



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

January 25, 2012

Re: Tuscarawas County
City of New Philadelphia
Reconnaissance Inspection
Pretreatment

Mayor and Council
City of New Philadelphia
166 East High Avenue
New Philadelphia, Ohio 44663

Dear Mayor and Council:

On December 7, 2011, Ryan Laake of Ohio EPA's Central Office and I conducted a pretreatment reconnaissance inspection of the City of New Philadelphia's pretreatment program. Jim Hootman, Laboratory and Pretreatment Coordinator, and Aaron Hixenbaugh, Superintendent, represented the City during the inspection. The inspection was conducted to evaluate the City's compliance with State and Federal pretreatment regulations. Required actions and comments generated from the inspection are listed below.

Required Actions

1. Ohio EPA promulgated revisions to the pretreatment regulations, known as the Streamlining Rule, in February 2007. The City is required to modify elements of its pretreatment program as a result of these changes. Part 1.C. Paragraph C of the City's NPDES permit required the City to submit these revisions not later than January 1, 2011. The City requested an extension to the deadline on January 18, 2011 by letter. However, the City has yet to submit the required revisions. Information on the rule requirements is available at: http://cfpub.epa.gov/npdes/whatsnew.cfm?program_id=3. Procedures for program modification requests are specified in OAC 3745-3-03(E). The City should submit a copy of the draft revisions to its pretreatment program to Ohio EPA, Southeast District Office, for review along with a pretreatment program modification request no later than May 1, 2012. The City is in significant noncompliance with its NPDES permit for failure to meet a compliance schedule milestone date within 90 days. Failure to provide the requested information may result in an enforcement action.
2. New Philadelphia has accepted electronic monitoring reports from some industrial users instead of paper reports. New Philadelphia must ensure that industrial user monitoring reports meet the signatory requirements of 40 CFR 403.12(l) and Paragraph V of its industrial user discharge permit, and records retention requirements of 40 CFR 403.12(o) and Paragraph M of the industrial user discharge

permit. If the City wishes to allow electronic submission of reports, the City should require submission of properly signed paper copies at a later date for retention in both the City's and the industrial user's files to ensure the signatory and records requirements are met. Please notify Ohio EPA how the City will comply with this requirement.

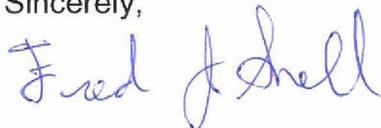
3. The City's industrial user permits expired in October, 2011. The City had been awaiting Ohio EPA approval for local industrial user limitations before renewing the permits. However, the City should renew the permits as soon as practical to comply with 40 CFR 403.8(f)(1)(iii). Please notify Ohio EPA when the City has issued renewed permits to its industrial users.

Comments

1. Please review New Philadelphia's hauled waste regulatory program and describe the program in your response to this letter, along with an evaluation of the adequacy of the Sewer Use Ordinance to protect the City's interests should a hauled waste adversely affect the City's collection system or WWTP.
2. Part 1.C., Paragraph B. required the City to submit technical justification for local industrial user limitations. The City completed the submission on December 1, 2010. The submittal is under review by Ohio EPA. Ohio EPA provided verbal comments on the submittal during the inspection. Ryan Laake will forward written comments in the near future.
3. New Philadelphia's Sewer Use Ordinance does not include explicit authority to enforce terms and conditions of industrial user discharge permits. It is recommended that the City add clear authority to enforce the terms and conditions of discharge permits to Section 939.09 when the ordinance is revised to incorporate the Streamlining Rule revisions.

Please respond to this letter in writing within 30 days. Should you have any questions or comments, please contact me at (740) 380-5423.

Sincerely,



Fred J. Snell
District Representative
Division of Surface Water

FJS/dh

Enclosure

- c: Jim Hootman, Laboratory & Pretreatment Coord., City of New Philadelphia WWTP
- c: Aaron Hixenbaugh, Wastewater Supt., City of New Philadelphia WWTP
- c: Pretreatment Unit, CO

WENDB AND RNC WORKSHEET

PCI/Audit/RI Checklist

FACILITY INFORMATION				
Name City of New Philadelphia	Date of Inspection December 7, 2011			
OH Number OH0026727	NPDES Number 0PD00012*PD			
I. WENDB DATA ENTRY WORKSHEET				
INSTRUCTIONS: Enter the data provided by the specific checklist questions that are referenced.				
	Data	Checklist Reference		PCS Code
		PCI	AUDIT	
Number of SIUs	3	Annual	Annual	SIUS
Number of CIUs	1	Annual	Annual	CIUS
Number of SIUs without Control Mechanisms	0	II.C.1	II.D.1.a	NOCM
Number of SIUs not inspected or sampled	0	II.F.1.a	II.F.1.a	NOIN
Number of SIUs in SNC with standards or reporting	0			PSNC
Number of SIUs in SNC with self-monitoring	0			MSNC
Number of SIUs in SNC with self-monitoring and not inspected or sampled	0	II.E.2	II.F.1.d	SNIN
Date NPDES Permit modified to include pretreatment requirements (Audit)	9/19/85			
Technical Evaluation of Local Limits (Y/N) (Audit)	Y			
Adoption of technically-based limits (Y/N) (Audit)	Y			

II. RNC/SNC WORKSHEET				
INSTRUCTIONS: Place a check in the appropriate box on the left if the CA is found to be in RNC or SNC				
	RNC	Level	Reference	
			PCI	Audit
<input type="checkbox"/>	Failure to enforce against pass through and/or interference	I		
<input type="checkbox"/>	Failure to submit required reports within 30 days	I		
<input type="checkbox"/>	Failure to meet compliance schedule milestone date within 90 days	I		
<input checked="" type="checkbox"/>	Failure to issue/reissue control mechanisms to 90% of SIUs within 6 months	II	II.C.2.b	II.D.1.b
<input type="checkbox"/>	Failure to inspect or sample 80% of SIUs within the last 12 months	II	II.E.1	II.F.1
<input type="checkbox"/>	Failure to enforce pretreatment standards and reporting requirements	II		I.C.1
<input type="checkbox"/>	Other (specify)	II		
SNC				
<input type="checkbox"/>	Control Authority in SNC for violation of any Level I criterion			
<input type="checkbox"/>	Control Authority in SNC for violation of two or more Level II criterion			