

## Pretreatment Streamlining Rule TPDES Modifications Checklist

Control Authority Name \_\_\_\_\_ Date \_\_\_\_\_

<b>Best Management Practices Checklist</b>				
Element	Yes	No	Section, Page No.	Comment
<p>1. The CA is required to define the term, best management practices (BMPs) in the sewer use ordinance (SUO), according to the definition in 40 CFR §403.3(e) in order to implement the General and Specific Prohibitions listed in 40 CFR §403.5(a)(1).</p>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>BMPs include the following:</p>				
<ul style="list-style-type: none"> <li>• Schedules of activities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Prohibitions of practices</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Maintenance procedures</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Other management practices</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Treatment requirements</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Operating procedures</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Practices to control</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ Plant site runoff</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ Spillage or leaks</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ Sludge or waste disposal</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ Drainage from raw materials storage</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>2. The CA should negotiate the BMP required provisions from the following suggested elements:</p>	<input type="checkbox"/>	<input type="checkbox"/>		
<p><i>[FR/Vol. 70, No. 198/pg. 60149-60150]</i></p>				
<ul style="list-style-type: none"> <li>• Specific notice to IUs of requirements and enforceability</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<p><i>[This notice, provided through the CA's SUO and/or individual or general control mechanisms, should make clear which IUs are subject to the BMPs, and what affected IUs must do to comply with their requirements.]</i></p>				

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<ul style="list-style-type: none"> <li>• Installation of treatment</li> </ul> <p><i>[The CA should provide criteria or specifications that the equipment must satisfy. For example, a requirement for use of oil/ water separators at auto repair facilities may include sizing or design criteria. The EPA cautions CAs to avoid endorsing the use of specific brands or vendors.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Requirements for or prohibitions on certain practices, activities, or discharges</li> </ul> <p><i>[The CA should include specific requirements or prohibitions where necessary to ensure that the use of such BMPs is protective. For example, the CA may impose a prohibition on discharges of tetrachloroethene from dry cleaning facilities.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Requirements for operation and maintenance (O&amp;M) of treatment units</li> </ul> <p><i>[The CA should specify their O&amp;M expectations to ensure that treatment systems continue to perform as designed and installed. For example, restaurants may be required to have grease interceptors cleaned out at a specified frequency.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Reporting requirements</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• IU records retention timeframe</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Other requirements as determined by the CA and specified in writing</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		

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<b>Best Management Practices Checklist</b>				
Element	Yes	No	Section, Page No.	Comment
<ul style="list-style-type: none"> <li>• Timeframes associated with key activities</li> </ul> <p><i>[The CA should provide timeframes for when management practices must be implemented, or when required treatment must be installed and fully operational. Other milestones should be added to the schedule where necessary to facilitate the CA's oversight of BMP implementation.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Compliance certification</li> </ul> <p><i>[The CA should establish specific procedures or requirements that will enable the CA to verify whether required equipment has been installed, or whether required maintenance has been performed at the specified frequency.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Provision for re-opening or revoking the BMP conditions</li> </ul> <p><i>[As with numeric limits, the CA should include language in the SUO and/or individual or general control mechanisms that enables them to revoke the control mechanism at any time to include modified numeric limits or BMPs. For example, the CA may find it necessary to revoke an IU's control mechanism where the CA determines that the IU has not complied with applicable BMPs (in order to impose more frequent monitoring or reporting conditions), or where the CA determines that it is more effective to determine compliance with a numeric limit.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>3. The BMPs that are enforceable pretreatment standards include the following:</p> <p><i>[40 CFR §§403.5(c)(4) and FR/Vol. 70, No. 198/pg. 60148]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		

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Element	Yes	No	Section, Page No.	Comment
<ul style="list-style-type: none"> <li>• Categorical standards that have BMPs (or pollution prevention alternative)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Local limits <b>OR</b></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Other pretreatment standards</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>4. Where the CA has issued individual or general control mechanisms, both individual and general control mechanisms must be enforceable and contain at a minimum the following condition: effluent limits, including BMPs, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and State and local law</p> <p><i>[40 CFR §403.8(f)(1)(iii)(B)(3)]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>5. To issue BMPs the CA is required to do the following:</p> <p><i>[FR/Vol. 70, No. 198/pg. 60148 and 60149]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Document the supporting rationale for specific BMPs</li> </ul> <p><i>[Where the CA has issued individual or general control mechanisms, the CA should provide documentation in the control mechanism fact sheet.]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Specify the enforceable BMPs and those IUs they cover in the following:</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ the legal authority (SUO) <b>and/or</b></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ individual or general control mechanism (permit)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Comply with applicable public participation requirements</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		

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6. The BMPs are required to be verifiable in order for the CA to determine compliance or noncompliance through a combination of the following:  <i>[FR/Vol. 70, No. 198/pg. 60150]</i>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Evaluation of BMP self-reporting</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Verification inspections</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
7. Where the pretreatment standard requires compliance with a BMP (or pollution prevention alternative) IU reports must include BMP information (required by the CA or the pretreatment standard) necessary to determine compliance with the standard  <i>[40 CFR §403.12(b), (d), (e), and (h)]</i>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Baseline monitoring reports (BMRs)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• 90 Day compliance reports</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Semi-annual reports</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Compliance schedule reports</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
8. The CA may develop BMPs to implement 40 CFR §§403.5(c)(1), (c)(2), and (c)(4). Such BMPs shall be considered local limits and pretreatment standards	<input type="checkbox"/>	<input type="checkbox"/>		
9. In order to establish BMPs in addition to or instead of numerical local limits, the CA will be required to ensure that their legal authority (SUO) contains adequate authority to require compliance with BMPs by affected users  <i>[FR/Vol. 70, No. 198/pg. 60150]</i>				

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Element	Yes	No	Section, Page No.	Comment
10. The BMPs may be used in lieu of numeric local limits under the following circumstances:  <i>[FR/Vol. 70, No. 198/pg. 60149]</i>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Developed by the CA to protect against interference and pass through</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• To be used where numeric limits are infeasible or impractical</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Compliance with the terms of the BMP must be verifiable</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
11. The CA may use BMPs as a supplement to numeric local limits as appropriate to meet the requirements of the Clean Water Act  <i>[FR/Vol. 70, No. 198/pg. 60149]</i>	<input type="checkbox"/>	<input type="checkbox"/>		
12. It may be appropriate for the CA to require certain IUs to comply with <b>both</b> BMPs and numeric local limits  <i>[FR/Vol. 70, No. 198/pg. 60148]</i>	<input type="checkbox"/>	<input type="checkbox"/>		
13. The CA should be able to provide an evaluation that implementation of the numeric limit, <i>plus</i> implementation of BMPs for specific sectors, will result in meeting the calculated maximum allowable headworks loadings (MAHLs)  <i>[FR/Vol. 70, No. 198/pg. 60149]</i>	<input type="checkbox"/>	<input type="checkbox"/>		
14. The CA is required to assign an allocation of pollutants to IUs covered by the enforceable BMPs through the following:  <i>[FR/Vol. 70, No. 198/pg. 60149]</i>	<input type="checkbox"/>	<input type="checkbox"/>		

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<ul style="list-style-type: none"> <li>• in the calculation of maximum allowable industrial loadings (MAIL); <b>OR</b></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• in the calculation of separate allowable loadings for commercial facilities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>15. The CA is required to verify initial estimates of <b>loading reductions</b>, as a result of BMP implementation, through the following:</p> <p><i>[FR/Vol. 70, No. 198/pg. 60149]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Sampling of selected IUs that have implemented the BMPs <b>OR</b></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>• Evaluating loadings for pollutants being addressed by the BMPs to see if adjustments are needed for the following:</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ allowable headworks loadings;</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ the numeric limits; <b>OR</b></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<ul style="list-style-type: none"> <li>○ BMPs for any affected sector</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>16. The CA is required to maintain documentation of compliance with BMP requirements as part of the IU's and CA's record-keeping requirements</p> <p><i>[40 CFR §403.12(o)]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		
<p>17. The CA is required to maintain documentation associated with BMPs with other IU or CA records of monitoring activities and results <i>for a minimum of 3 years</i></p> <p><i>[40 CFR §403.12(o)(2)]</i></p>	<input type="checkbox"/>	<input type="checkbox"/>		

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<p>18. Where a facility subject to BMPs has not satisfied the requirements of the SUO or control mechanism, the CA is required to use its ERP to determine:</p> <p><i>[FR/Vol. 70, No. 198/pg. 60150]</i></p> <ul style="list-style-type: none"> <li>• the appropriate response</li> <li>• significant noncompliance (SNC) criteria to assesses whether the facility is in SNC</li> </ul> <p><i>[For example, a facility that fails to install required treatment equipment within a specified timeframe would generally be viewed as being in SNC 90 days after the schedule date or if it failed to submit a compliance certification within 45 days from the due date.]</i></p>				
<p>19. The CA is required to ensure that their ERPs include criteria in order to enforce non-numeric [BMP] requirements</p> <p><i>[FR/Vol. 70, No. 198/pg. 60150]</i></p>				

<b>Best Management Practices Checklist</b>	
The approved pretreatment program <u>may</u> need to be revised in one or more of the following components:	
X	Legal Authority
X	Enforcement Response Plan
X	IU Compliance Evaluation
X	Inspection Forms/Procedures
X	Sampling Protocols – Self Monitoring and Compliance Monitoring
X	IU Permit Application
X	IU Permits
X	IU Reporting Requirements
X	CA Compliance and Sampling Tracking Database
X	Other Standard Operating Procedures