum of delay**. The City shall be able to:

1. Enter at any time during normal hours of operation upon Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the Permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the Permit;
4. Sample or monitor any substances or parameters at any location for the purposes of determining Permit compliance; and
5. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the Permit, could originate or may be subject to regulation.

#### O. Annual Publication

Significant Noncompliance (Section 28-1 of the Phoenix City Code) with the terms and conditions of the Permit by the Permittee will result in newspaper publication and other forms of public notification to inform the public as required by law.

#### P. Civil and Criminal Liability

Nothing in the Permit shall be construed to relieve the Permittee from civil and/or criminal penalties for noncompliance under Section 28 of the Phoenix City Code.

#### Q. Criminal Penalty

Any person who violates any provision of Section 28 of the Phoenix City Code including any requirement of the Permit shall be guilty of a Class I misdemeanor and any such violation shall constitute a separate offense on each successive day the violation continues. The penalty shall not exceed \$2,500 per day for each violation and/or imprisonment of not more than 6 months.

### R. Civil Penalty

1. Any person who violates any provision of the Permit or any provision of the Phoenix City Code, Article II, entitled Use of Public Sewers and Limitations, Article VI, entitled Industrial User and Pretreatment Requirements, and/or Article VII entitled Accidental Discharge, shall be civilly liable to the City for a sum not to exceed twenty-five thousand (\$25,000) dollars per day for each violation. For continuing violations, each day may constitute a separate offense.
2. In addition to any civil penalty imposed on the Permittee, the Permittee shall be liable for any civil penalty imposed on the City as a result of the Permittee's violation.

### S. Recovery of Costs Incurred

1. In addition to civil and criminal penalty that may be imposed for any violation of the Permit, Permittee shall be liable to the City of Phoenix for any expense, loss, or damage caused by such violation.
2. Permittee shall be liable for any charges assessed by the Director to recover extra costs incurred by the City in surveillance, sampling and testing, for additional operating and maintenance expenses, including overhead charges, and for any other action required to identify, handle, process or supplement normal activities due to the unauthorized discharge of wastewaters.

### T. Permit Action

The City may modify, revoke, or terminate the Permit for good cause, including, but not limited to, the following:

1. Failure to notify the Industrial Pretreatment Program of significant changes to the wastewater prior to the changed discharge;
2. Making any new or increased industrial discharge, or otherwise making any change in the nature of Permittee's industrial discharge(s) if such change creates any new or increased industrial discharge without having first obtained an amended Permit;
3. Failure to give written notice to the Industrial Pretreatment Program of not less than 90-days prior to any facility expansion, production increase, or process modifications which results or may result in new or increased discharges or a change in the nature of the discharge;
4. Failure to give advance written notice to the Industrial Pretreatment Program of any planned changes in the Permitted facility or activity which may result in noncompliance with Permit requirements;
5. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge Permit application;
6. Falsifying Self-Monitoring Reports;
7. Tampering with monitoring equipment;
8. Refusing to allow timely access to the facility premises and records;
9. Failure to meet effluent limitations;
10. Failure to pay fines and penalties;
11. Failure to pay sewer charges;
12. Failure to meet compliance schedules;
13. Failure to complete a wastewater survey or the Permit application;

## Permit Standard Conditions July 30, 2015

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14. Failure to provide advance written notice of the transfer of business ownership of a Permitted facility;
15. For violation of any pretreatment standard or requirement, or any terms of the Permit or requirement of Section 28 of the Phoenix City Code;
16. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
17. To include material or substantial alterations or additions to the Permittee's operation which were inadvertently omitted in the issued Permit;
18. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
19. For any other reason deemed appropriate by the Director.

### U. Property Right

The issuance of the Permit does not convey any property right of any sort, or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

### V. Permit Not Transferable

Class A and Class B Wastewater Discharge Permits are issued to a specific user for a specific operation and **are not assignable to another user or transferable to any other location**. In the event of sale or transfer of ownership, Permittee must provide a copy of the Permit to the purchaser and give written notification to the City of Phoenix Industrial Pretreatment Program **prior to the effective date of sale or ownership transfer**. The purchaser must obtain a permit in order to discharge industrial wastewaters to the sanitary sewer.

### W. Duty to Reapply; Automatic Extension of Existing Permit

If the Permittee wishes to continue to discharge industrial wastewater that is regulated by the Permit after the expiration date of the Permit, Permittee **must apply for and obtain a new permit**. The application must be submitted to the City of Phoenix Industrial Pretreatment Program at least **60 calendar days before** the expiration date of the Permit, unless written permission for an extension of time is timely requested and the Industrial Pretreatment Program grants the request.

Subject to the Director's right to modify, revoke or terminate the Permit, it shall continue to remain in full force and effect after the date of expiration if the Permittee has applied for a new Permit in accordance with the timeframe required by this section, and a new Permit is not issued prior to the expiration date of the Permit.

### X. Duty to Provide Information

Permittee shall provide any information that the Industrial Pretreatment may request to determine whether cause exists for modifying, revoking, or terminating the Permit, or to determine compliance with the Permit.

### Y. Severability

The provisions of the Permit are severable. If any provision of the Permit, or the application of any provision of the Permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of the Permit, shall not be affected thereby.

### Z. Permit Appeals Process (Section 28-46.1, Phoenix City Code)

1. Any Permit applicant or Permittee (aggrieved party) may petition the Director to reconsider the conditions and limitations of a Permit issued or amended under the authority of Section 28-46(a) of the Phoenix City code by filing a petition for review with the Director within 20-days of receipt of the Permit.
2. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
3. In its petition, the aggrieved party must identify the Permit provisions objected to, specify in detail the reasons for objection, and present the alternative condition, if any, it seeks to place in the Permit.
4. The provisions of the Permit that are not objected to shall not be stayed pending the appeal.
5. If the Director fails to act within 30-days from receipt of the petition, it shall be deemed to be denied. Decisions not to reconsider the issued or amended Permit, not to issue a Permit, or not to amend a Permit shall be considered final administrative actions for purposes of judicial review.
6. The aggrieved party seeking judicial review of the final Permit decision may file a complaint with the Superior Court for Maricopa County, Arizona.

**Exhibit B**

Class A Wastewater Discharge Permit No. 2212-50248

7018 3090 6000 1173 5787



**City of Phoenix**  
**WATER SERVICES DEPARTMENT**  
Quality Reliability Value

December 9, 2022

Mr. Ralph McRoberts  
General Manager/Senior Chemical Machining Specialist  
PMA Industries, LLC  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

RE: New Class A Wastewater Discharge Permit No 2212-50248

Dear Mr. McRoberts:

Enclosed is your new Class A Wastewater Discharge Permit No 2212-50248 (Permit) for the PMA Industries, LLC facility located at 18008 North Black Canyon Highway in Phoenix, Arizona which becomes effective on December 12, 2022 and expires on November 30, 2027.

Permit Sections

- The first section consists of **nine** pages and is specific to this facility. Please review this section of the Permit thoroughly and in particular, pages three (3) and four (4).
- The second section of the Permit is the Permit Standard Conditions which include conditions, limitations, and requirements applicable to all Permittees.

Requirements

1. Please submit a signatory letter as outlined in Permit Standard Conditions Section I –**Signatory Requirements** by **December 23, 2022**. See example enclosed.
2. Please develop for yourself and submit a copy of an annual sampling schedule for the parameters required to be self-monitored by PMA Industries, LLC, listed on Pages 3 and 4 by **December 23, 2022**. See enclosure.
3. Please develop and submit a Slug Control Plan as described on page 7 for written approval **no later than January 11, 2023**. See Slug Control Plan Guidance document attached for further details.
4. Please develop and submit a Toxic Organic Management Plan (TOMP) as described on page 5 for written approval **no later than January 11, 2023**. See TOMP Guidance document attached for further details.

Mr. Ralph McRoberts  
December 9, 2022  
Page 2

5. Please note that sampling frequencies may have changed from an earlier permit under prior ownership. Monthly, quarterly and six months sampling period changes will be effective during the first full periods of time for each, to begin in 2023 as indicated on Page 5.

### **Permit Fee and Wastewater Billing Rates**

Businesses determined to be Industrial Users (IUs), as defined by the Phoenix City Code, Chapter 28, entitled Sewers, will incur associated costs. These costs are outlined in sections 28-39 and 28-92. Included in these costs is an annual pretreatment permitting fee of \$1009 for the Class A, B or C Wastewater Discharge Permit. Phoenix City Codes may be viewed and printed by going to the web link <https://phoenix.municipal.codes/>.

Type User 07 Industrial User wastewater billing rates are calculated and updated approximately every two years using data collected from wastewater monitoring. Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), and percentage of water discharged to sewer for process and non-process uses (% Flow to Sewer) will be calculated for the account on file during 2022 for PMA Industries, LLC. This letter has been electronically forwarded to Water Customer Services notifying them of the above considerations.

Should you have any questions, please contact me at phone № 602-495-5926, or e-mail me at [chelsey.weaver@phoenix.gov](mailto:chelsey.weaver@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Chelsey Weaver  
Chief Water Quality Inspector

Enclosures: Class A Wastewater Discharge Permit № 2212-50248  
Self-Monitoring Report Forms  
Signatory Authorization Letter Example  
Annual Sampling Schedule Form  
RCRA Notification Letter  
Slug Control Plan Guidance  
Toxic Organic Management Plan Guidance

e-copy: Christine Nuñez  
Chelsey Weaver  
Christopher Molina  
Christie O'Day

Jesse Flores  
Taurin Sinha  
Industrial WSD/WSD/PHX  
City Services Bill WSD



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
Quality Reliability Value

## **Class A Wastewater Discharge Permit № 2212-50248**

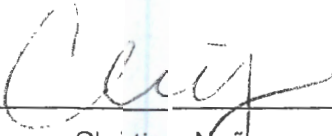
In compliance with the provisions of the Clean Water Act, (33 U.S.C. 1251, et seq.), the October 14, 2005 General Pretreatment Regulations (40 CFR Part 403), the Federal Metal Finishing Regulations (40 CFR 433.17), and Chapter 28 of the Phoenix City Code, and any amendments or supplements thereto, the City of Phoenix, Water Services Department, Environmental Services Division authorizes

**Business Name: PMA Industries, LLC**  
**Facility Address: 18008 North Black Canyon Highway**  
**Phoenix, Arizona 85053-1715**

to discharge industrial wastewater into the City of Phoenix sanitary sewer system in accordance with the effluent limitations, sampling requirements, and other conditions set forth in this Permit, the Permit Standard Conditions dated February 14, 2022, and Chapter 28 of the Phoenix City Code.

This Permit replaces all previously issued Permits and becomes effective at 12:00 a.m. **December 12, 2022** and expires at 11:59 p.m. on **November 30, 2027**.

Issued on **December 9, 2022**

  
\_\_\_\_\_  
Christine Nuñez  
Environmental Programs Coordinator

A Petition for Review of the conditions and limitations contained in this Permit may be filed with the Environmental Services Division within twenty (20) days of the receipt of this Permit as provided by Section 28-46.1 of the Phoenix City Code.



## **Prohibited Discharges**

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Wastewater or wastestreams are generated from the following sources:

- Ferric etch process wastewater*
- Untreated concentrated process wastewater*

## **Allowed Discharges**

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Wastewater generated from the following sources is allowed for discharge into the City of Phoenix sanitary sewer under the conditions of this permit and Chapter 28 of the Phoenix City Code.

- |                              |  |
|------------------------------|--|
| <i>Sanitary wastes</i>       | <i>Filter press liquor</i>                 |
| <i>Pumice scrub</i>          | <i>Photo &amp; graphics (silver saver)</i> |
| <i>Panel polishing</i>       | <i>Etching rinses</i>                      |
| <i>Developer rinses</i>      | <i>Stripper rinses</i>                     |
| <i>Fume scrubber</i>         | <i>RO reject</i>                           |
| <i>Ion exchange</i>          | <i>Evaporative coolers</i>                 |
| <i>Developer concentrate</i> |  |

## Discharge Limits and Sampling (Monitoring) Requirements

### Compliance Sampling Point 50248.01

- Effluent limits and sampling for the Permittee apply at Compliance Sampling Point № 50248.01, described as the **Waste Treatment Process Analysis Tank sampling port located at the Southwest corner of the building in the Pretreatment Area.**
- Wastewater generated from the following sources result in discharge through Compliance Sampling Point № 50248.01:

*Pumice scrub*  
*Panel polishing*  
*Fume scrubber*

*Filter press liquor*  
*Developer rinses*  
*Etching rinses*

- Permittee must limit and sample the allowed discharges of the sources specified above in accordance with the table below; wherein the most stringent of the limits apply as indicated in bold, and wherein all parameters are "Totals" limited in concentration units of milligrams per liter (mg/L) unless otherwise noted.
- The sampling frequency shown is the minimum required; Permittee may sample more often than required, but must report the results of any extra samples collected using approved laboratory procedures from the Compliance Sampling Point.
- Discharges through the compliance sampling point average 1,800 gallons per day and are not expected to exceed 5,500 gallons during any single day.
- Wastewater generated from the categorical process operations are subject to the Federal Metal Finishing Regulations (40 CFR 433.17).

Parameter	Units	Minimum Sampling Frequency	Sampling Method	Daily Minimum		Daily Maximum			Monthly Average	
				FINAL Limit	Local Limit	FINAL Limit	PSNS Limit	Local Limit	FINAL Limit	PSNS Limit
Arsenic	mg/L	1 per 6-Months	Composite	-	-	<b>0.13</b>	-	0.13	-	-
BOD**	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
Cadmium	mg/L	1 per Quarter	Composite	-	-	<b>0.047</b>	0.11	0.047	<b>0.07</b>	0.07
Chromium	mg/L	1 per Quarter	Composite	-	-	<b>2.77</b>	2.77	-	<b>1.71</b>	1.71
Copper	mg/L	1 per Quarter	Composite	-	-	<b>1.5</b>	3.38	1.5	<b>2.07</b>	2.07
Cyanide (T)	mg/L	1 per Quarter	Grab	-	-	<b>1.20</b>	1.20	2.0	<b>0.65</b>	0.65
Lead	mg/L	1 per Quarter	Composite	-	-	<b>0.41</b>	0.69	0.41	<b>0.43</b>	0.43
Mercury	mg/L	1 per 6-Months	Composite	-	-	<b>0.0023</b>	-	0.0023	-	-
Molybdenum *	mg/L	1 per 6-Months	Composite	-	-	<b>BMP</b>	-	BMP	-	-
Nickel	mg/L	1 per Quarter	Composite	-	-	<b>3.98</b>	3.98	-	<b>2.38</b>	2.38
pH *	S.U.	1 per Week	Grab	<b>5.0</b>	5.0	<b>10.5</b>	-	10.5	-	-
Selenium	mg/L	1 per 6-Months	Composite	-	-	<b>0.10</b>	-	0.10	-	-
Silver	mg/L	1 per Quarter	Composite	-	-	<b>0.43</b>	0.43	1.2	<b>0.24</b>	0.24
TSS***	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
TTO – 433 *	µg/L	1 per 6-Months	Composite	-	-	<b>2130</b>	2130	-	-	-
Zinc	mg/L	1 per Quarter	Composite	-	-	<b>2.61</b>	2.61	3.5	<b>1.48</b>	1.48

PSNS – Pretreatment Standards for New Sources

\* See Sampling and Analysis Notes for Additional Information \*\*Biological Oxygen Demand \*\*\*Total Suspended Solids

## Discharge Limits and Sampling (Monitoring) Requirements

### Compliance Sampling Point 50248.02

- Effluent limits and sampling for the Permittee apply at Compliance Sampling Point № 50248.02, described as the T3 Process Analysis Tank sampling port located at the Southwest corner of the building in the Pretreatment Area.
- Wastewater generated from the following sources result in discharge through Compliance Sampling Point № 50248.02:
  - Photo & graphics (silver saver)*
  - Stripper rinses*
  - Filter press liquor*
  - Developer concentrate*
- Permittee must limit and sample the allowed discharges of the sources specified above in accordance with the table below; wherein the most stringent of the limits apply as indicated in bold, and wherein all parameters are "Totals" limited in concentration units of milligrams per liter (mg/L) unless otherwise noted.
- The sampling frequency shown is the minimum required; Permittee may sample more often than required, but must report the results of any extra samples collected using approved laboratory procedures from the Compliance Sampling Point.
- Discharges through the compliance sampling point average 700 gallons per day and are not expected to exceed 1,900 gallons during any single day.
- Wastewater generated from the categorical process operations are subject to the Federal Metal Finishing Regulations (40 CFR 433.17).

Parameter	Units	Minimum Sampling Frequency	Sampling Method	Daily Minimum		Daily Maximum			Monthly Average	
				FINAL Limit	Local Limit	FINAL Limit	PSNS Limit	Local Limit	FINAL Limit	PSNS Limit
Arsenic	mg/L	1 per 6-Months	Composite	-	-	<b>0.13</b>	-	0.13	-	-
BOD**	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
Cadmium	mg/L	1 per Quarter	Composite	-	-	<b>0.047</b>	0.11	0.047	<b>0.07</b>	0.07
Chromium	mg/L	1 per Quarter	Composite	-	-	<b>2.77</b>	2.77	-	<b>1.71</b>	1.71
Copper	mg/L	1 per Month	Composite	-	-	<b>1.5</b>	3.38	1.5	<b>2.07</b>	2.07
Cyanide (T)	mg/L	1 per Quarter	Grab	-	-	<b>1.20</b>	1.20	2.0	<b>0.65</b>	0.65
Lead	mg/L	1 per Quarter	Composite	-	-	<b>0.41</b>	0.69	0.41	<b>0.43</b>	0.43
Mercury	mg/L	1 per 6-Months	Composite	-	-	<b>0.0023</b>	-	0.0023	-	-
Molybdenum *	mg/L	1 per Quarter	Composite	-	-	<b>BMP</b>	-	BMP	-	-
Nickel	mg/L	1 per Month	Composite	-	-	<b>3.98</b>	3.98	-	<b>2.38</b>	2.38
pH *	S.U.	1 per Week	Grab	<b>5.0</b>	5.0	<b>10.5</b>	-	10.5	-	-
Selenium	mg/L	1 per Month	Composite	-	-	<b>0.10</b>	-	0.10	-	-
Silver	mg/L	1 per Month	Composite	-	-	<b>0.43</b>	0.43	1.2	<b>0.24</b>	0.24
TSS***	mg/L	1 per Quarter	Composite	-	-	-	-	-	-	-
TTO - 433 *	µg/L	1 per 6-Months	Composite	-	-	<b>2130</b>	2130	-	-	-
Zinc	mg/L	1 per Quarter	Composite	-	-	<b>2.61</b>	2.61	3.5	<b>1.48</b>	1.48

PSNS – Pretreatment Standards for New Sources

\* See Sampling and Analysis Notes for Additional Information \*\*Biological Oxygen Demand \*\*\*Total Suspended Solids

## Discharge Limits and Sampling (Monitoring) Requirements

### Sampling and Analysis Notes:

1. Unless otherwise specified, all samples are required to be taken as Flow Proportional Composite samples. See the City of Phoenix Permit Standard Conditions dated February 14, 2022, for definitions.
2. The first weekly sampling period ends at midnight **December 17, 2022**. The first full monthly sampling period ends at midnight **January 31, 2023**. The first full quarterly sampling period ends at midnight **March 31, 2023**. The first full six months sampling period ends at midnight **June 30, 2023**.
3. Permittee is required to implement chemical substitution via use of **Molybdenum-free** chemicals in sterilizers, cooling towers, and closed-loop chillers to achieve the Local Limit target concentration of 0.38 mg/L in accordance with the June 2005 SROG Best Management Practices Technical Memorandum - Molybdenum BMP.
4. The standard for pH is an Instantaneous Effluent Limitation of 5.0 - 10.5 standard units (SU). Analysis of the effluent sample for **pH must be performed at the facility immediately following sample collection**, in accordance with field methods approved by Arizona Department of Health Services and 40 CFR 136 Methods Table 1B for Hydrogen Ion (pH), pH units. Please note that the use of pH strips is not an approved method for analysis of pH for compliance purposes.
5. Federal regulations require monitoring once every 6-months (semi-annual) for Total Toxic Organic (TTO) compounds reasonably expected in the wastestream for specific industry classifications. Applicable list(s) of TTO parameters are contained in the section titled Total Toxic Organic Compound List in this permit. Permittee does not have an approved Toxic Organic Management Plan (TOMP). Therefore, Permittee must monitor TTO compounds at the frequency specified. A TOMP with TTO sample results may be submitted to the City within 30-days of the effective date of the permit with a request for written approval from the City, for the Permittee to implement the TOMP and to submit TOMP Implementation Certifications, in lieu of monitoring for TTO compounds. Upon receipt of written approval of the TOMP, the Permittee may immediately implement the TOMP and submit TOMP Implementation Certifications, in lieu of monitoring for TTO compounds for the duration of the Permit or until TOMP Implementation Certifications, in lieu of monitoring is revoked.

## Reporting Requirements

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### Self-Monitoring Report

Permittee is required to submit a compliance monitoring report [Self-Monitoring Report (SMR)] no later than the 28<sup>th</sup> day of every calendar month. Each SMR shall indicate, for the prior calendar month:

- The nature and concentration of all pollutants analyzed under this Permit
- The measured maximum and average daily flows
- The measured total monthly flow
- Measured calibration checks of secondary flow meter(s)
- Maintenance of compliance sampling point(s)
- Zero Discharge Certifications for any calendar weeks for which no discharge occurs and for which there is a 1 per week monitoring requirement for any parameter.
- Method Quality Control data and measured calibration checks for pH meter(s) used for compliance sample analysis
- ***This reporting requirement becomes effective only upon written approval of the Permittee's TOMP:*** TOMP Implementation Certification for the preceding month which includes the following statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to be best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge [self-] monitoring report. I further certify that this facility is implementing the toxic organic management plan (TOMP) submitted to the City of Phoenix."

Permittee must meet the information and requirements of Part D of the Permit Standard Conditions, February 14, 2022.

For any calendar month in which no discharge occurs, in lieu of the SMR, Permittee must submit a Zero Discharge Certification no later than the 28<sup>th</sup> day of the following calendar month.

## Special Conditions

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1. A Slug Control Plan has been determined as necessary for the permitted facility. Permittee is required to develop a Slug Control Plan and submit it for written approval to the Industrial Pretreatment Program no later than 30-days from the effective date of this Permit. The slug discharge control plan must include, at a minimum, the following:
  - a) Description of discharge practices, including nonroutine batch discharges, particularly those affecting potential for slug discharges
  - b) Description of stored chemicals
  - c) Procedures for immediately notifying the **City of Phoenix** of slug discharges, or promptly notifying of any changes affecting potential for slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up, written notification within 5 days
  - d) Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, and measures and equipment for emergency response.

Upon receipt of written approval of the Slug Control Plan, the Permittee shall immediately and continuously implement and comply with its approved Slug Control Plan. See Section H of the Permit Standard Conditions for additional requirements regarding Slug Control and Accidental Discharge.

# Compliance Sampling Point Drawing



## Total Toxic Organic Compound List 40 CFR 433

### TTO – 433

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The term "TTO" shall mean total toxic organics, which is the summation of all quantifiable values greater than 0.01 milligrams per liter for the following toxic organics:

Acenaphthene	2,4-Dimethylphenol
Acrolein	2,4-Dinitrotoluene
Acrylonitrile	2,6-Dinitrotoluene
Benzene	1,2-Diphenylhydrazine
Benzidine	Ethylbenzene
Carbon tetrachloride (tetrachloromethane)	Fluoranthene
Chlorobenzene	4-Chlorophenyl phenyl ether
1,2,4-Trichlorobenzene	4-Bromophenyl phenyl ether
Hexachlorobenzene	Bis (2-chloroisopropyl) ether
1,2-Dichloroethane	Bis (2-chloroethoxy) methane
1,1,1-Trichloroethane	Methylene chloride (dichloromethane)
Hexachloroethane	Methyl chloride (chloromethane)
1,1-Dichloroethane	Methyl bromide (bromomethane)
1,1,2-Trichloroethane	Bromoform (tribromomethane)
1,1,2,2-Tetrachloroethane	Dichlorobromomethane
Chloroethane	Chlorodibromomethane
Bis (2-chloroethyl) ether	Hexachlorobutadiene
2-Chloroethyl vinyl ether (mixed)	Hexachlorocyclopentadiene
2-Chloronaphthalene	Isophorone
2,4,6-Trichlorophenol	Naphthalene
p-chloro-m-cresol	Nitrobenzene
Chloroform (trichloromethane)	2-Nitrophenol
2-Chlorophenol	4-Nitrophenol
1,2-Dichlorobenzene	2,4-Dinitrophenol
1,3-Dichlorobenzene	4,6-Dinitro-o-cresol
1,4-Dichlorobenzene	N-nitrosodimethylamine
3,3-Dichlorobenzidine	N-nitrosodiphenylamine
1,1-Dichloroethylene	N-nitrosodi-n-propylamine
1,2-Trans-dichloroethylene	Pentachlorophenol
2,4-Dichlorophenol	Phenol
1,2-Dichloropropane	Bis (2-ethylhexyl) phthalate
1,3-Dichloropropylene (1,3-dichloropropene)	Butyl benzyl phthalate
Di-n-octyl phthalate	Di-n-butyl phthalate
Diethyl phthalate	Chlordane (technical mixture and metabolites)



## Total Toxic Organic Compound List 40 CFR 433 (continued)

### TTO – 433

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Dimethyl phthalate	Alpha-endosulfan
1,2-Benzanthracene (benzo(a)anthracene)	Beta-endosulfan
Benzo(a)pyrene (3,4-benzopyrene)	Endosulfan sulfate
3,4-Benzofluoranthene (benzo(b)fluoranthene)	Endrin
11,12-Benzofluoranthene (benzo(k)fluoranthene)	Endrin aldehyde
Chrysene	Heptachlor
Acenaphthylene	Heptachlor epoxide
Anthracene	Alpha-BHC
1,12-Benzoperylene (benzo(ghi)perylene)	Beta-BHC
Fluorene	Gamma-BHC
Phenanthrene	Delta-BHC
1,2,5,6-Dibenzanthracene (dibenzo(a,h)anthracene)	PCB-1242 (Arochlor 1242)
Indeno(1,2,3-cd) pyrene (2,3-o-phenylene pyrene)	PCB-1254 (Arochlor 1254)
Pyrene	PCB-1221 (Arochlor 1221)
Tetrachloroethylene	PCB-1232 (Arochlor 1232)
Toluene	PCB-1248 (Arochlor 1248)
Trichloroethylene	PCB-1260 (Arochlor 1260)
Vinyl chloride (chloroethylene)	PCB-1016 (Arochlor 1016)
Aldrin	Toxaphene
Dieldrin	2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)
4,4-DDT	
4,4-DDE (p,p-DDX)	
4,4-DDD (p,p-TDE)	

The terms and conditions contained herein are in addition to those specified elsewhere in the Permit. Where conflicts may arise, the more specific terms and conditions of the Permit control.

## A. Standard Definitions

### 1. Approved Laboratory Procedures

The measurements, tests and analyses of the characteristics of water and wastewater in accordance with analytical procedures as established in Title 40, Code of Federal Regulations, Part 136, as revised, that are performed by an environmental laboratory licensed by the State of Arizona pursuant to A.R.S. Section 36-495 et seq. The Water Services Director (Director) in accordance with applicable federal regulations may approve alternative procedures.

Approved Laboratory Procedures are strictly followed during receipt, preparation, analysis, review, and reporting of environmental samples. Approved Laboratory Procedures generate technically **Valid Data** of known and legally defensible quality.

### 2. Average Daily Flow

The total volume of wastewater flowing through each compliance sampling point during a calendar month, divided by the number of days in that month for which there was a process wastewater discharge through the compliance sampling point and expressed in gallons per day (GPD). To calculate the monthly average flow, sum the daily flow entries specified on the Self-Monitoring Report (SMR) for all days in that month for which there was process wastewater discharge through the compliance sampling point and divide by the total number of process wastewater discharge days in the month (do not include days for which there was zero flow). Do not divide by the number of days in the calendar month unless there was process wastewater discharge on each and every day.

### 3. Aware Date

Determination of the Permittee's aware date of analytical results from sampling or flow rate monitoring results shall be based upon:

- a.) The date and time recorded on the written report of laboratory analyses performed by an environmental laboratory licensed by the State of Arizona;
- b.) The date and time that field analysis for pH was completed, and as recorded on the original hardcopy log or record; and/or
- c.) The date and time recorded by an electronic continuous monitoring data logger.

### 4. AZPDES Permit

Arizona Pollutant Discharge Elimination System Permit. As authorized by the State of Arizona, the **Arizona Pollutant Discharge Elimination System (AZPDES)** permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches.

### 5. Best Management Practices or BMPs

The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Title 40 of the Code of Federal Regulations Subpart 403.5(a)(1) and (b) and the Phoenix City Code Section 28-8. BMPs also include pretreatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. Under 40 CFR 403.5(d) and 403.8(f)(1)(iii)(C) and Section 28-9.1, BMPs developed and

required by the Director, published and placed on file are enforceable and included as local control mechanism requirements.

### **6. Bypass**

The intentional diversion of wastestreams from any portion of a pretreatment facility.

### **7. Categorical Standard**

National technology-based standards which limit the pollutant discharges to POTWs from specific process wastewaters of particular industrial categories and apply regardless of whether an Industrial User has been issued a control mechanism or permit. These industries are called Categorical Industrial Users. Categorical standards are promulgated by United States Environmental Protection Agency (USEPA) in accordance with Section 307 of the Clean Water Act and are designated in the Effluent Guidelines & Limitations (Code of Federal Regulations Title 40, Parts 405-471) by the terms "Pretreatment Standards for Existing Sources (PSES)" and "Pretreatment Standards for New Sources (PSNS)".

### **8. Compliance Sampling Point**

A manhole, petcock, valve, sampling port, open-channel flow device, or other waste plumbing appurtenance specifically designated by the Director for monitoring wastewater flows and for collection of samples for determination of compliance with effluent limitations.

### **9. Daily Discharge**

The discharge of a pollutant measured during any 24-hour period that reasonably represents a process wastewater discharge day for purposes of sampling. For pollutants with limitations expressed in other units of measurement (e.g., concentration) the daily discharge is calculated as the average measurement of the pollutant throughout the day.

### **10. Daily Maximum Effluent Limitation**

The maximum allowable daily discharge of a pollutant. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken over a sampling day. Because the control authority must independently determine Industrial User compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Daily Maximum Limitations.

### **11. Dilution**

Increasing the use of potable or process water in any way, mixing separate waste streams with the result of or for the purpose of diluting a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with Permit limitations and/or federal pretreatment standards.

### **12. Director**

The Water Services Department Director or authorized representative (Industrial Pretreatment Program staff).

### 13. Flow Proportional Composite Sample

A combination of individual samples obtained at regular intervals over a sampling day. The volume of each individual sample shall be proportional to the flow rate during the sampling day. A sampling day is any consecutive period of time that represents Permittee's discharge occurring during a normal operating day.

### 14. Flow Weighted Average Concentration

The calculated concentration of pollutant based upon analytical derived concentrations of pollutants obtained from multiple compliance sampling points collected during a single daily discharge period plus or minus 60-minutes, multiplied by their corresponding measured flow volumes, and divided by the total sum of the flow volumes.

### 15. Grab Sample

An individual sample collected in less than fifteen (15) minutes without regard to the amount of flow or the time of day. Because the control authority must independently determine industrial user compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Daily Maximum Limitations.

### 16. Instantaneous Effluent Limitation

The maximum allowable concentration in the discharge at any time as measured in a grab sample. Because the Control Authority must independently determine Industrial User compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Daily Maximum Limitations.

### 17. Monthly Average Effluent Limitation

The maximum allowable average of daily discharge values collected from a specific compliance sampling point over a calendar month; calculated as the sum of all daily discharge results measured during a calendar month, divided by the number of days for which monitoring was performed and valid data from analytical results were obtained. The monthly average result may be derived from a single analytical result. Because the Control Authority must independently determine Industrial User compliance, measurements from self-monitoring and measurements from City of Phoenix monitoring shall not be combined to arithmetically determine compliance with Monthly Average Discharge Limitations. Monthly Average Discharge Limitations are required under specific **Categorical Standards**.

### 18. Municipal Separate Storm Sewer System (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): 1.) Owned and operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act (CWA) that discharges to waters of the United States 2.) Designed or used for collecting or conveying stormwater; 3.) Which is not a combined sewer; and 4.) Which is not part of a POTW.

### 19. NPDES Permit

National Pollutant Discharge Elimination System Permit. As authorized by the Clean Water Act, the **National Pollutant Discharge Elimination System (NPDES)** permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches.

### 20. Pretreatment

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d), i.e., dilution is not pretreatment. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e), i.e., combined wastestream formula.

### 21. Process Wastewater

Any water which, during manufacturing or processing, comes into direct contact with, or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

### 22. Publicly Owned Treatment Works (POTW)

A treatment works, as defined by Section 212 of the Clean Water Act (CWA), which is owned by the state or municipality. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant.

### 23. Representative Sample

A sample which mimics the volume and nature of the discharge, reflects the normal process or operating cycle of the facility, is collected from a designated compliance sampling point and/or downstream of pretreatment and upstream of other confluences, is collected using grab (discrete), continuous, or composite techniques as specified in 40 CFR 136.3.

Representative samples must be collected where the wastewater is well mixed, near the center of the flow channel, at approximately 40 to 60 percent of the water depth, where the possibility of solids settling is minimized. Skimming the water surface or dragging the channel bottom shall be avoided. However, allowances should be made for fluctuations in water depth due to flow variations.

Composite samples shall be obtained by **Flow Proportional Composite Sampling** techniques except where the Director has given written permission specifying an alternate technique. The Director may allow or conduct composite sampling by time-proportional techniques or by the compositing or averaging of one or more grab samples. Where manual compositing is employed, the individual sample portions must be thoroughly mixed before pouring the individual aliquots into the composite container. For manual composite sampling, the individual sample aliquots shall be preserved at the time of sample collection.

**24. Self-Monitoring**

Sampling and analyses performed by the Permittee or their designated agent for determination of compliance with a permit or other regulatory requirements.

**25. Severe Property Damage**

Substantial physical damage to property, damage to the pretreatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that 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.

**26. Show Cause Proceeding**

A formal enforcement action during which an Industrial User will be presented with the facts that IPP staff believe demonstrate noncompliance and will be asked to "show cause" as to why the City of Phoenix should not seek monetary penalties or initiate additional enforcement actions which may include additional formal actions and/or discontinuation of sewer service, as referenced in **Q. Criminal Penalty** and **R. Civil Penalty**.

**27. Significant Noncompliance**

Significant Noncompliance (SNC) is a compliance status, which is specified by the Federal General Pretreatment Regulations at 40 CFR 403.8(f)(2)(viii) and is defined in Section 28-46.4 of the Phoenix City Code.

**28. Temporary Increase in Self-Monitoring (TISM)**

If an Industrial User has one or more violations of any effluent limit, the Industrial User shall be notified that it is required to sample for all parameters that were violated once per day, week, or batch for four consecutive days, weeks, or batches to commence within seven days of receipt of the notice or as otherwise required. If an Industrial User has repeated pH violations, a 24-hour continuous pH study for four consecutive days may be required in lieu of four grab pH samples.

**29. Valid Data**

Data obtained, measured, and/or analyzed which meets written performance and/or method criteria including quality control. Valid data stands up to the scrutiny of data validation procedures which is a detailed review of sampling practices and data quality control measures specified in 40 CFR 136, Arizona Department of Health Services requirements for AZPDES and APP wastewater exempt field methods, analytical methods, and/or standard operating procedures.

**30. Week**

A period of time referring to a calendar week from Sunday through Saturday, not to be confused with a 7-day rolling period of time.

**B. General Prohibitions**

1. **Sanitary Sewer Prohibitions:** Permittee shall comply with the General User Prohibitions and Effluent Limits in Section 28-8 of the Phoenix City Code and shall not discharge to the Publicly Owned Treatment Works and Connecting Sewer Collection System:

a.) Unless otherwise approved by the Director, any stormwater, surface water, groundwater, roof runoff, surface drainage, or unpolluted water that constitutes inflow. Inflow is water other than wastewater that enters the public sewer system (including sewer service connections) from sources such as roof leaders, cellar drains, foundation drains, drains from

## Permit Standard Conditions February 14, 2022

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- springs and swampy areas, manhole covers, cross connections between storm drains and sewers, catch-basins, stormwater, surface runoff, street wash water, or drainage.
- b.) Pollutants that create a fire or explosion hazard to the POTW; in no case may pollutants be discharged with a closed cup flashpoint less than 140 degrees Fahrenheit (60 degrees Celsius), or that cause an exceedance of 10% of the lower explosive limit (LEL) at any point within the POTW for any single reading, or more than 5% for any two consecutive readings.
  - c.) Solid or viscous pollutants, animal fats, oils and grease (FOG), petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin that can cause interference or pass through or that can cause obstruction to the flow in sewers or other damage to the POTW.
  - d.) Water or waste containing a toxic, radioactive, poisonous or other substances in sufficient quantity to cause or have the potential to cause injury or interference within the POTW, cause corrosive structural damage, constitute a hazard to humans or create any hazard to the POTW or in the receiving waters of the POTW, or pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that poses a threat to worker health and safety. Compliance determination for toxic vapors and gases may reference the vapor toxicity screening levels developed by the USEPA in Appendix J, Table 7 of the EPA Local Limits Guidance Appendices, July 2004; Tables 4-2 and B-1 of EPA's Guidance to Protect POTW Workers From Toxic and Reactive Gases and Vapors, June 1992; and Title 40 § 261.24 Table 1 Maximum Concentration of Contaminants for the Toxicity Characteristic.
  - e.) Any waters with a pH less than 5.0 Standard Units (SU) or greater than 10.5 S.U.
  - f.) Water with a temperature greater than 150 degrees Fahrenheit (66 degrees Celsius) or heat in amounts that will inhibit biological activity in the POTW resulting in interference, but in no event heat in such quantities that the temperature at the headworks of the wastewater treatment plant exceeds 104 degrees Fahrenheit (40 degrees Celsius).
  - g.) Water or waste that has in any way been diluted by means of increasing the use of process water or other water as a partial or complete substitute for effective pretreatment, for the purpose of obtaining compliance with any discharge limit, categorical standard, or pretreatment requirement imposed by this chapter except where dilution is expressly authorized by a pretreatment standard or requirement; the Director may impose mass limits on the users that are using dilution to meet pretreatment requirements, or in other cases where the imposition of mass limits is appropriate.
  - h.) Water or waste that could cause a violation of any categorical standard or pretreatment requirement.
  - i.) Water or waste that is transported from the point of generation to the POTW by any septic tank pumper, or chemical waste hauler, or similarly transported unless the transporter has first:
    - i) Disclosed to the Director the origin, nature, concentration and volume of all pollutants to be discharged; and
    - ii) Obtained the written consent of the Director to discharge.
  - j.) Pollutants, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate or pollutant concentration that either by itself, or through interaction with other pollutants, could cause interference POTW operations or pass-through.

## Permit Standard Conditions February 14, 2022

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k.) Any discharge that exhibits a characteristic of a hazardous waste, or contains a substance that is listed as a hazardous waste pursuant to either Arizona Administrative Code R-18-8-261, as amended, or 40 CFR Part 261, as amended, whichever is applicable, whether or not the discharge is otherwise subject to hazardous waste regulations.

l.) Water or waste exceeding the limits for the following substances that are expressed in the total form except if otherwise stated in units of milligrams per liter (mg/L):

<u>Parameter</u>	<u>Limitation</u>
Benzene	0.035 mg/L
Chloroform	2.0 mg/L

m.) Any of the following prohibited substances:

4,4' -DDE	BHC-gamma (Lindane)
4,4' -DDT	Heptachlor
Aldrin	Heptachlor Epoxide
BHC-alpha	Polychlorinated Biphenyl Compounds (PCBs)
BHC-beta	

n.) Noxious or malodorous liquids, gases, solids, or other wastewater that, either by itself or through interaction with other wastes, is sufficient to create a public nuisance or hazard to life or prevent entry into the sewers for maintenance or repair.

o.) Wastewater that imparts color which cannot be removed by the treatment process, such as, but not limited to, dye waste and vegetable tanning solution, which consequently imparts color to the treatment plant's effluent thereby violating a NPDES or AZPDES permit issued to the City.

p.) Sludges, screenings, or other residuals from the pretreatment of industrial wastes.

q.) Medical wastes, except as specifically authorized by the Director in an individual wastewater discharge permit.

r.) Detergents, surface-active agents, or other substances that result in excessive foaming in the POTW.

s.) Wastewater causing, alone or in conjunction with other sources, the treatment plant effluent to fail toxicity testing.

2. **Stormwater Prohibitions and Permitted Practices:** Permittee shall comply with Chapter 32C of the Phoenix City Code related to the Municipal Separate Storm Sewer System (MS4):

a.) It shall be unlawful for any person to use, store, treat or dispose of stormwater, pollutants, or significant materials in a manner that creates a public nuisance as defined in Section 32C-102 of Chapter 32C of the Phoenix City Code.

b.) It shall be unlawful for any person to release to a publicly owned right-of-way, retention or detention basin, or public storm drain system any substance that is not composed entirely of stormwater except (1) releases pursuant to an NPDES/AZPDES permit, (2) releases resulting from emergency firefighting activities, and (3) releases of materials as provided in Subsection 6, 7 or 8 of Section 32C-103 of the Phoenix City Code.

c.) It shall be unlawful for any person to install or use a direct connection to the public storm drain system without permission of the City Manager.



- d.) It shall be unlawful for any person to fail to maintain best management practices, including but not limited to stormwater retention and detention basins, drywells, and storage structures.
- e.) It shall be unlawful for any person to, without good cause, interfere with or prohibit any City employee from conducting any activities in furtherance of the requirements of Chapter 32C of the Phoenix City Code, including conducting inspections and collecting samples.
- f.) This section does not prohibit releases of stormwater from stormwater retention or detention basins if a permit or approval is first obtained from the City Manager. A person seeking such a permit or approval shall demonstrate that the release is not reasonably expected to cause or contribute to a public nuisance as defined in Section 32C-102 of Chapter 32C of the Phoenix City Code.
- g.) This section does not prohibit releases from the sources listed in Section 32C-103, F, 1-12 of the Phoenix City Code Chapter 32C, provided those releases are not a significant source of pollutants and are discharged in a manner that does not create a public nuisance as defined in Section 32C-102 of Chapter 32C of the Phoenix City Code.
- h.) This section does not prohibit releases to the public storm drain system that are authorized pursuant to an NPDES/AZPDES permit; provided, that all conditions of that permit are met and the City has been provided a copy of the applicable authorization to discharge or other written proof of permit coverage. Examples of this include releases authorized under the NPDES/AZPDES general permits for de minimis discharges or stormwater discharges associated with industrial activity. An authorization under a separate NPDES/AZPDES permit, however, does not exempt a person from preparing a stormwater management plan and submitting it to the City, if required under Section 32C-104 of Chapter 32C of the Phoenix City Code.

### C. Reports and Oral Notifications

1. Unless otherwise specified, oral notifications of slug discharges and 24-hour oral notifications of known or suspected violations to the City of Phoenix, Industrial Pretreatment Program can be made during normal business hours (8:00 am - 4:30 pm) by telephone to either of the following:

<b>IPP Chief WQI Desk:</b>	<b>602-495-5926</b>
<b>ESD Main Desk:</b>	<b>602-262-1859</b>

After business hours, oral notifications of slug discharges are to be made by telephone to ALL of the following:

<b>91<sup>st</sup> Ave WWTP:</b>	<b>602-495-7754</b>
<b>23<sup>rd</sup> Ave WWTP:</b>	<b>602-262-1866</b>
<b>Water Switchboard:</b>	<b>602-261-8000</b>
<b>IPP Chief WQI Desk:</b>	<b>602-495-5926</b>

After business hours, 24-hour oral notifications of known or suspected violations to the City of Phoenix, Industrial Pretreatment Program are to be made by telephone to ALL of the following:

<b>IPP Chief WQI Desk:</b>	<b>602-495-5926</b>
<b>ESD Main Desk:</b>	<b>602-262-1859</b>

2. Until notified by the Director, original, signed, hardcopies of all reports (including written notifications, applications, plans, studies, violation response reports, and compliance Self-Monitoring Reports) required by the Permit shall be delivered during normal business hours (8:00 am - 4:30 pm) and/or addressed to:

**City of Phoenix  
Water Services Department  
Industrial Pretreatment Program  
2474 South 22<sup>nd</sup> Avenue, Building 31  
Phoenix, Arizona 85009-6918**

NOTE: Electronic document submittals via e-mail or facsimile cannot be accepted, except preliminary to hardcopy submission. The City of Phoenix Industrial Pretreatment Program does not have an approved electronic document receiving system pursuant to Title 40 Part 3 – Cross-Media Electronic Reporting, Subpart D §3.1000. When notified by the Director, Permittees shall submit all reports electronically via the City’s online portal.

3. Each submitted report must be signed in accordance with the requirements set forth in Part I of these Standard Conditions.

**D. Monitoring**

**1. Sampling and Flow Measurement**

- a.) The analysis of all samples under the Permit shall be performed using **Approved Laboratory Procedures**.
- b.) Samples and measurements taken as required by the Permit shall be **Representative Samples**, representative of the volume and nature of the sampled discharge. All samples shall be taken at the compliance sampling point(s) specified in the Permit. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy.
- c.) If the Permittee samples any pollutant more frequently than required by the Permit at the compliance sampling point using **Approved Laboratory Procedures**, then the results of such sampling shall be included in the compliance self-monitoring report and included in all calculations required for the report. Such increased sampling frequency shall also be noted on the report.
- d.) Permittee shall measure the daily maximum flows, monthly average daily flow, and total monthly flow discharged through the compliance sampling point(s) described in the Permit and include these results in Permittee's monthly compliance self-monitoring report.
  - i) Appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, operated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.
  - ii) Permittee may request written permission from the Industrial Pretreatment Program to be allowed to estimate daily maximum flows, monthly average daily flow, and total monthly flow. Requests must include a full description of the procedures and mathematic formulas to be used to calculate flow estimates to be considered for approval. Approval to estimate flows may be revoked should estimates fail to represent actual measured flows or the Permittee fails to provide documentation or calculations supporting estimated flows.

## 2. Monitoring Records

- a.) Records of sampling information shall include:
  - i) The date, exact place, time, methods of obtaining samples and measurements, and sample preservation techniques or procedures;
  - ii) Who performed the sampling and measurements;
  - iii) The date(s) analyses were performed;
  - iv) Who performed the analyses;
  - v) The analytical techniques or methods used;
  - vi) The results of such analyses;
  - vii) Original handwritten records or logs; and
  - viii) Unadulterated raw data downloaded from electronic data recorders.
- b.) Records shall demonstrate legally defensible custody of all samples obtained and submitted for analyses.
- c.) Permittee shall maintain records of equipment calibrations, maintenance activities and inspections.

## E. Records

1. 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 the Permit, and records of all data used to complete the application for the Permit, for a period of at least three years from the date of the sample, measurement, report or application.
2. Permittee shall maintain records pertaining to the disposal of solids, sludges, filter backwash, or other pollutants removed from Permittee's facility. Permittee shall retain such records for a period of at least three years from the date of disposal or removal from the facility.
3. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Phoenix shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

## F. Proper Operation and Maintenance

### 1. Proper Operation and Maintenance at All Times

Permittee shall at all times properly operate and maintain all facilities, systems of pretreatment and control, and related appurtenances which are installed or used by the Permittee to achieve compliance with the conditions of the Permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate quantities and types of pretreatment chemicals, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit.

### 2. Adequate and Qualified Operating Staff

Permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and testing functions required to ensure compliance with the conditions of the Permit.

### 3. Operation Exceeding Design Flow Rate is Prohibited

Permittee is prohibited from operation exceeding the design flow rate of the wastewater pretreatment system or individual components within the system. Wastewater pretreatment facilities/systems and individual components within the facility/system are designed and constructed with a margin of safety to allow for adequate pretreatment of the wastewater within certain hydraulic limitations or "design flow rate" of the facility/system.

For the purposes of this Permit, the "system design flow rate" is the unit operation or segment of the pretreatment train with the lowest capacity for adequate pretreatment. In other words, when the control efficiency of the pretreatment system is calculated, the individual piece of equipment with the lowest design flow rate in the pretreatment system would set the design flow rate limit for the site. For example, if the control system consists of a settling tank with the anticipated control efficiency at a flow rate of 100 gallons per minute attached to a carbon adsorber with an anticipated control efficiency at a design flow of 50 gallons per minute, the design flow rate of the system would be 50 gallons per minute.

## G. Noncompliance

### 1. Notification of Noncompliance

Permittee shall notify the Industrial Pretreatment Program **within 24 hours of the aware date** of a discharge that is known or suspected to be in violation with any effluent limitation or provision of the Permit. The notification shall include location of discharge, date and time thereof, type of wastewater including concentration and volume, and corrective actions taken.

### 2. Automatic Resampling

- a.) If the results of Permittee's self-monitoring indicates a violation has occurred, Permittee must repeat the sampling and pollutant analysis and submit in writing, the results of this automatic resampling analysis **within 30-days of the aware date of the violation**.
- b.) Permittee is not required to resample if the City obtained a sample at the same discharge point for the same pollutant between the time Permittee performed its sampling and the time Permittee receives the results of the sampling.
- c.) Permittee may be subject to increased monitoring through a **TISM** requirement as a result of self-monitoring violations or violations discovered during City sampling events.

### 3. Enforcement Action

In the event of noncompliance with any requirements of the Permit, the Industrial Pretreatment Program may use a wide range of enforcement actions, ranging from informal to formal actions. The City of Phoenix uses a progressive enforcement philosophy. Problems are addressed at the lowest level and with the least formality possible, when appropriate, such as issuing a Notice of Concern. Continued non-compliance may result in escalated enforcement, such as a **Show Cause Proceeding**. These procedures are defined in the approved Enforcement Response Plan.

## H. Slug Discharge; Accidental Discharge

1. For purposes of this section, a Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, treated or otherwise which has a reasonable potential to cause adverse impacts to the collection system, interference to wastewater treatment plant operations, pass through the wastewater treatment plant, or in any other way violate the POTWs ordinances, local limits or permit conditions.

### 2. Permittee Provides Protection

- a.) Permittee shall control slug discharges and provide protection from accidental discharges of prohibited materials or other wastes regulated by this Permit.
- b.) All discharge points where a hazardous or prohibited substance could potentially be discharged into the Permittee's plumbing system shall be labeled to warn and prevent personnel from the discharge of such substances.
- c.) Permittees are required to store all hazardous materials; hazardous wastes; oils of petroleum, mineral, animal, or vegetable origin; and other liquids or solids which may contribute to environmental contamination using secondary containment, such as spill pallets or berms to contain either 10 percent of the total enclosed container volume or 110 percent of the volume contained in the largest container, whichever is greater, or, if a single container, 110 percent of the volume of that container.
- d.) Permittee shall make available to their employees copies of this Permit together with such other information and notices that may be furnished by the City from time to time for the purpose of improving and making more effective water pollution control.
- e.) Permittee shall furnish and post a notice on Permittee's bulletin board advising officers, agents and employees who to call in case of an accidental discharge in excess of the limits authorized by this Permit.

### 3. Permittee Provides Notification

- a.) Permittee shall notify the City immediately of any changes at its facility affecting potential for a Slug Discharge.
- b.) Permittee shall notify the City immediately of all discharges that could adversely impact the POTW, including any slug loadings, as referenced under **B. General Prohibitions** and in Section 28-8 of the Phoenix City Code.

### 4. Written Report on Noncompliance Resulting from a Slug Discharge

**Within five calendar days** of the aware date of a slug discharge that results in a violation of any limitation or prohibition specified in the Permit, Permittee shall submit a detailed written report to the Industrial Pretreatment Program. The detailed written report shall contain:

- a.) A description of the cause(s) of the violation. If the cause of the incident has not been definitively determined, the report shall propose a detailed plan and schedule describing the steps to be taken to determine the cause;
- b.) The location of discharge, type, concentration, and volume of discharge;
- c.) Duration of noncompliance, including **exact dates and times of noncompliance**, and if the noncompliance continues, the time by which compliance is reasonably expected to occur;
- d.) All steps taken or to be taken to reduce, eliminate, and prevent a recurrence of the noncompliance.

### I. Signatory Requirements

Permit applications, Self-Monitoring Reports, reports required by this Permit, and any other reports addressing Permit noncompliance or required by any enforcement action taken by the City of Phoenix must be signed by the appropriate signatory or duly authorized representative, as follows and as specified in 40 CFR 403.12:

## Permit Standard Conditions February 14, 2022

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1. By a responsible corporate officer, if Permittee is a corporation. For purposes of this section, a responsible corporate officer means:
  - a.) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-or decision-making functions for the corporation, or
  - b.) The manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environment laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. By a general partner or proprietor if Permittee is a partnership or sole proprietorship.
2. By a general partner or proprietor if Permittee is a partnership or sole proprietorship.
3. By a duly authorized representative of the individual designated above if:
  - a) The authorization is made in writing by the individual described in I.1. or I.2. above;
  - b) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Permitted discharge originates, such as the position of plant manager, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the Permittee; and
  - c) The written authorization is submitted to the Industrial Pretreatment Program.
4. Any change in signatures or positions shall be submitted to the Industrial Pretreatment Program in writing prior to or together with any reports to be signed by an authorized representative, but in **no case more than 30-days** after the change.
5. Any person signing a document under this section shall make the following certification:

*"I 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 properly 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 violations."*

### J. Planned Changes

Permittee shall give written notice to the Industrial Pretreatment Program **not less than 90-days prior** to any facility changes which results or may result in new, increased, or decreased discharges or a change in the nature of the discharge. Detailed engineer's stamped plans and an engineer's stamped basis of design report describing facility expansion, production increase, process modifications, pretreatment system design flow rate, and operating procedures shall be submitted to the Industrial Pretreatment Program for review, and shall be acceptable to the Industrial Pretreatment Program before such facilities are constructed.

### K. Duty to Halt or Reduce Activity

Upon reduction, loss or failure of the pretreatment facility, Permittee shall, to the extent necessary to maintain compliance with its Permit, control production or all discharges or both until operation of the pretreatment facility is restored or an alternative method of pretreatment is provided. Written approval for alternative methods of pretreatment must be obtained from the Director prior to implementation. This requirement applies, for example, when the primary source of power of the pretreatment facility fails or is reduced. **It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the Permitted activity in order to maintain compliance with the conditions of the Permit.**

### L. Adverse Impact

At Permittee's sole cost and expense, Permittee shall take all reasonable steps to minimize or correct any adverse impact to the POTW and the environment resulting from noncompliance with the Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

### M. Bypass

1. Permittee may allow a bypass to occur which does not result in any violation of the Permit, and only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the notice and prohibition sections below.

#### 2. Notice

- d) Where the Permittee knows in advance of the need for a bypass, it shall submit prior written notice to the Industrial Pretreatment Program, **at least 10-days** prior to the date of the bypass.
- e) Permittee shall submit oral notice to the Industrial Pretreatment Program of an unanticipated bypass that results in violations of the Permit **within 24-hours** from the time the Permittee becomes aware of the bypass. Permittee shall also provide a written notice of the bypass **within 5-days** from the time the Permittee becomes aware of the bypass. The written notice 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 reoccurrence of the bypass. Permittee may submit a written request to the Industrial Pretreatment Program for a waiver of this written notice requirement, which may only be granted by the Industrial Pretreatment Program if the oral report has been received within **24-hours**.

#### 3. Bypass is prohibited unless:

- a.) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b.) There were no feasible alternatives to the bypass, such as the use of auxiliary pretreatment facilities, retention of untreated wastes, or maintenance during 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 a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- c.) Permittee submitted notices as required under subparagraph M.2.

### 4. Civil and Criminal Liability

Any bypass under this section shall not relieve the Permittee from civil and criminal liability for noncompliance with effluent limitations or prohibitions of the Permit.

### N. Inspection and Entry

Permittee shall provide free access to any representative of the City of Phoenix Water Services Department Environmental Services Division and/or Industrial Pretreatment Program. **Free Access** means the ability of City personnel to enter facilities under safe and nonhazardous conditions **with a minimum of delay**. The City shall be able to:

1. Enter at any time during normal hours of operation upon Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the Permit;
3. Inspect and document through photography, note-taking, or related means, at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the Permit;
4. Sample or monitor any substances or parameters at any location for the purposes of determining Permit compliance; and
5. Inspect and document through photography, note-taking, or related means, any production, manufacturing, fabricating, or storage area where pollutants, regulated under the Permit, could originate or may be subject to regulation.

### O. Annual Publication

**Significant Noncompliance** (Section 28-46.4 of the Phoenix City Code) with the terms and conditions of the Permit by the Permittee will result in newspaper publication and other forms of public notification to inform the public as required by law.

### P. Civil and Criminal Liability

Nothing in the Permit shall be construed to relieve the Permittee from civil and/or criminal penalties for noncompliance under Section 28 of the Phoenix City Code and as referenced in **Q. Criminal Penalty** and **R. Civil Penalty**.

### Q. Criminal Penalty

Any person who violates any provision of Section 28 of the Phoenix City Code including any requirement of the Permit shall be guilty of a Class I misdemeanor and any such violation shall constitute a separate offense on each successive day the violation continues. The penalty shall not exceed \$2,500 per day for each violation and/or imprisonment of not more than 6 months.

### R. Civil Penalty

1. Any person who violates any provision of the Permit or any provision of the Phoenix City Code, Article II, entitled Use of Public Sewers and Limitations, Article VI, entitled Industrial User and Pretreatment Requirements, and/or Article VII entitled Accidental Discharge, shall be civilly liable to the City for a sum not to exceed twenty-five thousand (\$25,000) dollars per day for each violation. For continuing violations, each day may constitute a separate offense.
2. In addition to any civil penalty imposed on the Permittee, the Permittee shall be liable for any civil penalty imposed on the City as a result of the Permittee's violation.



### S. Recovery of Costs Incurred

1. In addition to civil and criminal penalty that may be imposed for any violation of the Permit, Permittee shall be liable to the City of Phoenix for any expense, loss, or damage caused by such violation.
2. Permittee shall be liable for any charges assessed by the Director to recover extra costs incurred by the City in surveillance, sampling and testing, for additional operating and maintenance expenses, including overhead charges, and for any other action required to identify, handle, process or supplement normal activities due to the unauthorized discharge of wastewaters.

### T. Permit Action

The City may modify, revoke, or terminate the Permit for good cause, including, but not limited to, the following:

1. Failure to notify the Environmental Services Division of significant changes to the wastewater prior to the changed discharge;
2. Making any new or increased industrial discharge, or otherwise making any change in the nature of Permittee's industrial discharge(s) if such change creates any new or increased industrial discharge without having first obtained an amended Permit;
3. Failure to give written notice to the Industrial Pretreatment Program of not less than 90-days prior to any facility expansion, production increase, or process modifications which results or may result in new or increased discharges or a change in the nature of the discharge;
4. Failure to give advance written notice to the Industrial Pretreatment Program of any planned changes in the Permitted facility or activity which may result in noncompliance with Permit requirements;
5. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge Permit application;
6. Falsifying Self-Monitoring Reports;
7. Tampering with monitoring equipment;
8. Refusing to allow timely access to the facility premises and records;
9. Failure to meet effluent limitations;
10. Failure to pay fines and penalties;
11. Failure to pay sewer charges;
12. Failure to meet compliance schedules;
13. Failure to complete a wastewater survey or the Permit application;
14. Failure to provide advance written notice of the transfer of business ownership of a Permitted facility;
15. For violation of any pretreatment standard or requirement, or any terms of the Permit or requirement of Section 28 of the Phoenix City Code;
16. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
17. To include material or substantial alterations or additions to the Permittee's operation which were inadvertently omitted in the issued Permit;

18. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or

19. For any other reason deemed appropriate by the Director.

### U. Property Right

The issuance of the Permit does not convey any property right of any sort, or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

### V. Permit Not Transferable

Class A, B, and C Wastewater Discharge Permits are issued to a specific user for a specific operation, and General Permits are issued to a group of Industrial Users; and **are not assignable to another user or transferable to any other location**. In the event of sale or transfer of ownership, Permittee must provide a copy of the Permit to the purchaser and give written notification to the City of Phoenix Industrial Pretreatment Program when at all possible **at least 90 days prior to the effective date of sale or ownership transfer**. The purchaser must obtain a permit in order to discharge industrial wastewaters to the sanitary sewer.

### W. Duty to Reapply; Automatic Extension of Existing Permit

If the Permittee wishes to continue to discharge industrial wastewater that is regulated by the Permit after the expiration date of the Permit, Permittee **must apply for and obtain a new permit**. The application must be submitted to the City of Phoenix Industrial Pretreatment Program at least **60 calendar days before** the expiration date of the Permit, unless written permission for an extension of time is timely requested and the Industrial Pretreatment Program grants the request.

Subject to the Director's right to modify, revoke or terminate the Permit, it shall continue to remain in full force and effect after the date of expiration if the Permittee has applied for a new Permit in accordance with the timeframe required by this section, and a new Permit is not issued prior to the expiration date of the Permit.

### X. Duty to Provide Information

Permittee shall provide any information that the Industrial Pretreatment may request to determine whether cause exists for modifying, revoking, or terminating the Permit, or to determine compliance with the Permit.

### Y. Severability

The provisions of the Permit are severable. If any provision of the Permit, or the application of any provision of the Permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of the Permit, shall not be affected thereby.

### Z. Permit Appeals Process

1. Any Permit applicant or Permittee (aggrieved party) may petition the Director to reconsider the conditions and limitations of a Permit issued or amended under the authority of Section 28-46.1 of the Phoenix City Code by filing a petition for review with the Director within 20-days of receipt of the Permit.
2. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
3. In its petition, the aggrieved party must identify the Permit provisions objected to, specify in detail the reasons for objection, and present the alternative condition, if any, it seeks to place in the Permit.

## **Permit Standard Conditions February 14, 2022**

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4. The provisions of the Permit that are not objected to shall not be stayed pending the appeal.
5. If the Director fails to act within 30-days from receipt of the petition, it shall be deemed to be denied. Decisions not to reconsider the issued or amended Permit, not to issue a Permit, or not to amend a Permit shall be considered final administrative actions for purposes of judicial review.
6. The aggrieved party seeking judicial review of the final Permit decision may file a complaint with the Superior Court for Maricopa County, Arizona.

**Locked Form Instructions;**

Use the TAB key to move to each data entry field.

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

Facility Name: PMA Industries, LLC

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Permit Limits: 433.17

Permit No: 2212-50248

Compliance Sampling Point: 50248.01

Report Period: \_\_\_\_\_ Through \_\_\_\_\_

*Flow is either Measured or Estimated - Not Both*

<b>Average Daily Flow</b> through Compliance Sampling Point:	GPD Measured:	GPD Estimated:
<b>Maximum Daily Flow</b> through Compliance Sampling Point:	GPD Measured:	GPD Estimated:
<b>Total Monthly Flow</b> through Compliance Sampling Point:	Gallons Measured:	Gallons Estimated:

***Include the following for EACH Compliance Sampling Point Report:***

- |   |   |
|---|---|
| <input type="checkbox"/> SMR Page 1 – Flow Page with Signed and Dated Certification       | <input type="checkbox"/> pH Calibration & Analysis Log with Method QC Data                            |
| <input type="checkbox"/> SMR Page 2 – Sampling Detail Page                                | <input type="checkbox"/> Daily Flows, Device Calibration, & Device Maintenance Log or Manual Flow Log |
| <input type="checkbox"/> SMR Page 3 or 4 – Laboratory Results Reporting Table             | <input type="checkbox"/> ADHS Certified Laboratory Analysis with QA/QC and Notes or Tags              |
| <input type="checkbox"/> Attachment A – TOMP/Solvent Certification (Only if Applicable)   | <input type="checkbox"/> Sampling Chain of Custody (Must be Readable)                                 |
| <input type="checkbox"/> Attachment B - Zero Discharge Certification (Only if Applicable) |   |

*I 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 properly 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 violations.*

Certifying Official Signature \_\_\_\_\_

Certifying Official Name \_\_\_\_\_

Certifying Official Title \_\_\_\_\_

Date \_\_\_\_\_

Phone Number/Email \_\_\_\_\_

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

**COMPLETE FOR EACH SAMPLING EVENT AND EACH SAMPLING POINT  
DURING THE REPORTING PERIOD**

Facility Name: PMA Industries, LLC

Address: 18008 North Black Canyon Highway

Phoenix, Arizona 85053-1715

Dates/Times Samples Collected: \_\_\_\_\_

Names(s) and Affiliation of  
Person(s) Sampling: \_\_\_\_\_

Compliance Sampling Point No 50248.01

Lab Project or Reference ID No \_\_\_\_\_

Device Type: Waste Treatment Process Analysis Tank sampling port

Location Description: Southwest corner of the building in the Pretreatment Area

Electronic pH meter calibrated prior to analysis? \_\_\_\_\_

Sampling Methodology (indicate sample type, collection method, and preservation for all pollutants sampled):

Type	Collection Method	Preservation
pH		
Metals		
Cyanide		
VOCs		
Semi-VOCs		
BOD/TSS		

**NOTE: If sample collection method was Hand Composite; a log showing date, time, flow rate, aliquot volumes, and final calculations for the final hand composite must be included with the report.**

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

Facility Name: PMA Industries, LLC

Permit No: 2212-50248

Report Period: \_\_\_\_\_ to \_\_\_\_\_

Compliance Point No: 50248.01

Lab Project or Reference ID No \_\_\_\_\_

Compliance Point Description: Sampling Port @ Analysis Tank

Parameter	Unit	Daily Limit	Sampling Frequency	Sample Type	Date:	Analysis Method	Date:	Analysis Method	Date:	Analysis Method	Date:	Analysis Method	Monthly Limit	Monthly Average
Arsenic	mg/L	0.13	1 per 6-Mos.	FPC										
BOD	mg/L	N/A	1 per Quarter	FPC										
Cadmium	mg/L	0.047	1 per Quarter	FPC									0.07	
Chromium	mg/L	2.77	1 per Quarter	FPC									1.71	
Copper	mg/L	1.5	1 per Quarter	FPC									2.07	
Cyanide(T)	mg/L	1.20	1 per Quarter	Grab									0.65	
Lead	mg/L	0.41	1 per Quarter	FPC									0.43	
Mercury	mg/L	0.0023	1 per 6-Mos.	FPC										
Molybdenum	mg/L	N/A	1 per 6-Mos.	FPC										
Nickel	mg/L	3.98	1 per Quarter	FPC									2.38	
pH	S.U.	5.0-10.5	1 per Week	Grab										
Selenium	mg/L	0.10	1 per 6-Mos.	FPC										
Silver	mg/L	0.43	1 per Quarter	FPC									0.24	
TSS	mg/L	N/A	1 per Quarter	FPC										
TTO	µg/L	2130	1 per 6-Mos.	G/FPC										
Zinc	mg/L	2.61	1 per Quarter	FPC									1.48	

**NOTES:**

This form is to be submitted for each sampling point.

Sampling Frequency - The required minimum sampling frequency from your Permit.

Sample Type - FPC is a Flow Proportional Composite; G/FPC is a combination of Grab and Flow Proportional samples as specified in 40 CFR 136.

Date - Enter the date the sample was taken and enter the result for each parameter under the date. Do not enter the "ND" from the laboratory as a sample result. Enter less than (<) the detection limit for the parameter. For example, <0.05.

Analysis Method - The analysis method used by the laboratory is to be entered for each result. All samples must be analyzed by the analytical methods required by the Permit. Copies of the laboratory analytical reports must be submitted with this form.

Monthly Average - This column must be completed for all applicable parameters

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

ATTACHMENT A

**No Solvent Dumping and TOMP Implementation Certification**

*Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to be best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge [self-]monitoring report. I further certify that this facility is implementing the toxic organic management plan (TOMP) submitted to the City of Phoenix.*

Report Period: \_\_\_\_\_ Through \_\_\_\_\_

Facility Name: **PMA Industries, LLC**  
Address: **18008 North Black Canyon Highway**  
**Phoenix, Arizona 85053-1715**

Permit No: **2212-50248**  
Compliance Sampling Point: **50248.01**

Certifying Official Signature \_\_\_\_\_  
Certifying Official Printed Name \_\_\_\_\_  
Certifying Official Title \_\_\_\_\_  
Date \_\_\_\_\_

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM  
**ATTACHMENT B**

## Zero Discharge Certification

*Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitations, I certify that to the best of my knowledge and belief, no discharge to sewer of process wastewaters regulated by the Federal Point Source Categories specified at 40 CFR 405-471 occurred during the monitoring period covered by this report. I am aware of the potential for significant penalties for submission of false information, including the possibility of fines and imprisonment for knowing violations. I will retain copies of all manifests and/or waste hauler receipts on-site for no less than 3 years and make them available to City of Phoenix personnel upon request.*

Report Period: \_\_\_\_\_ Through \_\_\_\_\_

Facility Name: **PMA Industries, LLC**  
Address: **18008 North Black Canyon Highway**  
**Phoenix, Arizona 85053-1715**

Permit No: **2212-50248**  
Compliance Sampling Point\*: **50248.01**

Certifying Official Signature \_\_\_\_\_

Certifying Official Printed Name \_\_\_\_\_

Certifying Official Title \_\_\_\_\_

Date \_\_\_\_\_



CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

## pH Calibration & Analysis Log

Meter No \_\_\_\_\_

Compliance Sampling Point No 50248.01

Calibration Standard	Date	Analyst Initials	Analysis Time	Reading (Units)	Temp Reading (°C)	Calibration Slope (mV or %)	Comments
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
Once/Month Duplicate Sample (+/- 0.1 Acceptance)			Orig Reading:		Dup Reading:		
Once/Month Verification Check/Buffer 7						Pass or Fail	

**NOTE:** Grab pH Analysis for purposes of compliance sampling **must be performed within 15 minutes sample collection** using one of the methods specified for **Hydrogen Ion** in Title 40 of the Code of Federal Regulations Part 136; typically SM4500 H+ B. Arizona Department of Environmental Quality has provided guidance for complying with the Calibration and QA/QC portions of the approved analytical methods. This pH calibration log may aid in meeting the minimum criteria. Please see the manufacturer's manual for your pH meter to determine the acceptable slope in mV or %.

**NOTE:** Permittees are required to calibrate field and/or bench pH meters **each day of use for Grab pH Analysis.**

**NOTE:** Permittees are required to keep original copy of pH Calibration and Analysis Logs **onsite and available for review for a minimum of three years; a copy of the hand-written original must be submitted with the monthly SMR.**

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

Compliance Sampling Point № **50248.01**

### Daily Flows, Device Calibration, & Device Maintenance Log

	Date	Totalizer Reading	Daily Flow to Sewer (gpd)	Meter Level (inches)	Measured Level (inches)	<input checked="" type="checkbox"/> Meter Adjusted	<input checked="" type="checkbox"/> Sampling Device Cleaned
Last						<input type="checkbox"/>	<input type="checkbox"/>
1.						<input type="checkbox"/>	<input type="checkbox"/>
2.						<input type="checkbox"/>	<input type="checkbox"/>
3.						<input type="checkbox"/>	<input type="checkbox"/>
4.						<input type="checkbox"/>	<input type="checkbox"/>
5.						<input type="checkbox"/>	<input type="checkbox"/>
6.						<input type="checkbox"/>	<input type="checkbox"/>
7.						<input type="checkbox"/>	<input type="checkbox"/>
8.						<input type="checkbox"/>	<input type="checkbox"/>
9.						<input type="checkbox"/>	<input type="checkbox"/>
10.						<input type="checkbox"/>	<input type="checkbox"/>
11.						<input type="checkbox"/>	<input type="checkbox"/>
12.						<input type="checkbox"/>	<input type="checkbox"/>
13.						<input type="checkbox"/>	<input type="checkbox"/>
14.						<input type="checkbox"/>	<input type="checkbox"/>
15.						<input type="checkbox"/>	<input type="checkbox"/>
16.						<input type="checkbox"/>	<input type="checkbox"/>
17.						<input type="checkbox"/>	<input type="checkbox"/>
18.						<input type="checkbox"/>	<input type="checkbox"/>
19.						<input type="checkbox"/>	<input type="checkbox"/>
20.						<input type="checkbox"/>	<input type="checkbox"/>
21.						<input type="checkbox"/>	<input type="checkbox"/>
22.						<input type="checkbox"/>	<input type="checkbox"/>
23.						<input type="checkbox"/>	<input type="checkbox"/>
24.						<input type="checkbox"/>	<input type="checkbox"/>
25.						<input type="checkbox"/>	<input type="checkbox"/>
26.						<input type="checkbox"/>	<input type="checkbox"/>
27.						<input type="checkbox"/>	<input type="checkbox"/>
28.						<input type="checkbox"/>	<input type="checkbox"/>
29.						<input type="checkbox"/>	<input type="checkbox"/>
30.						<input type="checkbox"/>	<input type="checkbox"/>
31.						<input type="checkbox"/>	<input type="checkbox"/>
	Average Flow						
	Maximum Flow						
	Total Gallons						

**Locked Form Instructions:**

Use the TAB key to move to each data entry field.

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

Facility Name: PMA Industries, LLC

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Permit Limits: 433.17

Permit No: 2212-50248

Compliance Sampling Point: 50248.02

Report Period: \_\_\_\_\_ Through \_\_\_\_\_

*Flow is either Measured or Estimated - Not Both*

<b>Average Daily Flow</b> through Compliance Sampling Point:	GPD Measured:	GPD Estimated:
<b>Maximum Daily Flow</b> through Compliance Sampling Point:	GPD Measured:	GPD Estimated:
<b>Total Monthly Flow</b> through Compliance Sampling Point:	Gallons Measured:	Gallons Estimated:

***Include the following for EACH Compliance Sampling Point Report:***

- |   |   |
|---|---|
| <input type="checkbox"/> SMR Page 1 – Flow Page with Signed and Dated Certification       | <input type="checkbox"/> pH Calibration & Analysis Log with Method QC Data                            |
| <input type="checkbox"/> SMR Page 2 – Sampling Detail Page                                | <input type="checkbox"/> Daily Flows, Device Calibration, & Device Maintenance Log or Manual Flow Log |
| <input type="checkbox"/> SMR Page 3 or 4 – Laboratory Results Reporting Table             | <input type="checkbox"/> ADHS Certified Laboratory Analysis with QA/QC and Notes or Tags              |
| <input type="checkbox"/> Attachment A – TOMP/Solvent Certification (Only if Applicable)   | <input type="checkbox"/> Sampling Chain of Custody (Must be Readable)                                 |
| <input type="checkbox"/> Attachment B - Zero Discharge Certification (Only if Applicable) |   |

*I 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 properly 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 violations.*

Certifying Official Signature \_\_\_\_\_

Certifying Official Name \_\_\_\_\_

Certifying Official Title \_\_\_\_\_

Date \_\_\_\_\_

Phone Number/Email \_\_\_\_\_

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

**COMPLETE FOR EACH SAMPLING EVENT AND EACH SAMPLING POINT  
DURING THE REPORTING PERIOD**

Facility Name: PMA Industries, LLC

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Dates/Times Samples Collected: \_\_\_\_\_

Names(s) and Affiliation of Person(s) Sampling: \_\_\_\_\_

Compliance Sampling Point No 50248.02 Lab Project or Reference ID No \_\_\_\_\_

Device Type: T3 Process Analysis Tank sampling port

Location Description: Southwest corner of the building in the Pretreatment Area

Electronic pH meter calibrated prior to analysis? \_\_\_\_\_

Sampling Methodology (indicate sample type, collection method, and preservation for all pollutants sampled):

Type	Collection Method	Preservation
pH		
Metals		
Cyanide		
VOCs		
Semi-VOCs		
BOD/TSS		

**NOTE: If sample collection method was Hand Composite; a log showing date, time, flow rate, aliquot volumes, and final calculations for the final hand composite must be included with the report.**

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

Facility Name: PMA Industries, LLC

Permit No: 2212-50248

Report Period: \_\_\_\_\_ to \_\_\_\_\_

Compliance Point No: 50248.02

Lab Project or Reference ID No \_\_\_\_\_

Compliance Point Description: Sampling Port @ T3 Analysis Tank

Parameter	Unit	Daily Limit	Sampling Frequency	Sample Type	Date:	Analysis Method	Date:	Analysis Method	Date:	Analysis Method	Date:	Analysis Method	Monthly Limit	Monthly Average
Arsenic	mg/L	0.13	1 per 6-Mos.	FPC										
BOD	mg/L	N/A	1 per Quarter	FPC										
Cadmium	mg/L	0.047	1 per Quarter	FPC									0.07	
Chromium	mg/L	2.77	1 per Quarter	FPC									1.71	
Copper	mg/L	1.5	1 per Month	FPC									2.07	
Cyanide(T)	mg/L	1.20	1 per Quarter	Grab									0.65	
Lead	mg/L	0.41	1 per Quarter	FPC									0.43	
Mercury	mg/L	0.0023	1 per 6-Mos.	FPC										
Molybdenum	mg/L	N/A	1 per Quarter	FPC										
Nickel	mg/L	3.98	1 per Month	FPC									2.38	
pH	S.U.	5.0-10.5	1 per Week	Grab										
Selenium	mg/L	0.10	1 per Month	FPC										
Silver	mg/L	0.43	1 per Month	FPC									0.24	
TSS	mg/L	N/A	1 per Quarter	FPC										
TTO	µg/L	2130	1 per 6-Mos.	G/FPC										
Zinc	mg/L	2.61	1 per Quarter	FPC									1.48	

**NOTES:**

This form is to be submitted for each sampling point.

Sampling Frequency - The required minimum sampling frequency from your Permit.

Sample Type - FPC is a Flow Proportional Composite; G/FPC is a combination of Grab and Flow Proportional samples as specified in 40 CFR 136.

Date - Enter the date the sample was taken and enter the result for each parameter under the date. Do not enter the "ND" from the laboratory as a sample result. Enter less than (<) the detection limit for the parameter. For example, <0.05.

Analysis Method - The analysis method used by the laboratory is to be entered for each result. All samples must be analyzed by the analytical methods required by the Permit. Copies of the laboratory analytical reports must be submitted with this form.

Monthly Average - This column must be completed for all applicable parameters

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

ATTACHMENT A

**No Solvent Dumping and TOMP Implementation Certification**

*Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to be best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge [self-]monitoring report. I further certify that this facility is implementing the toxic organic management plan (TOMP) submitted to the City of Phoenix.*

Report Period: \_\_\_\_\_ Through \_\_\_\_\_

Facility Name: **PMA Industries, LLC**  
Address: **18008 North Black Canyon Highway**  
**Phoenix, Arizona 85053-1715**

Permit No: **2212-50248**  
Compliance Sampling Point: **50248.02**

Certifying Official Signature \_\_\_\_\_  
Certifying Official Printed Name \_\_\_\_\_  
Certifying Official Title \_\_\_\_\_  
Date \_\_\_\_\_

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM  
**ATTACHMENT B**

**Zero Discharge Certification**

*Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitations, I certify that to the best of my knowledge and belief, no discharge to sewer of process wastewaters regulated by the Federal Point Source Categories specified at 40 CFR 405-471 occurred during the monitoring period covered by this report. I am aware of the potential for significant penalties for submission of false information, including the possibility of fines and imprisonment for knowing violations. I will retain copies of all manifests and/or waste hauler receipts on-site for no less than 3 years and make them available to City of Phoenix personnel upon request.*

Report Period: \_\_\_\_\_ Through \_\_\_\_\_

Facility Name: **PMA Industries, LLC**  
Address: **18008 North Black Canyon Highway**  
**Phoenix, Arizona 85053-1715**

Permit No: **2212-50248**  
Compliance Sampling Point\*: **50248.02**

Certifying Official Signature \_\_\_\_\_

Certifying Official Printed Name \_\_\_\_\_

Certifying Official Title \_\_\_\_\_

Date \_\_\_\_\_

CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

## pH Calibration & Analysis Log

Meter No \_\_\_\_\_

Compliance Sampling Point No 50248.02

Calibration Standard	Date	Analyst Initials	Analysis Time	Reading (Units)	Temp Reading (°C)	Calibration Slope (mV or %)	Comments
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
pH Buffer 4/Lot#							
pH Buffer 7/Lot#							
pH Buffer 10/Lot#							
2 <sup>nd</sup> Buffer pH 7 (6.9 - 7.1)/Lot#						Pass or Fail	
Compliance pH Result						N/A	
Once/Month Duplicate Sample (+/- 0.1 Acceptance)			Orig Reading:		Dup Reading:		
Once/Month Verification Check/Buffer 7						Pass or Fail	

**NOTE:** Grab pH Analysis for purposes of compliance sampling **must be performed within 15 minutes sample collection** using one of the methods specified for **Hydrogen Ion** in Title 40 of the Code of Federal Regulations Part 136; typically SM4500 H+ B. Arizona Department of Environmental Quality has provided guidance for complying with the Calibration and QA/QC portions of the approved analytical methods. This pH calibration log may aid in meeting the minimum criteria. Please see the manufacturer's manual for your pH meter to determine the acceptable slope in mV or %.

**NOTE:** Permittees are required to calibrate field and/or bench pH meters **each day of use for Grab pH Analysis**.

**NOTE:** Permittees are required to keep original copy of pH Calibration and Analysis Logs **onsite and available for review for a minimum of three years; a copy of the hand-written original must be submitted with the monthly SMR**.



CITY OF PHOENIX  
SIGNIFICANT INDUSTRIAL USER  
SELF-MONITORING REPORT FORM

Compliance Sampling Point № *50248.02*

### Daily Flows, Device Calibration, & Device Maintenance Log

	Date	Totalizer Reading	Daily Flow to Sewer (gpd)	Meter Level (inches)	Measured Level (inches)	<input checked="" type="checkbox"/> Meter Adjusted	<input checked="" type="checkbox"/> Sampling Device Cleaned
Last						<input type="checkbox"/>	<input type="checkbox"/>
1.						<input type="checkbox"/>	<input type="checkbox"/>
2.						<input type="checkbox"/>	<input type="checkbox"/>
3.						<input type="checkbox"/>	<input type="checkbox"/>
4.						<input type="checkbox"/>	<input type="checkbox"/>
5.						<input type="checkbox"/>	<input type="checkbox"/>
6.						<input type="checkbox"/>	<input type="checkbox"/>
7.						<input type="checkbox"/>	<input type="checkbox"/>
8.						<input type="checkbox"/>	<input type="checkbox"/>
9.						<input type="checkbox"/>	<input type="checkbox"/>
10.						<input type="checkbox"/>	<input type="checkbox"/>
11.						<input type="checkbox"/>	<input type="checkbox"/>
12.						<input type="checkbox"/>	<input type="checkbox"/>
13.						<input type="checkbox"/>	<input type="checkbox"/>
14.						<input type="checkbox"/>	<input type="checkbox"/>
15.						<input type="checkbox"/>	<input type="checkbox"/>
16.						<input type="checkbox"/>	<input type="checkbox"/>
17.						<input type="checkbox"/>	<input type="checkbox"/>
18.						<input type="checkbox"/>	<input type="checkbox"/>
19.						<input type="checkbox"/>	<input type="checkbox"/>
20.						<input type="checkbox"/>	<input type="checkbox"/>
21.						<input type="checkbox"/>	<input type="checkbox"/>
22.						<input type="checkbox"/>	<input type="checkbox"/>
23.						<input type="checkbox"/>	<input type="checkbox"/>
24.						<input type="checkbox"/>	<input type="checkbox"/>
25.						<input type="checkbox"/>	<input type="checkbox"/>
26.						<input type="checkbox"/>	<input type="checkbox"/>
27.						<input type="checkbox"/>	<input type="checkbox"/>
28.						<input type="checkbox"/>	<input type="checkbox"/>
29.						<input type="checkbox"/>	<input type="checkbox"/>
30.						<input type="checkbox"/>	<input type="checkbox"/>
31.						<input type="checkbox"/>	<input type="checkbox"/>
		Average Flow					
		Maximum Flow					
		Total Gallons					

\_\_\_\_\_ [DATE]

Ms. Chelsey Weaver  
Chief Water Quality Inspector  
City of Phoenix Water Services Department  
Industrial Pretreatment Program  
2474 South 22<sup>nd</sup> Avenue, Building 31  
Phoenix, Arizona 85009-6918

RE: PMA Industries, LLC – Authorized Signatories

Dear Ms. Weaver:

Please be informed that I have authorized following representatives as signatories for all environmental issues related to the facility located at 18008 North Black Canyon Highway:

SIGNATURE OF  
AUTHORIZED  
SIGNATORY 1

\_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME:

\_\_\_\_\_ TITLE: \_\_\_\_\_

AFFILIATION

\_\_\_\_\_

SIGNATURE OF  
AUTHORIZED  
SIGNATORY 2

\_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME:

\_\_\_\_\_ TITLE: \_\_\_\_\_

AFFILIATION

\_\_\_\_\_

SIGNATURE OF  
AUTHORIZED  
SIGNATORY 3

\_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME:

\_\_\_\_\_ TITLE: \_\_\_\_\_

AFFILIATION

\_\_\_\_\_

We appreciate your cooperation regarding this matter. Should you have any questions, please do not hesitate to contact me at \_\_\_\_\_.

Sincerely,

SIGNATURE OF CORPORATE OFFICIAL (as outlined in Class A Permit Standard Conditions, Part I-  
Signatory Requirements or 40 CFR 403.12).

\_\_\_\_\_ (PRINTED NAME)

\_\_\_\_\_ (TITLE)

**40 § 403.12 Reporting requirements for POTW's and industrial users.**

**(l) Signatory requirements for Industrial User reports.** The reports required by paragraphs (b), (d), and (e) of this section shall include the certification statement as set forth in §403.6(a)(2)(ii), and shall be signed as follows:

(1) By a responsible corporate officer, if the Industrial User submitting the reports required by paragraphs (b), (d), and (e) of this section is a corporation. For the purpose of this paragraph, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) By a general partner or proprietor if the Industrial User submitting the reports required by paragraphs (b), (d), and (e) of this section is a partnership, or sole proprietorship respectively.

(3) By a duly authorized representative of the individual designated in paragraph (l)(1) or (l)(2) of this section if:

(i) The authorization is made in writing by the individual described in paragraph (l)(1) or (l)(2);

(ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(iii) the written authorization is submitted to the Control Authority.

(4) If an authorization under paragraph (l)(3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (l)(3) of this section must be submitted to the Control Authority prior to or together with any reports to be signed by an authorized representative.

**PMA Industries, LLC**  
**2212-50248**  
**CSP 50248.01**

## Wastewater Sampling Schedule

Parameter	Sampling Frequency	Sampling Method														
			January	February	March	April	May	June	July	August	September	October	November	December		
Arsenic	Once per 6-Months	Composite														
Biological Oxygen Demand (BOD)	Once per Quarter	Composite														
Cadmium	Once per Quarter	Composite														
Chromium	Once per Quarter	Composite														
Copper	Once per Quarter	Composite														
Cyanide	Once per Quarter	Grab														
Lead	Once per Quarter	Composite														
Mercury	Once per 6-Months	Composite														
Molybdenum	Once per 6-Months	Composite														
Nickel	Once per Quarter	Composite														
pH	Once per Week	Grab														
Selenium	Once per 6-Months	Composite														
Silver	Once per Quarter	Composite														
Total Suspended Solids (TSS)	Once per Quarter	Composite														
TTO - 433 (if Sampling)	Once per 6-Months	Grab/Comp.														
Zinc	Once per Quarter	Composite														

Place an X in the column to indicate the month each parameter will be sampled.

PMA Industries, LLC  
 2212-50248  
 CSP 50248.02

## Wastewater Sampling Schedule

Parameter	Sampling Frequency	Sampling Method														
			January	February	March	April	May	June	July	August	September	October	November	December		
Arsenic	Once per 6-Months	Composite														
Biological Oxygen Demand (BOD)	Once per Quarter	Composite														
Cadmium	Once per Quarter	Composite														
Chromium	Once per Quarter	Composite														
Copper	Once per Month	Composite														
Cyanide	Once per Quarter	Grab														
Lead	Once per Quarter	Composite														
Mercury	Once per 6-Months	Composite														
Molybdenum	Once per Quarter	Composite														
Nickel	Once per Month	Composite														
pH	Once per Week	Grab														
Selenium	Once per Month	Composite														
Silver	Once per Month	Composite														
Total Suspended Solids (TSS)	Once per Quarter	Composite														
TTO - 433 (if Sampling)	Once per 6-Months	Grab/Comp.														
Zinc	Once per Quarter	Composite														

Place an X in the column to indicate the month each parameter will be sampled.



**City of Phoenix**  
**WATER SERVICES DEPARTMENT**  
Quality Reliability Value

December 9, 2022

Mr. Ralph McRoberts  
General Manager/Senior Chemical Machining Specialist  
PMA Industries, LLC  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Re: RCRA Notification

Dear Mr. McRoberts:

In 1976, Congress passed the Resource Conservation and Recovery Act (RCRA) that directed the U.S. Environmental Protection Agency (EPA) to develop and implement a program to protect human health and the environment from improper hazardous waste management practices. The program is designed to control the management of hazardous waste from its generation to its ultimate disposal – from “cradle to grave.”

Your facility may be subject to solid or hazardous waste management requirements pursuant to the Federal RCRA (PL 94-580 as amended) and state hazardous waste management regulations.

The Arizona Department of Environmental Quality (ADEQ) website describes requirements for hazardous waste generators and transporters. There are descriptions available on the website at <https://azdeq.gov/HazWaste> of hazardous waste management requirements, which may apply to your operation if it involves generating or transporting hazardous waste.

In order to ensure that your operation complies with federal, state, and local hazardous waste management regulations, please review the material on the website and consult the following agencies to determine all specific requirements that apply to your operation:

US EPA  
Office of Solid Waste (5305P)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
Information Hotline: 800-424-9346

ADEQ  
Hazardous Waste Program  
1110 West Washington Street  
Phoenix, Arizona 85007  
602-771-4673

If you have any questions, please contact me at phone № (602) 495-5926. My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Respectfully,

Chelsey Weaver  
Chief Water Quality Inspector

# SLUG CONTROL PLAN GUIDANCE

Title 40 CFR 403.8(f)(2)(vi)

PHX  
WATER  
SMART

The Clean Water Act requires industrial facilities to have an emergency plan to prevent or mitigate a spill into waters of the US and into the Publicly Owned Treatment Works (POTW). The POTW includes both the sewer system and the wastewater treatment plant. Permitted discharges of wastewater into the POTW are required to have very low concentrations of pollutants. A Slug Control Plan is required to ensure that an industrial facility does not discharge or has a plan to mitigate the accidental discharge of a concentrated batch of strong, undiluted chemicals or other materials such as milk, oil, detergent, etc. into the POTW.

The complexity of the plan required to adequately address this topic must be determined on a case-by-case basis and should be evaluated periodically. At a minimum, details of the following elements should be included in the plan:

1. Description of or changes to current discharge practices including non-routine batch discharges, particularly those affecting potential for Slug Discharge.
2. Description of stored chemicals.
3. Procedures for promptly notifying the City of Phoenix of slug discharges, or changes affecting potential for slug discharges, as defined under 403.5 (b), with procedures for follow-up written notification within five days.
4. Any necessary procedures to prevent accidental spills including maintenance of storage areas, handling, and transfer of materials, loading, and unloading operations, and control of plant site run-off.
5. Any necessary measures for building containment structures or equipment. Consideration should be given to requiring containment areas to be of sufficient capacity to contain the liquid capacity of the tanks which may potentially rupture.
6. Any necessary measures for controlling toxic organic pollutants (including solvents).
7. Any necessary procedures for emergency response which must include immediate notification to the appropriate Wastewater Treatment Plant (WWTP) and the Environmental Service Division should an accidental spill, leak, or slug load enter the sewer system.

	91 <sup>st</sup> Avenue WWTP	23 <sup>rd</sup> Avenue WWTP
Central Operations	602-495-7754	602-262-1866
Building 24-Hr	602-768-9789	602-316-8175
Supervisor	602-721-1734	602-495-5965

8. A written summary of a Slug Discharge must also be provided to the Environmental Services Division within 5-days of the event.
9. Any necessary changes follow-up practices to limit the damage suffered by the treatment plant or the environment.
10. The following certification statement must be included and be signed by an officer of the company or manager responsible for overall plant operations:

*"Based on my inquiry of the person or persons directly responsible for managing compliance with the slug control measures in the Slug Control Plan (SCP), I certify that, to the best of my knowledge and belief, this facility is implementing the slug control plan submitted to the City of Phoenix. Furthermore, I certify that the slug prevention and control equipment installed at this facility will provide adequate protection from slug loading and will be used and maintained properly."*

Name and Title of Authorized Representative  
Signature of the Authorized Representative  
Industrial User or Company Name responsible for the Slug Control Plan  
Date



## TOXIC ORGANICS MANAGEMENT PLAN & CERTIFICATION (TOMP)

A. In accordance with 40 CFR 413.03, 433.12 and 469.13, an acceptable TOMP must specify the toxic organic compounds used, the method of disposal used (instead of discharge into wastestreams), and procedures for ensuring that toxic organics do not routinely spill or leak into wastewater discharged to the POTW or surface waters. A TOMP should include the following information:

1. A complete inventory of all toxic organic chemicals in use or identified through sampling and analysis of the wastewater from regulated process operations. Organic constituents of trade-name products should be obtained from the supplier.
2. A pollution prevention assessment for TTOs.
3. A description of the methods of disposal other than discharge to wastewaters, such as reclamation, contract hauling, or incineration.
4. The procedures for ensuring that the regulated toxic organic pollutants do not spill or routinely leak into process wastewaters, floor drains, noncontact cooling water, groundwater, surface waters, sanitary sewers or any other location which allows the discharge of the compounds.
5. The identities and determinations or best estimates of approximate quantities of toxic organic pollutants used in and discharged from the regulated processes. Compounds present in the wastestreams that are discharged to sanitary sewers or surface waters may be a result of regulated processes or disposal, spills, leaks, rinse water carryover, air pollution control, and other sources.

B. Initial Sampling. All toxic organic compounds, as indicated on the list included in the appropriate categorical standard, should be sampled and analyzed; however, industries in the Electroplating and Metal Finishing categories may sample for only those toxic organics present if demonstrated to the control authority's satisfaction that only certain toxic organic compounds are present (See 40 CFR 413.03 and 433.12). This can be demonstrated by providing Material Safety Data Sheets or other information from the supplier, or by providing an accurate inventory of organics on the premises. The control authority requests that it be provided the reporting form from the laboratory analyzing the sample.

C. Certification Eligibility. In order to qualify for the certification alternative, the following criteria should be met:

1. The baseline analysis should show compliance with the appropriate TTO standards;
2. An acceptable TOMP must be submitted (See 40 CFR 413.03, 433.12 and 469.13); and
3. The following certification statement must be signed by an officer of the company or manager responsible for overall plant operations, and submitted with the TOMP and each subsequent periodic compliance report wherein TOMP certification is used in lieu of TTO sampling:



## TOXIC ORGANICS MANAGEMENT PLAN & CERTIFICATION (TOMP)

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4. The procedures for ensuring that the regulated toxic organic pollutants do not spill or routinely leak into process wastewaters, floor drains, noncontact cooling water, groundwater, surface waters, sanitary sewers or any other location which allows the discharge of the compounds.
5. The identities and determinations or best estimates of approximate quantities of toxic organic pollutants used in and discharged from the regulated processes. Compounds present in the wastestreams that are discharged to sanitary sewers or surface waters may be a result of regulated processes or disposal, spills, leaks, rinse water carryover, air pollution control, and other sources.

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## TOXIC ORGANICS MANAGEMENT PLAN & CERTIFICATION (TOMP)

3. The above information may be given in tabular form. For example:

ORGANIC INVENTORY – STORAGE			
Product Name	TTO Constituent	Max. Daily Amt.	Min. Daily Amt.
<i>Easy Clean</i>	<i>Toluene</i>	<i>110 gals.</i>	<i>55 gals.</i>

### B. TTO Analysis.

The following steps should be taken to evaluate the wastewater:

1. Collect samples and have analysis done using USEPA approved methods, see 40 CFR 136;
2. The control authority should receive a copy of the reporting form from the laboratory analyzing the wastestream samples;
3. The step(s) in the regulated process in which toxic organics are used should be described;
4. The source where toxic organics could be introduced into the wastestream besides number 3 above (e.g., floor drains) should be described;
5. A flow schematic showing all of the sources and pathways where toxic organics could enter the wastestream should be provided;
6. The approximate quantities (e.g., gallons/day) of each toxic organic chemical used at each step in the regulated process should be listed; and
7. Evaluate any regulated TTO found in the effluent, but not on the TTO inventory listed in part A and determine if they are formed as reaction products or byproducts, raw materials, impurities, equipment corrosion or other sources.

### C. Pollution Prevention Assessment.

Evaluate pollution prevention options that could be implemented to minimize or eliminate the discharge of toxic organics introduced into the wastestream. These options include, but are not limited to, the following.

1. Material Substitution - Evaluate replacing existing toxic organic materials with nontoxic organic materials. Non-toxic materials may not be covered under the regulated TTO parameter list and will vastly simplify TOMP preparation requirements. Substitutes for toxic organics are available for many cleaning, metal working and coating applications. For example, aqueous cleaners and other non-toxic organic materials may be effective replacements for cleaning solvents containing regulated organics. Alternative coatings for painting that do not contain toxic organics, such as water-based coatings, may also be a viable option.

## TOXIC ORGANICS MANAGEMENT PLAN & CERTIFICATION (TOMP)

2. Improved Operating Practices - Evaluate practices to eliminate or minimize the use or loss of toxic organics that are discharged to the wastestream. For example, consider implementing sound inventory control practices to reduce loss of toxic organics due to poor storage practices. These practices include using toxic organics prior to shelf-life expiration and storing toxic organics according to manufacturers' recommendations to prevent degradation or contamination. Consider implementing appropriate procedures and training staff to ensure that minimal amount of toxic organics are used to do a task. For example, consider manual pre-cleaning methods (such as wiping or brushing) prior to using solvents containing toxic organics. Evaluate process control options (including monitoring for specific gravity, conductivity, pH, biological activity, etc.) for minimizing toxic organics loss to the wastestream from poor management of metal working fluids.
3. Technology Changes - Evaluate new technologies and improved equipment to eliminate or minimize the use or discharge of toxic organics. New technologies may eliminate toxic organic use completely and vastly simplify TOMP preparation requirements. For coating activities, consider technologies such as powder coating and ultraviolet (UV) curable coating. To reduce toxic organic loss from coating activities such as painting, consider improved transfer efficiency using electrostatic spraying or high volume low pressure (HVLP) spraying. For cleaning, consider technologies such as aqueous cleaning systems and media blasting (dry ice, plastic, abrasives, etc.).
4. Recycling - Evaluate recycling opportunities for toxic organics. Environmentally sound recycling practices for toxic organics will help prevent material loss and reduce raw material costs. Cleaning solvents containing toxic organics can be recovered for reuse using solvent distillation. Metal-working fluids and wastewater from paint water curtains, which may contain toxic organics, can be recovered using recycling equipment such as filtration and centrifugation. Other recycling opportunities could include using waste exchanges to find buyers for unwanted toxic organics. Once the pollution prevention opportunities are identified, a technical and economic evaluation of viable options should be conducted to select options/projects that are technically and economically feasible. Management commitment and funding should be secured for the selected options/projects and a schedule of implementation should be developed. Finally, a measurement system to track the success of the implemented project should be developed and adjustments made to it on an ongoing basis, as needed.

### D. Methods of Disposal.

A review of the methods of disposal should include the following:

1. A description of the waste(s) being generated;
2. Information on the amount of waste being disposed and the frequency of disposal;
3. Information on the method(s) of disposal (i.e., surface impoundment, direct discharge, sanitary sewers, incineration, reclamation or contract disposal);
4. The name of the contractor(s);

## TOXIC ORGANICS MANAGEMENT PLAN & CERTIFICATION (TOMP)

5. An estimation of the maximum daily amount and the average daily amount of waste stored at your facility;
6. The above information may be given in tabular form. For example:

<b>METHODS OF DISPOSAL</b>				
Waste Type	Waste Disposal Amount/Frequency	Disposal Method	Contractor	Waste Storage Daily Max./ Daily Avg.
<i>Waste Paint F003</i>	<i>10 drums 2x/year</i>	<i>Incineration</i>	<i>ABC Inc.</i>	<i>10 drums/3 drums</i>

7. The facility's RCRA generator number, if any; and
8. A description of the storage of waste generated awaiting disposal. This should include, but is not limited to, location of storage (preferably indoors or a roofed area), the duration of storage, and the types of waste being stored (includes solvent soaked rags and absorbents). The storage area should be designed and maintained to not allow leakage.

### **E. Practices to ensure that Spills or Leaks do not Routinely Occur.**

The following information is generally sufficient:

1. A description of the practices to be followed, including housekeeping procedures, during the use, collection, and storage of organics to ensure that organics do not spill or leak. These practices should include, but are not limited to:
  - a. Proper labeling and handling containers of toxic organics;
  - b. Storing a minimal amount of organics at the site;
  - c. Centralized storage area (preferably indoors or a roofed area) designed and maintained not to allow leakage;
  - d. Sealing floor drains when they are in the area where toxic organics are used or stored;
  - e. Overfill control equipment (sensors, alarms etc); and
  - f. Secondary containment system (sump or dike) capable of holding 10 percent of the total volume stored or the volume of the largest container, whichever is greater. The containment system should be designed and maintained not to allow leakage;
2. A description of the procedure that will provide routine and detailed visual inspections to ensure the absence of leaking storage containers (i.e., tanks, drums, pipes, etc); visual inspections are recommended at least once a week;
3. A description of how all employees are trained in the proper use, collection, and storage of all chemicals they work with; and
4. A simple but complete floor plan showing the storage location of toxic organics prior to use and toxic organic waste awaiting disposal. This plan should include all floor drains, dikes, and containment areas in the storage facility.

## TOXIC ORGANICS MANAGEMENT PLAN & CERTIFICATION (TOMP)

5. An estimation of the maximum daily amount and the average daily amount of waste stored at your facility;
6. The above information may be given in tabular form. For example:

<b>METHODS OF DISPOSAL</b>				
Waste Type	Waste Disposal Amount/Frequency	Disposal Method	Contractor	Waste Storage Daily Max./ Daily Avg.
<i>Waste Paint F003</i>	<i>10 drums 2x/year</i>	<i>Incineration</i>	<i>ABC Inc.</i>	<i>10 drums/3 drums</i>

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  - a. Proper labeling and handling containers of toxic organics;
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  - c. Centralized storage area (preferably indoors or a roofed area) designed and maintained not to allow leakage;
  - d. Sealing floor drains when they are in the area where toxic organics are used or stored;
  - e. Overfill control equipment (sensors, alarms etc); and
  - f. Secondary containment system (sump or dike) capable of holding 10 percent of the total volume stored or the volume of the largest container, whichever is greater. The containment system should be designed and maintained not to allow leakage;
2. A description of the procedure that will provide routine and detailed visual inspections to ensure the absence of leaking storage containers (i.e., tanks, drums, pipes, etc); visual inspections are recommended at least once a week;
3. A description of how all employees are trained in the proper use, collection, and storage of all chemicals they work with; and
4. A simple but complete floor plan showing the storage location of toxic organics prior to use and toxic organic waste awaiting disposal. This plan should include all floor drains, dikes, and containment areas in the storage facility.

**Exhibit C (“Notices”)**

1. June 23, 2022, Notice of Violation
2. July 20, 2022, Notice of Violation
3. August 15, 2022, Notice of Violation
4. September 20, 2022, Notice of Violation
5. November 30, 2022, Determination of Compliance Status
6. February 13, 2023, Notice to Show Cause



**City of Phoenix**  
 WATER SERVICES DEPARTMENT  
 ENVIRONMENTAL SERVICES DIVISION  
 Quality Reliability Value

June 23, 2022

**Certified Mail**  
**Return Receipt Requested**

Mr. Ralph McRoberts  
 General Manager  
 PMA Photometals of Arizona, Inc. dba  
 PMA Industries of Arizona, Inc.  
 18008 North Black Canyon Highway  
 Phoenix, Arizona 85053-1715

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring)  
*Wastewater Discharge Permit № 2005-46927.*  
*Phoenix City Code Section 28-45*  
*40 CFR 403.5 (d) Local Limit*

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable concentration at Compliance Sampling Point 46927.02 for the following parameter as established in Wastewater Discharge Permit № 2005-46927. The analytical results were received by PMA Industries on June 15, 2022, and the violation was reported on June 15, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
05/09/2022	Copper	1.9 mg/L	1.5 mg/L (D)

\* D = Daily Maximum

**Requirements**

1. **PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program a detailed written report no later than July 15, 2022**, outlining the reason(s) the exceedance occurred and the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:
  - A. Names and positions of all people involved with the investigation into why the violation occurred.
  - B. A summary of the events of the investigation, including dates and amount of time expended on the investigation.
  - C. The conclusions reached.

Mr. Ralph McRoberts  
June 23, 2022  
Page 2

D. The corrective action(s) taken or to be taken and date(s), including completion date(s).

E. How this action(s) will prevent future violations from occurring.

2. Additionally, under Standard Conditions Section G of the permit **PMA Industries is required to automatically resample for copper and submit to the City of Phoenix Industrial Pretreatment Program in writing, the results of analysis within 30-days of becoming aware of the violation** unless the City obtained a sample between the time PMA Industries performed its sampling and the time PMA Industries receives the results of the sampling:

**PMA Industries became aware of the violation on June 15, 2022; therefore, the 30-day resample is due no later than July 15, 2022.**

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the City of Phoenix Industrial Pretreatment Program prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: Temporary Increase in Self-Monitoring (TISM) Letter  
30-Day Resample & TISM Sample Reporting Forms

e-copy: Chelsey Weaver  
Jesse Flores  
Tarun Sinha





**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

June 23, 2022

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Enclosure to NOV**

**Dated June 23, 2022**

Dear Mr. McRoberts:

**RE: Temporary Increase in Self-Monitoring (TISM) For Copper**

As detailed in the preceding Notice of Violation dated June 23, 2022, PMA Industries exceeded the maximum allowable limit for Copper on May 9, 2022, as established in Wastewater Discharge Permit № 2005-46927.

**REQUIREMENTS**

As a result of these violations, PMA Industries is required to **sample for copper once per week for four (4) consecutive weeks, to begin the week of July 11, 2022.**

- A. All samples must be collected as flow proportional composite samples and analyzed both in accordance with Permit Standard Conditions Section B and D.
- B. This sampling is separate from any other sampling required under the Permit.
- C. Written results of each TISM sample must be received by the City of Phoenix Industrial Pretreatment Program within five (5) days from the contracted laboratory report date, and in no case more than 30-days from the TISM sampling date.
- D. Twenty-four (24) hour notification shall be made to the City of Phoenix Industrial Pretreatment Program for any additional known or suspected violations resulting from the TISM.

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). Furthermore, the requested action does not preclude the City from taking additional action under Chapter 28 of the Phoenix City Code.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,

Tarun Sinha

Senior Water Quality Inspector

Enclosures: 30-Day Resample & TISM Sample Reporting Form

## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway

Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one): **30-Day Resample**

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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**Note:** Submit this form with *EACH* TISM sample you submit. Circle the TISM sample you are submitting. Submit laboratory analysis data sheets with your TISM results, if applicable. If you are submitting thirty day resample information, circle 30-day resample and submit with your lab data.  
**REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.

**ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION**

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway

Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one): **TISM No:** 1      2      3      4

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

---

*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

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SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway

Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one): **TISM No:** 1 2 3 4

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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**REMINDER:** TISM results are due within five days of becoming aware of the results but in no event, no more than 30 days from the date of sampling.

## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway

Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one) **TISM No:**    1       2       **3**       4

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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***I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.***

---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

---

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## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway

Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one): **TISM No:**    1       2       3       **4**

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

---

---

*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

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SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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**Note:** Submit this form with *EACH* TISM sample you submit. Circle the TISM sample you are submitting. Submit laboratory analysis data sheets with your TISM results, if applicable. If you are submitting thirty day resample information, circle 30-day resample and submit with your lab data. **REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

July 20, 2022

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Certified Mail**  
**Return Receipt Requested**

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring) – 30 Day Resample

*Wastewater Discharge Permit № 2005-46927.  
Phoenix City Code Section 28-45  
40 CFR 403.5 (d) Local Limit*

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) during the 30-Day resample required under the Notice of Violation (NOV) issued on June 23, 2022, exceeded the maximum allowable concentration at Compliance Sampling Point 46927.02 for the following parameter as established in Wastewater Discharge Permit № 2005-46927. The analytical results were received by PMA Industries on July 12, 2022, and the violation was reported on July 13, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
07/05/2022	Copper	6.1 mg/L	1.5 mg/L (D)

\* D = Daily Maximum

**Requirements**

- PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program a detailed written report no later than August 12, 2022**, outlining the reason(s) the exceedance occurred and the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:
  - Names and positions of all people involved with the investigation into why the violation occurred.
  - A summary of the events of the investigation, including dates and amount of time expended on the investigation.
  - The conclusions reached.

Mr. Ralph McRoberts  
July 20, 2022  
Page 2

D. The corrective action(s) taken or to be taken and date(s), including completion date(s).

E. How this action(s) will prevent future violations from occurring.

2. Additionally, under Standard Conditions Section G of the permit **PMA Industries is required to automatically resample for copper and submit to the City of Phoenix Industrial Pretreatment Program in writing, the results of analysis within 30-days of becoming aware of the violation** unless the City obtained a sample between the time PMA Industries performed its sampling and the time PMA Industries receives the results of the sampling:

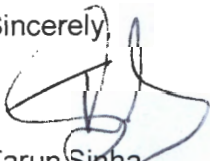
However, since PMA Industries has stopped discharging to city sewer, **the 30-day resample is due no later than 30-days from the time PMA Industries resumes discharge.**

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the City of Phoenix Industrial Pretreatment Program prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at tarun.sinha@phoenix.gov. My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: 30-Day Resample Form

e-copy: Chelsey Weaver  
Jesse Flores  
Tarun Sinha



## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one): **30-Day Resample**

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

---

*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Note:** Submit this form with *EACH* TISM sample you submit. Circle the TISM sample you are submitting. Submit laboratory analysis data sheets with your TISM results, if applicable. If you are submitting thirty day resample information, circle 30-day resample and submit with your lab data. **REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.

7020 2490 0001 4263 1290



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

August 15, 2022

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring)

*Wastewater Discharge Permit № 2005-46927  
Phoenix City Code Section 28-45  
40 CFR 403.5 (d) Local Limit*

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable concentration for the following parameter during monthly required sampling as established in Wastewater Discharge Permit № 2005-46927 at Compliance Sampling Point 46927.02. The violation was reported by PMA Industries on July 13, 2022, and the analytical results were received by PMA Industries on July 12, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
06/29/2022	Copper	4.4 mg/L	1.50 mg/L (D)
06/29/2022	Copper	4.4 mg/L	2.07 mg/ L (MAV)

D = Daily Maximum    MAV = Monthly Average

**Requirements**

1. **PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program a detailed written report no later than September 2, 2022,** outlining the reason(s) the exceedance occurred, along with the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:

- A. Names and positions of all people involved with the investigation into why the violation occurred.
- B. A summary of the events of the investigation, including dates and amount of time expended on the investigation.

Mr. Ralph McRoberts  
August 15, 2022  
Page 2

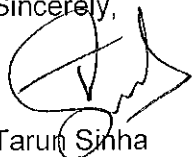
- C. The conclusions reached.
  - D. The corrective action(s) taken or to be taken and date(s), including completion date(s).
  - E. How this action(s) will prevent future violations from occurring.
2. Additionally, under Standard Conditions Section G of the Permit, **PMA Industries is required to automatically resample for copper, and submit to the City of Phoenix Industrial Pretreatment Program in writing, the results of analysis within 30-days of restarting the discharge to City of Phoenix sewer.** A Temporary Increase in Self-Monitoring (TISM) will not be required, however, as the previous TISM is in the process of being completed.

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the City of Phoenix Industrial Pretreatment Program prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone No (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: 30-Day Resample Form

e-copy: Christine Nuñez  
Chelsey Weaver  
Tarun Sinha

**ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION**

Company Name: PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one):      **30-Day Resample**

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Note:** Submit this form with *EACH* TISM sample you submit. Circle the TISM sample you are submitting. Submit laboratory analysis data sheets with your TISM results, if applicable. If you are submitting thirty day resample information, circle 30-day resample and submit with your lab data.  
**REMINDER:** TISM results are due within five days of becoming aware of the results but in no event, no more than 30 days from the date of sampling.



**City of Phoenix**  
 WATER SERVICES DEPARTMENT  
 ENVIRONMENTAL SERVICES DIVISION  
 Quality Reliability Value

September 20, 2022

**CERTIFIED MAIL RETURN**  
**RECEIPT REQUESTED**

Mr. Ralph McRoberts  
 General Manager  
 PMA Photometals of Arizona, Inc. dba  
 PMA Industries of Arizona, Inc.  
 18008 North Black Canyon Highway  
 Phoenix, Arizona 85053-1715

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring)  
*Wastewater Discharge Permit № 2005-46927*  
*Phoenix City Code Section 28-45*  
*40 CFR 403.5 (d) Local Limit*

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable concentration for the following parameters during monthly and TISM required sampling as established in Wastewater Discharge Permit № 2005-46927 at Compliance Sampling Point 46927.02. The violation was reported by PMA Industries on August 31, 2022, and the analytical results were received by PMA Industries on August 30, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
07/07/2022	Copper	4.7 mg/L	1.50 mg/L (D)
07/07/2022	Copper	5.4 mg/L	2.07 mg/ L (MAV)
07/07/2022	Nickel	2.9 mg/L	2.38 mg/L (MAV)

D = Daily Maximum    MAV = Monthly Average

**Requirements**

1. **PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program (IPP) a detailed written report no later than October 3, 2022, outlining the reason(s) the exceedance occurred, along with the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:**
  - A. Names and positions of all people involved with the investigation into why the violation occurred.

- B. A summary of the events of the investigation, including dates and amount of time expended on the investigation.
- C. The conclusions reached.
- D. The corrective action(s) taken or to be taken and date(s), including completion date(s).
- E. How this action(s) will prevent future violations from occurring.

2. Additionally, under Standard Conditions Section G of the Permit, **PMA Industries is required to automatically resample for copper and nickel and submit to the IPP in writing, the results of analysis within 30-days of becoming aware of the violations unless the City obtained a sample between the time PMA Industries performed its sampling and the time PMA Industries receives the results of the sampling.**

PMA Industries became aware of the violations on August 30, 2022; therefore, the 30-day resamples are due **no later than September 30, 2022.**

A Temporary Increase in Self-Monitoring (TISM) will not be required for copper, as the previous TISM is in the process of being completed. However, **PMA Industries is required to perform a TISM for nickel**

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the IPP prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: Temporary Increase in Self-Monitoring (TISM) Letter  
30-Day Resample & TISM Sample Reporting Forms

e-copy: Christine Nuñez  
Chelsey Weaver  
Tarun Sinha



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

September 20, 2022

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Enclosure to NOV**

**Dated September 20, 2022**

Dear Mr. McRoberts:

**RE: Temporary Increase in Self-Monitoring (TISM) For Nickel**

As detailed in the preceding Notice of Violation dated September 19, 2022, PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable limit for Nickel on July 7, 2022, as established in Wastewater Discharge Permit № 2005-46927.

**REQUIREMENTS**

As a result of these violations, PMA Industries is required to **sample for nickel once per week for four (4) consecutive weeks, to begin the week of October 3, 2022.**

- A. All samples must be collected as flow proportional composite samples and analyzed both in accordance with Permit Standard Conditions Section B and D.
- B. This sampling is separate from any other sampling required under the Permit.
- C. Written results of each TISM sample must be received by the City of Phoenix Industrial Pretreatment Program within five (5) days from the contracted laboratory report date, and in no case more than 30-days from the TISM sampling date.
- D. Twenty-four (24) hour notification shall be made to the City of Phoenix Industrial Pretreatment Program for any additional known or suspected violations resulting from the TISM.

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). Furthermore, the requested action does not preclude the city from taking additional action under Chapter 28 of the Phoenix City Code.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at tarun.sinha@phoenix.gov. My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,

Tarun Sinha  
Senior Water Quality Inspector

## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Nickel

Sample required for: (circle one): **TISM No:**    1    2    3    4

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Note:** Submit this form with *EACH* TISM sample you submit. Circle the TISM sample you are submitting. Submit laboratory analysis data sheets with your TISM results, if applicable. If you are submitting thirty day resample information, circle 30-day resample and submit with your lab data.  
**REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.



## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Nickel

Sample required for: (circle one) TISM No:    1    **2**    3    4

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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**REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.

## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Nickel

Sample required for: (circle one): **TISM No:**    1       2       **3**       4

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

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## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Nickel

Sample required for: (circle one): TISM No: 1    2    3    **4**

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

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---

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SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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**REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.

## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Nickel

Sample required for: (circle one): 30-Day Resample

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

---

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---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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## ADDITIONAL SAMPLING SUMMARY AND CERTIFICATION

Company Name: PMA Industries of Arizona, Inc.

Address: 18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

Compliance Sampling Point: 46927.02

Parameter(s) Sampled: Copper

Sample required for: (circle one): 30-Day Resample

Sample Result: \_\_\_\_\_

Date / Time Samples Collected: \_\_\_\_\_

Flow / Volume (gallons per day): \_\_\_\_\_

Sample Type: \_\_\_\_\_

Preservative(s): \_\_\_\_\_

Name of Person Sampling: \_\_\_\_\_

Date Results Received from Laboratory: \_\_\_\_\_

---

*I certify under penalty of law that the analysis for any parameters included with this report was performed by a laboratory licensed by the State of Arizona to perform such analysis, and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that 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 violations.*

---

SIGNATURE OF RESPONSIBLE COMPANY OFFICIAL

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Note:** Submit this form with *EACH* TISM sample you submit. Circle the TISM sample you are submitting. Submit laboratory analysis data sheets with your TISM results, if applicable. If you are submitting thirty day resample information, circle 30-day resample and submit with your lab data.  
**REMINDER:** TISM results are **due within five days of becoming aware of the results** but in no event, no more than 30 days from the date of sampling.



**City of Phoenix**  
**WATER SERVICES DEPARTMENT**  
 Quality Reliability Value

November 30, 2022

Mr. Ralph McRoberts  
 General Manager  
 PMA Photometals of Arizona, Inc. dba  
 PMA Industries of Arizona, Inc.  
 18008 North Black Canyon Highway  
 Phoenix, Arizona 85053-1715

**Certified Mail**  
**Return Receipt Requested**

**Determination of Compliance Status**

Status: **SIGNIFICANT NONCOMPLIANCE**  
 Criteria: Monthly Average & Daily Maximum TRC  
 Period: April 1, 2022 through September 30, 2022

The U. S. Environmental Protection Agency (EPA) requires that the City of Phoenix identify, on a quarterly basis, Significant Industrial Users in Significant Noncompliance (SNC) with pretreatment requirements. The definition of SNC is specified by the Federal General Pretreatment Regulations at 40 CFR 403.8(f)(2)(viii) and is defined in Section 28-46.4 of the Phoenix City Code.

PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) has been determined to be in SNC for violations of the Phoenix City Code Chapter 28 and Wastewater Discharge Permit No. 2005-46927, in that it meets the definition of SNC for Monthly Average Technical Review Criteria (TRC) and Daily Maximum TRC for the 3<sup>rd</sup> Quarter of 2022, itemized as follows:

<b>Monthly Average TRC – 3<sup>rd</sup> Quarter</b>				
<u>Month</u>	<u>Parameter</u>	<u>Monthly Average Discharge Concentration</u>	<u>TRC Discharge Limitation</u>	<u>Compliance Criteria Status</u>
April	Copper	0.930 mg/L	2.48 mg/L	Compliance
May	Copper	1.900 mg/L	2.48 mg/L	Compliance
<b>June</b>	<b>Copper</b>	<b>4.400 mg/L</b>	<b>2.48 mg/L</b>	<b>Violation</b>
<b>July</b>	<b>Copper</b>	<b>5.400 mg/L</b>	<b>2.48 mg/L</b>	<b>Violation</b>
August	Copper	No Sample	2.48 mg/L	N/A
September	Copper	0.322 mg/L	2.48 mg/L	Compliance

TRC Non-Compliance Percentage = **40%** (TRC SNC = 33% or greater)

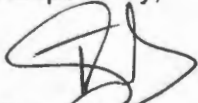
<b>Daily Maximum TRC – 3<sup>rd</sup> Quarter</b>				
<u>Day</u>	<u>Parameter</u>	<u>Daily Maximum Discharge Concentration</u>	<u>TRC Discharge Limitation</u>	<u>Compliance Criteria Status</u>
04/19/2022	Copper	0.930 mg/L	1.80 mg/L	Compliance
05/09/2022	Copper	1.900 mg/L	1.80 mg/L	Violation
06/29/2022	Copper	4.400 mg/L	1.80 mg/L	Violation
07/05/2022	Copper	6.100 mg/L	1.80 mg/L	Violation
07/07/2022	Copper	4.700 mg/L	1.80 mg/L	Violation
09/01/2022	Copper	0.260 mg/L	1.80 mg/L	Compliance
09/09/2022	Copper	0.460 mg/L	1.80 mg/L	Compliance
09/12/2022	Copper	0.320 mg/L	1.80 mg/L	Compliance
09/13/2022	Copper	0.300 mg/L	1.80 mg/L	Compliance
09/19/2022	Copper	0.270 mg/L	1.80 mg/L	Compliance
09/23/2022	Copper	0.320 mg/L	1.80 mg/L	Compliance

TRC Non-Compliance Percentage = **36.4%** (TRC SNC = 33% or greater)

As required by the National Pretreatment Program regulations and the Phoenix City Code, **the City must publish PMA Industries in a newspaper of general circulation as being in Significant Noncompliance with applicable pretreatment requirements during the calendar year 2022.** This publication will take place in the first quarter of 2023.

Should you have any questions regarding how SNC status was determined please contact me at phone № (602) 534-2081, or e-mail at tarun.sinha@phoenix.gov. My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Respectfully,



Tarun Sinha  
 Senior Water Quality Inspector

e-copy: Jennifer Calles  
 Christine Nuñez  
 Chelsey Weaver  
 Jesse Flores  
 Tarun Sinha

Enclosures: SNC Calculations  
 Rolling Quarters SNC Guidance

### DETERMINATION OF SIGNIFICANT NONCOMPLIANCE (SNC)

IU NAME  
 PERMIT  
 COMPLIANCE PERIOD  
 PARAMETER

**PMA Industries of Arizona, Inc.**  
**2005-46927**  
**Evaluation Period: (April 1, 2022 - September 30, 2022 (Q3))**  
**Copper**

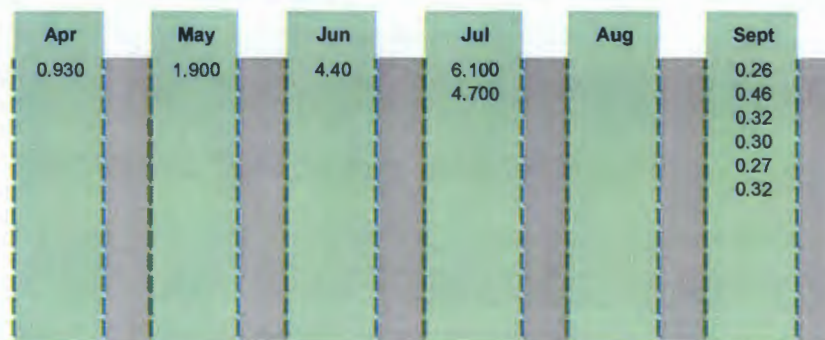
#### DAILY MAXIMUM CALCULATIONS

	DATE	RESULT (mg/L)	VIOLATION?	TRC?
1	04/19/2022	0.9300	0	0
2	05/09/2022	1.9000	1	1
3	06/29/2022	4.4000	1	1
4	07/05/2022	6.1000	1	1
5	07/07/2022	4.7000	1	1
6	09/01/2022	0.2600	0	0
7	09/09/2022	0.4600	0	0
8	09/12/2022	0.3200	0	0
9	09/13/2022	0.3000	0	0
10	09/19/2022	0.2700	0	0
11	09/23/2022	0.3200	0	0
12			0	0
13			0	0
14			0	0
15			0	0
16			0	0
17			0	0
18			0	0
19			0	0
20			0	0

TOTALS                      11                      4                      4

<b>DAILY LIMIT</b>	<b>1.5</b>	<b>36.4%</b>	<b>Chronic SNC? NO</b>
<b>TRC LIMIT</b>	<b>1.8</b>	<b>36.4%</b>	<b>TRC SNC? YES</b>

#### MONTHLY AVERAGE CALCULATIONS



	MAV	0.930	mg/L	1.900	mg/L	4.400	mg/L	5.400	mg/L	NONE	mg/L	0.322	mg/L
<b>MAV Violation ?</b>	0			0		1		1		0		0	
<b>TRC Violation ?</b>	0			0		1		1		0		0	

<b>MAV LIMIT</b>	<b>2.07</b>	<b>MAV VIOLATIONS</b>	<b>2</b>	<b>40.0%</b>	<b>Chronic SNC?</b>	<b>NO</b>
<b>MAV TRC</b>	<b>2.48</b>	<b>TRC VIOLATIONS</b>	<b>2</b>	<b>40.0%</b>	<b>TRC SNC?</b>	<b>YES</b>
<b>No. of MAVs</b>	<b>5</b>					

#### DEFINITIONS

**Chronic SNC** - 66% or more of all of the measurements taken during a six-month period exceed the daily maximum limit or the average limit for the same pollutant parameter by any magnitude.

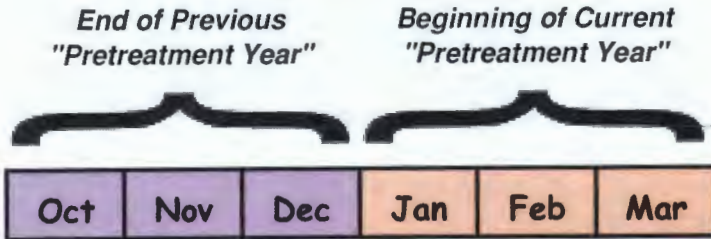
**TRC SNC** - 33% or more of all of the measurements taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC= 1.4 for BOD, TSS, fats, oil and grease; and 1.2 for all other pollutants except pH). TRC does not apply to pH.



# Determination of Chronic and TRC Significant Non-Compliance (SNC)

40CFR 403.8(f)(2)(vii)

## First Evaluation Period



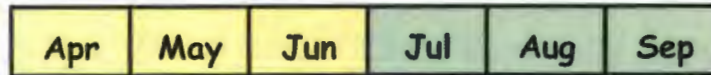
1. The POTW (in conjunction with its Approval Authority) must establish its "Pretreatment Year."  
 2. At the end of each quarter, POTWs and States should determine IU compliance status for the two criteria which are evaluated on a "rolling quarters" - six month time-frame for the A and B criteria detailed in 40CFR 403.8(f)(2)(vii)(A) and (B) as illustrated below. The example assumes a "Pretreatment Year" equal to the calendar year.

## Second Evaluation Period



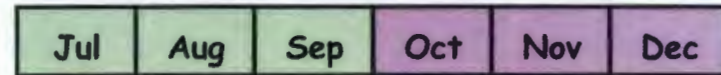
3. At the end of the first quarter (March 30th in our example), the POTW must evaluate the data from an Industrial User for the previous six months (e.g., beginning with October 1 of the previous "Pretreatment Year" as in our example). Likewise, the POTW must evaluate six months of data at the end of each subsequent quarter (e.g., June 30th, September 30th, and December 31st).

## Third Evaluation Period



4. At the end of the "Pretreatment Year", the POTW must summarize the compliance status of its Industrial Users over the reporting period and report on the compliance status to the Approval Authority. The POTW must publish all Industrial Users which were identified in SNC during the "Pretreatment Year", unless the IU was previously published for violations which occurred solely in the last quarter of the previous "Pretreatment Year".

## Fourth Evaluation Period



End of Current "Pretreatment Year"



February 13, 2023

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Certified Mail**

**Return Receipt Requested**

### **NOTICE TO SHOW CAUSE**

PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (Industrial User) has been previously notified of effluent limit violations. In light of the pretreatment violations identified below and detailed in the attached notices, the City of Phoenix – acting as the Control Authority under 40 CFR Part 403 and operating in accordance with Phoenix City Code Ch. 28 – hereby notifies Industrial User that the City will use all appropriate remedies (including monetary penalties) to address the pretreatment violations.

Industrial User's representatives must attend a Show Cause Proceeding at:

Location: **WebEx – Virtual Platform**  
Log-In: **Link and information to be provided via e-mail**  
Date/Time: **9:00 am on Friday, March 10, 2023**

During the Show Cause Proceeding, Industrial User will have the opportunity to respond to the City's allegations and to show cause why the City should not initiate legal action or seek the maximum penalty allowed under Phoenix City Code Sections 28-82, 83.

Industrial User, during the time period of **May 1, 2022 to October 31, 2022**:

- **Discharged in violation of applicable limitations on at least four occasions.**
- **Was determined to be in Significant Noncompliance (SNC) for copper under the Monthly Average Technical Review Criteria (TRC) and Daily Maximum TRC for the 3<sup>rd</sup> Quarter of 2022 (April 1, 2022 through September 30, 2022).**

Mr. Ralph McRoberts  
February 13, 2023  
Page 2

**REQUIREMENT**

For the City to consider any written response to this Notice to Show Cause, the City's Environmental Services Division must receive that response from Industrial User by **Monday, March 6, 2023**. A Copy of the City's Civil Penalty Policy detailing such considerations is enclosed.

Industrial User must have persons knowledgeable about the alleged matters – and persons having financial decision-making authority – in attendance at this meeting. Industrial User's representatives may be accompanied by their legal counsel if desired. (A representative from City's Law Department will be present at the meeting.) Industrial User's failure to appear at the meeting will result in the City taking all appropriate enforcement action it deems necessary, based on the facts outlined in this Notice and its attachments.

If you have any questions regarding this Notice, please contact the Environmental Services Division at 602-262-1859. Its office hours are 8:00 a.m. to 4:00 p.m., Monday through Friday.

Sincerely,



Christine Nuñez  
Environmental Programs Coordinator

Enclosures: List of Violations  
Penalty Calculations  
NOV dated June 23, 2022 - Copper  
NOV dated July 20, 2022 - Copper  
NOV dated August 15, 2022 - Copper  
NOV dated September 20, 2022 – Copper & Nickel  
Determination of Compliance Status Letter  
Civil Penalty Policy

e-copy: Axel Buchwalter  
Christine Nuñez  
Chelsey Weaver  
Jesse Flores  
Tarun Sinha

## LIST OF VIOLATIONS

Regulated Under 40 CFR 403, 40 CFR 433  
Phoenix City Code Chapter 28 & Permit Number 2005-46927

### CITY MONITORING VIOLATIONS

<u>Date</u>	<u>Parameter</u>	<u>Sampling Point</u>	<u>Discharge Concentration</u>	<u>Discharge Limitation*</u>
None	None			

### SELF MONITORING VIOLATIONS

<u>Date</u>	<u>Parameter</u>	<u>Sampling Point</u>	<u>Discharge Concentration</u>	<u>Discharge Limitation*</u>
05/09/2022	Copper	46927.02	1.9 mg/L	1.5 mg/L (D)
06/29/2022	Copper	46927.02	4.4 mg/L	1.5 mg/L (D)
06/29/2022	Copper	46927.02	4.4 mg/L	2.07 mg/L (MAV)
07/05/2022	Copper	46927.02	6.1 mg/L	1.5 mg/L (D)
07/07/2022	Copper	46927.02	4.7 mg/L	1.5 mg/L (D)
07/07/2022	Copper	46927.02	5.4 mg/L	2.07 mg/L (MAV)
07/07/2022	Nickel	46927.02	2.9 mg/L	2.38 mg/L (MAV)

### REPORTING VIOLATIONS

<u>Report</u>	<u>Due Date</u>	<u>Received Date</u>	<u>Days Late</u>
None	None		

### PERMIT CONDITIONS VIOLATIONS

<u>Date</u>	<u>Violation</u>
None	None

### CITY CODE VIOLATIONS

<u>Date</u>	<u>Violation</u>
None	None

\* D = Daily Maximum

MAV = Monthly Average

## PENALTY CALCULATIONS WORKSHEET

Penalty Period: May 1, 2022 through October 31, 2022 = 6 months

### Effluent Violations

Parameter	No from City Monitoring	No from Self-Monitoring	Total Violations	Total Penalty
Copper	0	6	6	\$ 43,365.00
Nickel	0	1	1	\$ 1,930.00
<b>Subtotal of Effluent Violations</b>				<b>\$ 45,295.00</b>

### Reporting Violations

Type of Report	Total Penalty
<b>Subtotal of Reporting Violations</b>	
<b>\$ 0.00</b>	

### Permit Conditions Violations

Type of Violation	Total Violations	Total Penalty
None		
<b>Subtotal of Permit Condition Violations</b>		<b>\$ 0.00</b>

### City Code Violations

Type of Violation	Total Violations	Total Penalty
None		
<b>Subtotal of City Code Violations</b>		<b>\$ 0.00</b>

### Penalty Totals

<b>Total Penalties</b>	<b>\$ 45,295.00</b>
<b>Public Notification Publication Fee</b>	<b>\$500</b>
<b>Total of Penalties and Publication Fee</b>	<b>\$ 45,795.00</b>







**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

June 23, 2022

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Certified Mail**  
**Return Receipt Requested**

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring)

*Wastewater Discharge Permit № 2005-46927.  
Phoenix City Code Section 28-45  
40 CFR 403.5 (d) Local Limit*

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable concentration at Compliance Sampling Point 46927.02 for the following parameter as established in Wastewater Discharge Permit № 2005-46927. The analytical results were received by PMA Industries on June 15, 2022, and the violation was reported on June 15, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
05/09/2022	Copper	1.9 mg/L	1.5 mg/L (D)

\* D = Daily Maximum

**Requirements**

- PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program a detailed written report no later than July 15, 2022, outlining the reason(s) the exceedance occurred and the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:**
  - Names and positions of all people involved with the investigation into why the violation occurred.
  - A summary of the events of the investigation, including dates and amount of time expended on the investigation.
  - The conclusions reached.



Mr. Ralph McRoberts  
June 23, 2022  
Page 2

- D. The corrective action(s) taken or to be taken and date(s), including completion date(s).
- E. How this action(s) will prevent future violations from occurring.

2. Additionally, under Standard Conditions Section G of the permit **PMA Industries is required to automatically resample for copper and submit to the City of Phoenix Industrial Pretreatment Program in writing, the results of analysis within 30-days of becoming aware of the violation unless the City obtained a sample between the time PMA Industries performed its sampling and the time PMA Industries receives the results of the sampling:**


**PMA Industries became aware of the violation on June 15, 2022; therefore, the 30-day resample is due no later than July 15, 2022.**

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the City of Phoenix Industrial Pretreatment Program prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: Temporary Increase in Self-Monitoring (TISM) Letter  
30-Day Resample & TISM Sample Reporting Forms

e-copy: Chelsey Weaver  
Jesse Flores  
Tarun Sinha



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

June 23, 2022

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Enclosure to NOV**

**Dated June 23, 2022**

Dear Mr. McRoberts:

**RE: Temporary Increase In Self-Monitoring (TISM) For Copper**

As detailed in the preceding Notice of Violation dated June 23, 2022, PMA Industries exceeded the maximum allowable limit for Copper on May 9, 2022, as established in Wastewater Discharge Permit № 2005-46927.

**REQUIREMENTS**

As a result of these violations, PMA Industries is required to **sample for copper once per week for four (4) consecutive weeks, to begin the week of July 11, 2022.**

- A. All samples must be collected as flow proportional composite samples and analyzed both in accordance with Permit Standard Conditions Section B and D.
- B. This sampling is separate from any other sampling required under the Permit.
- C. Written results of each TISM sample must be received by the City of Phoenix Industrial Pretreatment Program within five (5) days from the contracted laboratory report date, and in no case more than 30-days from the TISM sampling date.
- D. Twenty-four (24) hour notification shall be made to the City of Phoenix Industrial Pretreatment Program for any additional known or suspected violations resulting from the TISM.

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). Furthermore, the requested action does not preclude the City from taking additional action under Chapter 28 of the Phoenix City Code.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read "Tarun Sinha".

Tarun Sinha

Senior Water Quality Inspector

Enclosures: 30-Day Resample & TISM Sample Reporting Form



**City of Phoenix**  
 WATER SERVICES DEPARTMENT  
 ENVIRONMENTAL SERVICES DIVISION  
 Quality Reliability Value

July 20, 2022

**Certified Mail**  
**Return Receipt Requested**

Mr. Ralph McRoberts  
 General Manager  
 PMA Photometals of Arizona, Inc. dba  
 PMA Industries of Arizona, Inc.  
 18008 North Black Canyon Highway  
 Phoenix, Arizona 85053-1715

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring) – 30 Day Resample  
 Wastewater Discharge Permit № 2005-46927.  
 Phoenix City Code Section 28-45  
 40 CFR 403.5 (d) Local Limit

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) during the 30-Day resample required under the Notice of Violation (NOV) issued on June 23, 2022, exceeded the maximum allowable concentration at Compliance Sampling Point 46927.02 for the following parameter as established in Wastewater Discharge Permit № 2005-46927. The analytical results were received by PMA Industries on July 12, 2022, and the violation was reported on July 13, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
07/05/2022	Copper	6.1 mg/L	1.5 mg/L (D)

\* D = Daily Maximum

**Requirements**

1. **PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program a detailed written report no later than August 12, 2022, outlining the reason(s) the exceedance occurred and the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:**
  - A. Names and positions of all people involved with the investigation into why the violation occurred.
  - B. A summary of the events of the investigation, including dates and amount of time expended on the investigation.
  - C. The conclusions reached.

Mr. Ralph McRoberts  
July 20, 2022  
Page 2

D. The corrective action(s) taken or to be taken and date(s), including completion date(s).

E. How this action(s) will prevent future violations from occurring.

2. Additionally, under Standard Conditions Section G of the permit **PMA Industries is required to automatically resample for copper and submit to the City of Phoenix Industrial Pretreatment Program in writing, the results of analysis within 30-days of becoming aware of the violation unless the City obtained a sample between the time PMA Industries performed its sampling and the time PMA Industries receives the results of the sampling:**

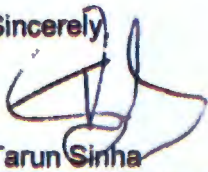
**However, since PMA Industries has stopped discharging to city sewer, the 30-day resample is due no later than 30-days from the time PMA Industries resumes discharge.**

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the City of Phoenix Industrial Pretreatment Program prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone No (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: 30-Day Resample Form

e-copy: Chelsey Weaver  
Jesse Flores  
Tarun Sinha

7020 2450 0001 4263 1290



**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

August 15, 2022

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

NOTICE OF VIOLATION

RE: Effluent Limits (Self-Monitoring)

Wastewater Discharge Permit № 2005-46927  
Phoenix City Code Section 28-45  
40 CFR 403.5 (d) Local Limit

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable concentration for the following parameter during monthly required sampling as established in Wastewater Discharge Permit № 2005-46927 at Compliance Sampling Point 46927.02. The violation was reported by PMA Industries on July 13, 2022, and the analytical results were received by PMA Industries on July 12, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
06/29/2022	Copper	4.4 mg/L	1.50 mg/L (D)
06/29/2022	Copper	4.4 mg/L	2.07 mg/ L (MAV)

D = Daily Maximum    MAV = Monthly Average

Requirements

1. **PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program a detailed written report no later than September 2, 2022, outlining the reason(s) the exceedance occurred, along with the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:**
  - A. Names and positions of all people involved with the investigation into why the violation occurred.
  - B. A summary of the events of the investigation, including dates and amount of time expended on the investigation.

Mr. Ralph McRoberts  
August 15, 2022  
Page 2

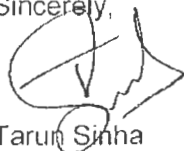
- C. The conclusions reached.
  - D. The corrective action(s) taken or to be taken and date(s), including completion date(s).
  - E. How this action(s) will prevent future violations from occurring.
2. Additionally, under Standard Conditions Section G of the Permit, **PMA Industries is required to automatically resample for copper, and submit to the City of Phoenix Industrial Pretreatment Program in writing, the results of analysis within 30-days of restarting the discharge to City of Phoenix sewer.** A Temporary Increase in Self-Monitoring (TISM) will not be required, however, as the previous TISM is in the process of being completed.

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the City of Phoenix Industrial Pretreatment Program prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone No (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: 30-Day Resample Form

e-copy: Christine Nuñez  
Chelsey Weaver  
Tarun Sinha



**City of Phoenix**  
 WATER SERVICES DEPARTMENT  
 ENVIRONMENTAL SERVICES DIVISION  
 Quality Reliability Value

September 20, 2022

**CERTIFIED MAIL RETURN**  
**RECEIPT REQUESTED**

Mr. Ralph McRoberts  
 General Manager  
 PMA Photometals of Arizona, Inc. dba  
 PMA Industries of Arizona, Inc.  
 18008 North Black Canyon Highway  
 Phoenix, Arizona 85053-1715

**NOTICE OF VIOLATION**

RE: Effluent Limits (Self-Monitoring)  
 Wastewater Discharge Permit № 2005-46927  
 Phoenix City Code Section 28-45  
 40 CFR 403.5 (d) Local Limit

Wastewater discharged to sewer from PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable concentration for the following parameters during monthly and TISM required sampling as established in Wastewater Discharge Permit № 2005-46927 at Compliance Sampling Point 46927.02. The violation was reported by PMA Industries on August 31, 2022, and the analytical results were received by PMA Industries on August 30, 2022.

<u>DATE</u>	<u>PARAMETER</u>	<u>DISCHARGE CONCENTRATION</u>	<u>DISCHARGE LIMITATION</u>
07/07/2022	Copper	4.7 mg/L	1.50 mg/L (D)
07/07/2022	Copper	5.4 mg/L	2.07 mg/ L (MAV)
07/07/2022	Nickel	2.9 mg/L	2.38 mg/L (MAV)

D = Daily Maximum    MAV = Monthly Average

**Requirements**

1. PMA Industries is required to submit to the City of Phoenix Industrial Pretreatment Program (IPP) a detailed written report no later than October 3, 2022, outlining the reason(s) the exceedance occurred, along with the corrective action(s) taken to prevent future violations. At a minimum, this report must address the following:

- A. Names and positions of all people involved with the investigation into why the violation occurred.

- B. A summary of the events of the investigation, including dates and amount of time expended on the investigation.
- C. The conclusions reached.
- D. The corrective action(s) taken or to be taken and date(s), including completion date(s).
- E. How this action(s) will prevent future violations from occurring.

2. Additionally, under Standard Conditions Section G of the Permit, **PMA Industries is required to automatically resample for copper and nickel and submit to the IPP in writing, the results of analysis within 30-days of becoming aware of the violations unless the City obtained a sample between the time PMA Industries performed its sampling and the time PMA Industries receives the results of the sampling.**

**PMA Industries became aware of the violations on August 30, 2022; therefore, the 30-day resamples are due no later than September 30, 2022.**

**A Temporary Increase in Self-Monitoring (TISM) will not be required for copper, as the previous TISM is in the process of being completed. However, PMA Industries is required to perform a TISM for nickel**

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). This Notice does not preclude the city from taking additional enforcement action(s) under Chapter 28 of the Phoenix City Code.

Should you require additional time to complete the report, a written request for an extension must be submitted to the IPP prior to the above due date.

Should you have any questions regarding this notice, please contact me at phone № (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,



Tarun Sinha  
Senior Water Quality Inspector

Enclosures: Temporary Increase in Self-Monitoring (TISM) Letter  
30-Day Resample & TISM Sample Reporting Forms

e-copy: Christine Nuñez  
Chelsey Weaver  
Tarun Sinha





**City of Phoenix**  
WATER SERVICES DEPARTMENT  
ENVIRONMENTAL SERVICES DIVISION  
Quality Reliability Value

September 20, 2022

Mr. Ralph McRoberts  
General Manager  
PMA Photometals of Arizona, Inc. dba  
PMA Industries of Arizona, Inc.  
18008 North Black Canyon Highway  
Phoenix, Arizona 85053-1715

**Enclosure to NOV**

**Dated September 20, 2022**

Dear Mr. McRoberts:

**RE: Temporary Increase in Self-Monitoring (TISM) For Nickel**

As detailed in the preceding Notice of Violation dated September 19, 2022, PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) exceeded the maximum allowable limit for Nickel on July 7, 2022, as established in Wastewater Discharge Permit No 2005-46927.

**REQUIREMENTS**

As a result of these violations, PMA Industries is required to **sample for nickel once per week for four (4) consecutive weeks, to begin the week of October 3, 2022.**

- A. All samples must be collected as flow proportional composite samples and analyzed both in accordance with Permit Standard Conditions Section B and D.
- B. This sampling is separate from any other sampling required under the Permit.
- C. Written results of each TISM sample must be received by the City of Phoenix Industrial Pretreatment Program within five (5) days from the contracted laboratory report date, and in no case more than 30-days from the TISM sampling date.
- D. Twenty-four (24) hour notification shall be made to the City of Phoenix Industrial Pretreatment Program for any additional known or suspected violations resulting from the TISM.

Failure to comply with the requirements of this letter will subject PMA Industries to further enforcement action(s). Furthermore, the requested action does not preclude the city from taking additional action under Chapter 28 of the Phoenix City Code.

Should you have any questions regarding this notice, please contact me at phone No (602) 534-2081, or e-mail at [tarun.sinha@phoenix.gov](mailto:tarun.sinha@phoenix.gov). My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tarun Sinha', written over a circular stamp or mark.

Tarun Sinha  
Senior Water Quality Inspector



**City of Phoenix**  
**WATER SERVICES DEPARTMENT**  
 Quality Reliability Value

November 30, 2022

Mr. Ralph McRoberts  
 General Manager  
 PMA Photometals of Arizona, Inc. dba  
 PMA Industries of Arizona, Inc.  
 18008 North Black Canyon Highway  
 Phoenix, Arizona 85053-1715

**Certified Mail**  
**Return Receipt Requested**

**Determination of Compliance Status**

Status: **SIGNIFICANT NONCOMPLIANCE**  
 Criteria: **Monthly Average & Daily Maximum TRC**  
 Period: **April 1, 2022 through September 30, 2022**

The U. S. Environmental Protection Agency (EPA) requires that the City of Phoenix identify, on a quarterly basis, Significant Industrial Users in Significant Noncompliance (SNC) with pretreatment requirements. The definition of SNC is specified by the Federal General Pretreatment Regulations at 40 CFR 403.8(f)(2)(viii) and is defined in Section 28-46.4 of the Phoenix City Code.

PMA Photometals of Arizona, Inc. dba PMA Industries of Arizona, Inc. (PMA Industries) has been determined to be in SNC for violations of the Phoenix City Code Chapter 28 and Wastewater Discharge Permit No. 2005-46927, in that it meets the definition of SNC for Monthly Average Technical Review Criteria (TRC) and Daily Maximum TRC for the 3<sup>rd</sup> Quarter of 2022, itemized as follows:

<b>Monthly Average TRC – 3<sup>rd</sup> Quarter</b>				
<u>Month</u>	<u>Parameter</u>	<u>Monthly Average Discharge Concentration</u>	<u>TRC Discharge Limitation</u>	<u>Compliance Criteria Status</u>
April	Copper	0.930 mg/L	2.48 mg/L	Compliance
May	Copper	1.900 mg/L	2.48 mg/L	Compliance
June	Copper	4.400 mg/L	2.48 mg/L	Violation
July	Copper	5.400 mg/L	2.48 mg/L	Violation
August	Copper	No Sample	2.48 mg/L	N/A
September	Copper	0.322 mg/L	2.48 mg/L	Compliance

TRC Non-Compliance Percentage = 40% (TRC SNC = 33% or greater)

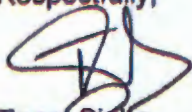
<b>Daily Maximum TRC – 3<sup>rd</sup> Quarter</b>				
<u>Day</u>	<u>Parameter</u>	<u>Daily Maximum Discharge Concentration</u>	<u>TRC Discharge Limitation</u>	<u>Compliance Criteria Status</u>
04/19/2022	Copper	0.930 mg/L	1.80 mg/L	Compliance
05/09/2022	Copper	1.900 mg/L	1.80 mg/L	Violation
06/29/2022	Copper	4.400 mg/L	1.80 mg/L	Violation
07/05/2022	Copper	6.100 mg/L	1.80 mg/L	Violation
07/07/2022	Copper	4.700 mg/L	1.80 mg/L	Violation
09/01/2022	Copper	0.260 mg/L	1.80 mg/L	Compliance
09/09/2022	Copper	0.460 mg/L	1.80 mg/L	Compliance
09/12/2022	Copper	0.320 mg/L	1.80 mg/L	Compliance
09/13/2022	Copper	0.300 mg/L	1.80 mg/L	Compliance
09/19/2022	Copper	0.270 mg/L	1.80 mg/L	Compliance
09/23/2022	Copper	0.320 mg/L	1.80 mg/L	Compliance

TRC Non-Compliance Percentage = 36.4% (TRC SNC = 33% or greater)

As required by the National Pretreatment Program regulations and the Phoenix City Code, the City must publish PMA Industries in a newspaper of general circulation as being in Significant Noncompliance with applicable pretreatment requirements during the calendar year 2022. This publication will take place in the first quarter of 2023.

Should you have any questions regarding how SNC status was determined please contact me at phone № (602) 534-2081, or e-mail at tarun.sinha@phoenix.gov. My office hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday.

Respectfully,



Tarun Sinha  
 Senior Water Quality Inspector

e-copy: Jennifer Calles  
 Christine Nufiez  
 Chelsey Weaver  
 Jesse Flores  
 Tarun Sinha

Enclosures: SNC Calculations  
 Rolling Quarters SNC Guidance

# CITY OF PHOENIX CIVIL PENALTY POLICY

## INTRODUCTION

The purpose of the civil penalty policy is to (1) deter potential violators, (2) to provide fair and equitable treatment of the regulated community, (3) to facilitate swift resolution of environmental problems, (4) to deter future noncompliance by providing an incentive for users to remain in compliance, and (5) to remove the economic benefit a user gains over others by not complying. Any civil penalty associated with pretreatment violations must reflect the seriousness, frequency and persistence of each and every violation. The penalty amount should be such that it deters the violator from making future violations while sending a general message of deterrence to the regulated community. For purposes of arriving at a settlement with a violator, the City has devised a mathematical formula for computing a penalty amount for pollutant and reporting violations. It should be noted that **ANY COSTS ASSOCIATED WITH THE VIOLATION(S) (SUCH AS SAMPLING, ANALYSIS, INVESTIGATION, SURVEILLANCE) AND ANY HARM DONE TO THE ENVIRONMENT OR DAMAGE TO THE CITY IS NOT TAKEN INTO ACCOUNT IN ARRIVING AT A PENALTY. THESE COSTS CAN BE RECOVERED** under the authorities contained in various sections of the Phoenix City Code, including Chapter 28, and **MUST BE** recovered in addition to any civil penalty.

The City has developed a Civil Penalty Policy (CPP) that contains detailed procedures as to how the City of Phoenix Pollution Control Division will calculate civil penalties for instances of industrial user noncompliance. The CPP is intended for the use of City personnel and does not create any rights or obligations nor should it be used or relied upon by non-city personnel for any purpose. The City of Phoenix Pollution Control Division reserves the right to act at variance with the CPP and to change it at any time without public notice.

## CRIMINAL PENALTY FINE AUTHORITY

Any violation of Chapter 28 of the Phoenix City Code is a Class 1 misdemeanor punishable by up to \$2,500 for each violation in addition to a maximum prison term of 6 months. This is authorized by Section 28-62 of the Phoenix City Code and Section 9-240 of the Arizona Revised Statutes.

## CIVIL PENALTY AUTHORITY

Civil Penalties are authorized under Section 28-83 of the Phoenix City Code and Section 49-391 of the Arizona Revised Statutes. The maximum amount that can be imposed is \$25,000 per day for each violation. For continuing violations, each day may constitute a separate offense.

## SEEKING CIVIL PENALTIES

Pretreatment violations are not created equally. This requires a review of all surrounding facts in order to determine the appropriate enforcement response. Civil and criminal penalties can be sought for a single pretreatment violation. You do not have to wait until a specific number of pretreatment violations is reached before seeking these penalties. A single violation may be such that the imposition of civil and or criminal penalties is necessary. Generally the City will seek civil penalties under the following circumstances:

- (1) two or more effluent violations have occurred within a ninety (90) day period.
- (2) Unpermitted discharges:
  - Failure to comply; continues after notice by the POTW
  - Discharge continues after expiration, termination or revocation of permit.
- (3) Reporting violation
  - Two or more reports are late within a 180 day period.
  - Any single report thirty days or more late.
  - Failure to correct report with missing or incomplete information.
  - Failure to report spill or changed discharge.
- (4) Recurring failure to monitor correctly.
- (5) Recurring improper sampling.
- (6) Recurring missed milestones in an enforceable compliance schedule.
- (7) Failure to start construction, complete construction, or achieve compliance within 90 days of the date specified in an enforceable order.
- (8) Recurring wastestreams diluted in lieu of treatment.
- (9) Failure to mitigate noncompliance or halt production, aware of noncompliance in progress.
- (10) Failure to comply with a requirement to cease discharge.
- (11) Recurring to properly operate and maintain pretreatment facility.
- (12) Recurring failure to provide free access.
- (13) Recurring inadequate record keeping.
- (14) Recurring failure to report additional monitoring.
- (15) Any other situation in which civil penalties are necessary or legal action is contemplated, or
- (16) Any instance of Significant (SNC).

#### CIVIL COMPLAINT TO OBTAIN CIVIL PENALTY

If the City and violator cannot arrive at a settlement for past pretreatment violations, then a lawsuit may be filed by the City Attorney in Maricopa County Superior Court. The amount of civil penalty is determined by the judge, after a consideration of the following statutory factors:

1. "The seriousness of the violation,
2. The economic benefit, if any, resulting from the violation,
3. Any history of such violation,
4. Any good faith efforts to comply with the applicable requirements,
5. The economic impact of the penalty on the violator, and
6. Such other factors as justice may require."

ARS §49-391C.

#### Determination of Civil Penalty

The determination of the Civil Penalty is accomplished by calculating the economic benefit a violator is expected to have realized by delaying installation or improper operation of pretreatment equipment and adding this amount to the gravity component determined by the Civil Penalty Formula discussed below. Economic Benefit is calculated by following the procedures of the EPA Manual Dated September 5, 1990 entitled Guidance Manual for POTWs to Calculate the Economic Benefit of Noncompliance.

## GRAVITY COMPONENT OF CIVIL PENALTY FORMULA

### Violations of Permit Conditions

The penalty for permit conditions is not easy to calculate because it is not as susceptible to exact mathematical precision as are discharge limits and reporting violations. Therefore, a general common sense approach focusing on the seriousness, frequency and persistence of the problem must be used to arrive at an amount somewhere between \$1.00 and \$25,000. The following penalty amounts should be considered minimum, and represent the normal penalty for this type of violation:

pH analysis	\$100
Cyanide	\$200
Metals analysis	\$300
TTO	\$600

### Discharge Limit

The penalties for discharge limitation violations are computed from the formula shown below. **FOR SETTLEMENT PURPOSES:** The City uses a monetary multiplier of \$300 multiplied by the total factor to arrive at a penalty amount for daily average or instantaneous limit effluent violations. The monetary multiplier for monthly average effluent violations is \$50 multiplied by the total factor and the number of production days in the month.

**FOR EACH VIOLATION**, a separate calculation is performed. The formula represents a base amount\* multiplied by a sum of factors:

#### DAILY LIMIT

$$\text{\$ Penalty} = \text{\$300} \times (1+A+B+C+D)$$

#### MONTHLY AVERAGE

$$\text{\$ Penalty} = \text{\$50} \times (1+A+B+C+D) \times 30$$

#### 4-DAY AVERAGE

$$\text{\$ Penalty} = \text{\$300} \times (1+A+B+C+D) \times 4$$

\* Base amount for Daily Limit violations of Copper and Lead is \$600, and \$100 for monthly average violations.

Magnitude Component

A. (i) Significance of Discharge Limit Violation

<u>% Exceedance of Daily or Slug Limit</u>	<u>% Exceedance of Average Limit</u>	<u>Factor</u>
1 - 50	1 - 20	1
51 - 100	21 - 40	2
101 - 200	41 - 100	3
201 - 600	101 - 300	4
601 - 1000	301 - 500	5
1001 - 2000	501 - 1000	6
2001 - 3000	1001 - 1500	7
3001 - 4000	1501 - 2000	8
4001 - 5000	2001 - 2500	9
> 5000	> 2500	10

(ii) Significance of pH Violation

<u>Low pH Range</u>	<u>High pH Range</u>	<u>Factor</u>
4.50 - 4.99	10.51 - 10.99	0
4.00 - 4.49	11.00 - 11.49	1
3.50 - 3.99	11.50 - 11.99	3
3.00 - 3.49	12.00 - 12.49	6
<3.0	12.50	10

B. Health and Environmental Harm or Potential Harm

<u>Discharge Volume (gpd)</u>	<u>Health Effects*</u>	<u>Aquatic or Sludge</u>
to 10,000	0.2	0.1
10,000 - 25,000	0.4	0.2
25,001 - 50,000	0.8	0.4
50,001 - 100,000	1.2	0.6
100,001 - 250,000	2.0	1.0
> 250,000	4 - 10	2 - 10

\*Applies to pH, Cyanide, Sulfides, residual Chlorine, VOCs, or any other material posing a threat to workers in the system, or the public.

C. Number of Violations

This factor accounts for the number of violations occurring in a given month, or the frequency of the violations. For violations of both an average limit and daily limit(s), the same factor should be applied.

Determine the percentage of the number of measurements which were violations and multiply this percentage by 2.5. Repeat this calculation for the average limit and then add the two results to arrive at a factor.

Example:

Four (4) violations of the daily copper limit and one (1) violation of the monthly copper limit occur in March. There were eight (8) daily measurements made and one (1) computation (measurement) of the monthly average.

NOTE: This frequency computation is performed separately for self-monitoring and City monitoring. Do **NOT** combine either the number of violations or the number of measurements.

$$\begin{array}{l} 4 \text{ daily violations} / 8 \text{ measurements} = 50\% \\ 1 \text{ average violation} / 1 \text{ measurement} = 100\% \end{array}$$

$$\begin{array}{l} 2.5 \times 0.50 = 1.25 \\ 2.5 \times 1.00 = \underline{2.50} \end{array}$$

$$\text{The factor then} = 3.75$$

D. Duration of Non-Compliance

$$\text{Factor} = 0 - 5$$

This factor addresses the length of time the violator has been in noncompliance. Count the number of months in the penalty period (18 months) in which the parameter limit was violated one or more times and divide this count by the total number of months in the penalty period. This fraction is then multiplied by 5.0 and rounded to one decimal place to arrive at this "Duration Factor".

Example:

Violations from April through December are being addressed in a Show Cause Hearing for copper, lead and zinc. Copper violations occurred in April, October and November.

$$\frac{3 \text{ months of violations}}{9 \text{ month penalty period}} \times 5.0 = 1.7 \text{ factor}$$

ALL REPORTING VIOLATIONS

One of the more common types of pretreatment violations is in the area of late reporting. This occurs when a reporting deadline passes and the report is filed late or not at all. These types of violations should not occur because compliance with reporting deadlines is generally within the absolute control of the Permittee. The amount of civil penalty for reporting violations can be derived from the following table.



Significance of Reporting Violations

A. Reports Not Showing Discharge Limit Violation

No. Of Days A Report Is Late	Amount
1 - 29	\$ 30.00 Day (1-29 days)
30 - 59	\$ 50.00 Day (1-59 days)
60 - 89	\$ 100.00 Day (1-89 days)
90 - 179	\$ 200.00 Day (1-179 days)
180 or more	\$ 400.00 Day (each day)

B. Report Showing Discharge Limit Violation

No. Of Days A Report Is Late	Amount
1 - 29	\$ 60.00 Day (1-29 days)
30 - 59	\$ 100.00 Day (1-59 days)
60 - 89	\$ 200.00 Day (1-89 days)
90 - 179	\$ 400.00 Day (1-179 days)
180 or more	\$ 800.00 Day (each day)

ADJUSTMENT FACTORS

After the economic benefit and gravity elements have been calculated, the next and final step is to apply certain adjustment factors that may increase or decrease the amount calculated thus far. These adjustment factors are:

- \* The ability of the violator to pay may be considered in order to decrease the amount of the total penalty to be paid.
- \* The history of recalcitrance of the violator may be considered to make an increase in the total penalty to be paid.
- \* Litigation considerations may be used to make a decrease in the total penalty to be paid.

**IN SUMMARY, THE PENALTY CALCULATION EQUALS THE SUM OF THE ECONOMIC BENEFIT AND THE GRAVITY COMPONENTS PLUS OR MINUS ANY ADJUSTMENTS.**

## REPEAT VIOLATORS

There may be instances when industries who have previously paid civil penalties for pretreatment violations and or were required to perform under a compliance schedule later commit new violations after payment of penalties or after completion of the compliance schedule. Repeat violators must be addressed and handled as described in this section. If all violations occur after six (6) consecutive months in which the industry was in full compliance with pretreatment requirements, then calculate the economic benefit and the civil penalty amounts using the Determination of Civil Penalty formula previously described above. However, if any pretreatment violation occurs prior to achieving six (6) consecutive months of compliance, then the base amount of the formula is **doubled** and the dollars per day amount for reporting violations is calculated by the formula shown below. Continue the calculation using the remaining elements of the formula. If, after the penalty amount has been calculated and the total is less than the maximum amount that could be imposed under the law, the recalcitrance adjustment factor shall be carefully analyzed to determine its applicability in this instance. In summary, for repeat violators, the penalty amount is determined as follows:

\$ Penalty = Economic Benefit + \$600(1+A+B+C+D) + reporting violations ± adjustment factors:

### A. Reports Not Showing Discharge Limit Violation

No. Of Days A	Report Is Late Amount
1 - 29	\$ 60.00 Day (1-29 days)
30 - 59	\$ 100.00 Day (1-59 days)
60 - 89	\$ 200.00 Day (1-89 days)
90 - 179	\$ 400.00 Day (1-179 days)
180 or more	\$ 800.00 Day (each day)

### B. Report Showing Discharge Limit Violation

No. Of Days A	Report Is Late Amount
1 - 29	\$ 120.00 Day (1-29 days)
30 - 59	\$ 200.00 Day (1-59 days)
60 - 89	\$ 400.00 Day (1-89 days)
90 - 179	\$ 800.00 Day (1-179 days)
180 or more	\$1600.00 Day (each day)