UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

MAR 16 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Mark W. Beckstead
Mayor of Preston
70 West Oneida
Preston, Idaho 83263

Re: City of Preston WWTF
NPDES Permit Number ID-002021-4

Dear Mayor Beckstead:

On August 1, 2005, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the City of Preston, Idaho ("City") wastewater treatment facility ("Facility"), NPDES Permit Number ID-002021-4 ("Permit"). The Permit was administratively extended on February 3, 2010. The purpose of this letter is to notify you of violations EPA discovered after reviewing our administrative files including the Discharge Monitoring Reports (DMRs) submitted by the Facility, and in response to the November 18, 2015 inspection of the Facility conducted by the Idaho Department of Environmental Quality (IDEQ) on behalf of the EPA. The purpose of the inspection was to determine the Facility's compliance with the requirements of the Clean Water Act (CWA) and the NPDES permit. I would like to express my appreciation for your staff's time and cooperation during the inspection.

REVIEW OF ADMINISTRATIVE FILES

1. EPA reviewed the DMRs from March 2011 to March 2016 and identified effluent limitation exceedances that constitute 173 violations of the CWA, 33 U.S.C. § 1251 *et seq*. A list of these violations is enclosed (Enclosure A).

2. Part III.B of the Permit states the permittee must summarize monitoring results each month on the Discharge Monitoring Report (DMR) form (EPA No. 3320-1) or equivalent or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. The permittee must submit reports monthly, postmarked by the 10th day of the following month. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E. of this permit ("Signatory Requirements").

   During the EPA review of DMR data from March 2011 to March 2016, it was identified that the City submitted two incomplete DMRs consisting of eight parameters that were unreported. These are violations of Part III.B of the Permit. A list of these violations is enclosed (Enclosure B).

3. Part III.B of the Permit specifies that the permittee must submit reports monthly, postmarked by the 10th day of the following month.

   During the EPA review of DMR data from March 2011 to March 2016, it was identified that the City submitted DMRs late on 16 occasions. These are violations of Part III.B of the Permit. A list of these violations is enclosed (Enclosure C).

   On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure D).

NOVEMBER 2015 INSPECTION

1. Part II.A.5 of the Permit states that copies of the Quality Assurance Plan (QAP) must be kept on site and made available to EPA and/or IDEQ upon request.

   At the time of the inspection, the inspector noted that the Facility was unable to provide a revised QAP, or a copy of a previous edition. This is a violation of Part II.A.5 of the Permit.

2. Part II.B.2 of the Permit states the permittee shall develop a description of pollution prevention measures and controls appropriate for the facility. The appropriateness and priorities of controls in the Operations and Management (O&M) Plan must reflect identified potential sources of pollutants at the facility. The description of Best Management Practices (BMPs) must address, to the extent practicable, the following minimum components:
   - spill prevention and control;
   - optimization of chemical usage;
   - preventive maintenance program;
   - minimization of pollutant inputs from industrial users;
   - research, develop and implement a public information and education program to control the introduction of household hazardous materials to the sewer system; and
   - water conservation.

   At the time of the inspection, the inspector noted that the O&M Plan was missing the following components:
   - spill prevention and control;
   - optimization of chemical usage;
   - preventive maintenance program;
   - minimization of pollutant inputs from industrial users; and
   - water conservation.

   These are violations of Part II.B.2 of the Permit.

3. Part II.C of the Permit states that the permittee must revise their Toxicity Reduction Evaluation (TRE) Work Plan within 60 days of the effective date of this permit and notify EPA.

   At the time of the inspection, the Facility indicated it did not have a TRE Work Plan in place. This is a violation of Part II.C of the Permit.

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure E). If you have any questions concerning this matter, please do not hesitate to contact Raymond Andrews of my staff at (206) 553-4252.

Sincerely,

Edward J. Kowalski
Director

Enclosures

cc: Mr. Stephen Berry
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Mr. Bruce Olenick
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