



CITY OF
Yuma

Utilities Department

Enforcement Response Plan

Pursuant to

Yuma City Code: Chapter 191
Industrial Waste and other Wastewater Discharges

March 2023

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I. PURPOSE

This Enforcement Response Plan (ERP) specifies how the City of Yuma will investigate and respond to instances of non-compliance with the Chapter 191: Industrial Waste and other Wastewater Discharges Article of the Yuma City Code.

This ERP was developed in accordance with 40 CFR Section 403.8(f)(5); Yuma City Code, Chapter 191: Industrial Wastes and other Wastewater Discharges.

The intent of the ERP is to provide an equitable and consistent enforcement mechanism to ensure compliance with the Industrial Wastes and other Wastewater Discharges Ordinance. The Ordinance along with this ERP are implemented to protect public health and safety, the City's investment in infrastructure, the health and safety of personnel working in the publicly owned treatment works, and the environment.

Yuma City Code, Chapter 191: Industrial Waste and other Wastewater Discharges was approved by the Arizona Department of Environmental Quality (ADEQ) in accordance with the Clean Water Act, Arizona Revised Statutes A.R.S. Title 49 and requirements set forth in the Arizona Pollutant Discharge Elimination System (AZPDES) permit conditions, Aquifer Protection Permit conditions, sludge use and disposal requirements, and any other federal or state law to which the public owned treatment works is subject.

II. ABBREVIATIONS AND DEFINITIONS

In this ERP the following words and phrases shall have the following meanings, unless the context otherwise requires:

AO or Administrative Order: A consent order, a compliance order, or a cease and desist order issued by the City of Yuma.

ADEQ: Arizona Department of Environmental Quality.

ARS: Arizona Revised Statutes.

AZPDES: Arizona Pollutant Discharge Elimination System.

Administrative Enforcement: Legal, independently enforceable orders issued directly by City of Yuma officials that define the violation, provide evidence of the violation, impose Administrative Fines and/or require the Responsible Person to take corrective action within a specified time period.

Administrative Fine: Monetary civil penalty assessed through Administrative Enforcement.

AR: Authorized or Duly Authorized Representative of the Users.

(a) If the user is a corporation:

1. The president, secretary, treasurer, or a 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
2. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that 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 individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the user is a partnership or sole proprietorship, a general partner or proprietor, respectively.

(c) If the user is a federal, state, or local governmental facility, a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in subsections (a) through (c), above, may designate a duly authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

BMP: Best Management Practices.

CFR: Code of Federal Regulations.

City: The City of Yuma.

Due Date: Date by which report or action is to be completed.

EPA: U.S. Environmental Protection Agency.

ERP: Enforcement Response Plan.

Harm Caused: POTW process upset/inhibition/disruption of normal operation and/or adverse change in POTW effluent, adverse change in POTW sludge (bio-solids) characteristics/concentrations; and/or adverse impact on the environment.

IU (Industrial User): A source of direct discharge. An individual, corporation, or organization other than a single-family domicile which uses the potable water, wastewater, or public storm drain systems.

Judicial Enforcement: Enforcement, either civil or criminal, against a responsible party or organization through a court of law.

NOI: Notice of Intent to Discharge to POTW.

NONC: Notice of Non-Compliance.

NOV: Notice of Violation.

Ordinance/Ordinances: Yuma City Code, Chapter 191: Industrial Wastewater and other Wastewater Discharge Ordinance.

Person/Persons: An individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State and local governmental entities.

pH: A measure of acidity or alkalinity of a solution expressed in standard units.

POTW: Publicly Owned Treatment Works.

RP: Responsible Person; the owner and/or operator of the property where a violation occurs.

Show Cause Hearing: A formal meeting requiring the IU to appear, explain non-compliance and show cause why more severe enforcement actions against the IU should not go forward. The meeting may also serve as a forum to discuss corrective action and compliance schedules.

SNC or Significant Non-Compliance: (a) In order to comply with the public participation requirements of 40 CFR Part 25 in the enforcement of National Pretreatment Standards, for non-domestic users permitted to discharge wastewater, the definition of significant non-compliance shall have the same meaning as set forth by 40 CFR 403.8(f)(2)(viii) and the Yuma City Code, Chapter 191 Industrial Wastes and other Wastewater Discharges Ordinances, the IU shall be determined to be in SNC if the IU accumulates sixteen or more points at any time during the previous six (6) months preceding the end of a quarter.

S.U.: Standard Unit for measurement of pH.

Violation: Non-compliance with the Yuma City Code, Chapter 191: Industrial Wastes and other Wastewater Dischargers Ordinances.

III. GENERAL RESPONSIBILITIES

A. UTILITIES DEPARTMENT

Director of Utilities

The Director of Utilities is responsible for administration and enforcement of the ordinances and the appropriate application of the ERP to suspected violations and violators. The responsibilities of the Director of Utilities may be delegated, in whole or in part to City of Yuma staff as authorized by the City Code.

Assistant Director of Utilities

If so delegated, the Assistant Director of Utilities is responsible for the appropriate application of the ERP to suspected violations and violators. The Assistant Director of Utilities may:

- Conduct Show Cause Hearings;
- Issue Administrative Orders as deemed appropriate by the Director of Utilities following a Show Cause Hearing;
- Approve the assessment of Administrative Fines;
- Sign initial Administrative Orders;
- Make recommendations to the City Attorney regarding initiating Judicial Enforcement;
- Approve termination or emergency suspension of water or wastewater services;
- Implement enforcement responsibilities of the ordinances.

Water Quality and Compliance Manager

The Water Quality and Compliance Manager is responsible for ensuring fair and consistent implementation of the Ordinance requirements and ensuring that enforcement activities are consistent with the ERP. The Manager shall:

- Review all suspected violations;
- Promptly notify the Assistant Director of Utilities of Significant Non-Compliance;
- Recommend Administrative Orders;
- Recommend emergency suspension and termination of service;
- Sign Notices of Violation;
- Consult with the City Attorney regarding Administrative Enforcement;
- Make recommendations to the Director of Utilities regarding initiating Judicial Enforcement.

Pretreatment and Backflow Programs Supervisor

The Pretreatment and Backflow Program Supervisor is responsible for ensuring fair and consistent implementation of the Ordinance requirements and ensuring that enforcement activities are consistent with the ERP. The Supervisor shall:

- Supervise the Industrial Pretreatment Inspectors;
- Review all suspected violations and assign points;
- Recommend appropriate enforcement for violations;
- Initiate and conduct communication with the AR, including telephone contact, site inspections and meetings notes. Keep a record, in the IU files, of all communications including phone calls, emails, and/or meeting notes;

- Develop and oversee compliance monitoring schedules;
- Track enforcement response times;
- Assist in drafting Administrative Orders;
- Approve compliance sampling schedules;
- Coordinate the collection of Administrative Fines for violations upon approval by the Director of Utilities;
- Participate in Show Cause Hearings and court proceedings as deemed necessary by the Director of Utilities, Assistant Director of Utilities, Water Quality and Compliance Manager, and/or City Attorney.

Industrial Pretreatment Inspectors

Industrial Pretreatment Inspectors are responsible for conducting compliance inspections and monitoring. Inspectors shall:

- Conduct outreach and educational activities with regulated persons;
- Screen compliance monitoring data;
- Determine compliance with permit conditions or City Code through on-site inspections and prepare inspection reports; The inspections may be scheduled, unscheduled or in response to a known or suspected violation;
- Identify instances of Non-Compliance;
- Promptly notify the Pretreatment and Backflow Programs Supervisor of Non-Compliance;
- Draft Notice of Non Compliance (NONC);
- Draft Notice of Violation, (NOV);
- Develop compliance sampling schedules;
- Provide compliance assistance as appropriate;
- Conduct sampling to verify compliance as required by permit or City Code;
- Conduct field testing consistent with approved test methods;
- Preserve samples as test methods require;
- Initiate and maintain chain of custody of sample(s) until sample delivery to laboratory;
- Prepare and maintain detailed notes of sampling activities, dates, times, and observations;
- Participate in Show Cause Hearings and court proceedings as deemed necessary by the Director of Utilities, Assistant Director of Utilities, Water Quality and Compliance Manager, Pretreatment and Backflow Programs Supervisor, and /or City Attorney.

B. CITY ATTORNEY

The City Attorney's Office shall:

- Provide assistance and advice on legal/regulatory issues, developments, and changes;
- Advise City staff during Administrative Enforcement matters as required;
- Consult with Director of Utilities on Administrative Enforcement actions and review Administrative Orders issued by the Assistant Director of Utilities;
- Manage and prosecute Judicial Enforcement on behalf of the City.

MAILING ADDRESS and CONTACT INFORMATION

Utilities Department
Pretreatment Section

270 W 13th Street
Yuma, Arizona 85364
Phone: (928) 373-4629
Fax: (866) 930-3316

IV. ENFORCEMENT RESPONSE

A. NON-COMPLIANCE INVESTIGATION

1. The Pretreatment staff will monitor each industrial user to verify that the IU is in compliance with their discharge permit. Industrial Pretreatment Inspectors will determine compliance with permit conditions or Yuma City Code through on-site inspections and compliance monitoring reports. Industrial Pretreatment Inspectors will review compliance reports submitted according to the requirements in the IU's permit/contract.
2. When a non-compliance issue is found, the inspector(s) will contact the AR for more detail pertaining to that non-compliance issue.
3. When any non-compliance issue is confirmed by an Industrial Pretreatment Inspector the Inspector will notify the Pretreatment and Backflow Programs Supervisor of the non-compliance.
4. The non-compliance will be reviewed and the level of enforcement for that issue will be assessed.
5. The City's enforcement response to any non-compliance may include, but is not limited to the items listed in section IV. D. Enforcement Response Options of the ERP.

B. RECORD KEEPING

All documents in relation to any discharge permit issued to Industrial Users will be kept in an individual IUs file in the Pretreatment office(s). The file will contain a copy of permit applications, slug/spill plans, issued permit, facility inspections, enforcement and correspondence. Files will also contain results from the compliance sampling performed by the IU and the City of Yuma. All communications including phone calls, emails and/or meeting notes are recorded in the IU files. Enforcement actions are tracked using a spreadsheet designated to track enforcement.

C. COMPLIANCE SAMPLING

When sampling indicates a violation, the City of Yuma may resample the IU's discharge or require the IU to do additional sampling, in addition to, responding to the violation. Alternatively, the City may order the IU to accelerate its monitoring frequency for the violating pollutant through an informal or formal enforcement action.

When applicable, Inspectors will sample IUs for parameters set forth in the Industrial Discharge Permit, and/or local limits, and/or parameters of concern to confirm compliance with Yuma City

Code Chapter 191. All samples are to be collected and analyzed in accordance with EPA approved procedures published in 40 CFR Part 136 and amendments thereto.

D. ENFORCEMENT RESPONSE OPTIONS

Yuma City Code, Chapter 191: Industrial Wastes and other Wastewater Discharges Sections; 191-10 Administrative Enforcement Remedies; Affirmative Defenses to Discharge Violations will be considered when determining the enforcement response. The City's enforcement response to any violation of the Ordinances may include, but is not limited to, the following:

1. Contact by Industrial Pretreatment Inspectors;
2. Provide educational material of BMP and Yuma City Code requirements and/or prohibitions;
3. Phone Call/Email;
4. Notice of Non-Compliance;
5. Notice of Violation;
6. Administrative Order, which may include:
 - a. Modification of wastewater discharge permits,
 - b. Affirmative obligations, such as increased monitoring,
 - c. Prohibited actions or obligations to cease and desist,
 - d. Other appropriate orders;
7. Administrative Fines;
8. Emergency suspension or permanent termination of service;
9. Show Cause Hearing;
10. Publication of significant violators and imposition of fines;
11. Judicial enforcement action, including injunctive relief and criminal prosecution;
12. Additional self-monitoring may be required to verify compliance.

V. ENFORCEMENT RESPONSE TIME FRAME

1. Enforcement responses to initial violations shall be initiated within fourteen (14) days of discovery or at such other time as determined by the Water Quality and Compliance Manager. Whenever use of the NOV as an enforcement response is selected, immediate issuance is allowed.
2. When appropriate, follow-up inspections shall occur within fourteen (14) days of a due date specified in the NOV.
3. Follow-up escalated action for repeat or reoccurring offenses shall be taken within fourteen (14) days of discovery of the repeat or reoccurring offenses and may include additional Administrative Enforcement, including Administrative Orders, Administrative Fines, and Judicial Enforcement.
4. In emergency situations caused by violations, including imminent danger to the public health, safety, or welfare, and endangerment to City personnel or the environment, the Director of Utilities or his designated representative may initiate enforcement responses, including without limitation to:
 - a. Issuance of Cease and Desist Orders;
 - b. Water or wastewater service termination;

- c. Revocation or termination of any discharge permits issued by the Utilities Department.

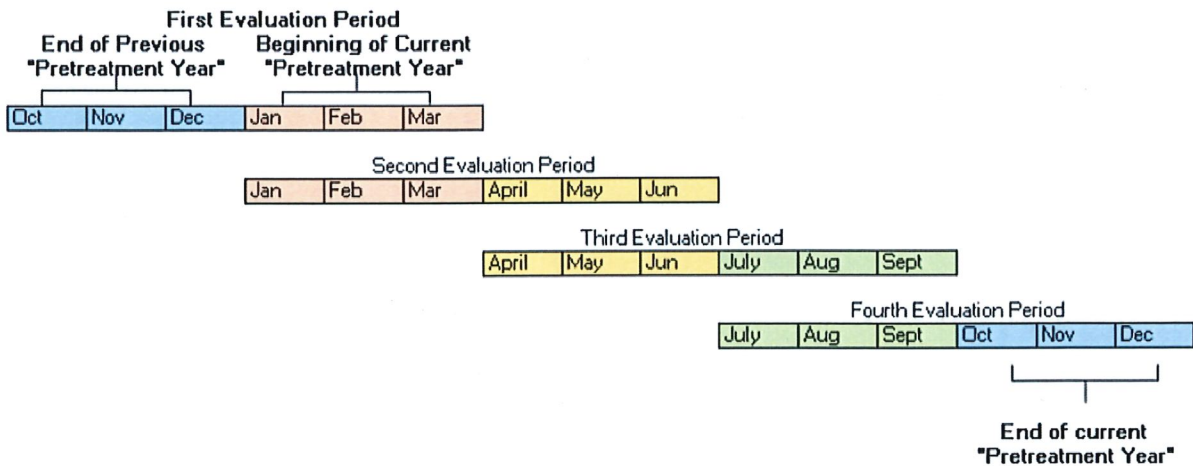
VI. POINTS ASSESSMENT CRITERIA

1. In order to apply enforcement in an equitable and consistent manner, a Points Table has been developed for each applicable classification of violation (See Table B).
2. An NOV shall be differentiated from a NONC based on the severity of the violation. Enforcement actions more severe than an NOV can be applied. Considerations include duration, recidivism, potential for environmental impact, public or employee harm, facility damage, the cost of the violation to the City and its operations.
3. Points are not given out for a NONC. A NONC would be issued if the non-compliance is minimal and steps were taken by the IU to mitigate the non-compliance issue acceptable to the Water Quality and Compliance Manager. If compliance is not achieved a NONC would escalate to an NOV. Increasing enforcement actions beyond NOV can be applied to achieve compliance.
4. When a IUs total points equals or exceeds sixteen (16) points in any two consecutive quarters, Administrative Fines shall be assessed. The fines shall be assessed in the amounts specified on Table A.

VII. ASSESSMENT OF POINTS

1. When violations are discovered, the assessed points shall be applied to the IU.
2. Significant Non-Compliance is calculated at the end of every quarter for the six (6) months preceding the end of the quarter:

Compliance Review Date(s)	Period of Review
April	October 1 of previous year through March 31 of current year
July	January 1 through June 30 of current year
October	April 1 through September 30 of current year
January	July 1 through December 31 of previous year



3. When the total number of points equals or exceeds sixteen (16) points during any two consecutive quarters, the Director of Utilities or his designated representative shall assess Administrative Fines consistent with this ERP and determine other appropriate enforcement actions, which may include revocation of any permit issued by the City, if applicable; publication of those in Significant Non-Compliance; and/or termination of service or cease and desist orders.
4. If a permit or property is conveyed, points associated with that permit or property do not convey to the new permit holder or owner unless the new holder/owner is related to the previous holder/owner or unless it appears that the conveyance is an attempt to avoid enforcement.
5. If a violation is discovered, the City shall issue the IU an NOV and assess points and potential enforcement penalties under this ERP.
6. A single operational upset or activity, which leads to simultaneous violations of more than one pollutant parameter, may be treated as a single violation for point assessment, provided there is no Harm Caused.

VIII. ADMINISTRATIVE FINE SCHEDULE

If an IU is assigned sixteen (16) points or more during any consecutive two-quarter period, the IU will be considered to be in Significant Non-Compliance. As the result, the Director of Utilities or his delegated representative shall assess an Administrative Fine with a base value of two thousand and five hundred (\$2,500) dollars.

In addition to the base Administrative Fine, each point assessed in excess of sixteen (16) points shall be assigned a dollar value of \$156.25. For each point, the following values shall be applied:

TABLE A

1.0	2.0	3.0	4.0	5.0	6.0	7.0	8.0
\$156.25	\$312.50	\$468.75	\$625.00	\$781.25	\$937.50	\$1,093.75	\$1,250.00

9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0
\$1,406.25	\$1,562.50	\$1,718.75	\$1,875.00	\$2,031.25	\$2,187.50	\$2,343.75	\$2,500.00

Following a determination of SNC and the imposition of the base fine, each subsequent violation during the same consecutive two-quarter period shall be assessed a fine based on the point increment schedule. For subsequent violations, all points assessed during the two-quarter period are used to determine whether a penalty shall be assessed, but the amount of the penalties are only assessed on points for which penalties were not previously assigned; i.e., no double billing for points assessed. If at any time the accumulated points total is less than sixteen (16) points for any consecutive two-quarter period, fines shall not be assessed for that period.

Data used to determine compliance shall be maintained in accordance with the City’s record retention policy and applicable state or federal regulations.

IX. RECONSIDERATION OF THE FINE

If the IU desires to dispute an assessed Administrative Fine, the IU must, no later than ten (10) days following the date of notification of the Administrative Fine, submit a written request to the address identified in Section III. B above to the Director of Utilities requesting reconsideration of the Administrative Fine and setting forth the specific reasons why the IU is disputing and/or reconsideration of the fine assessment. The Director of Utilities, at their discretion, may take into consideration the following when assessing the fine;

- The seriousness of the violation.
- Economic benefit, if any, resulting from the violation.
- Any history of such violation.
- Any “good faith” efforts to comply with the applicable requirements.
- Such other factors as reasonableness may require.

X. PUBLICATION OF IU IN SIGNIFICANT NON-COMPLIANCE

The Director of Utilities, at least annually, shall publish in a newspaper of general circulation, a list of IUs that were in Significant Non-Compliance.

Industrial Users found to be in Significant Non-Compliance shall be published in accordance with 40 CFR 403.8(f)(2)(viii)(A-H).

XI. DELIVERY OF ENFORCEMENT RESPONSE NOTIFICATIONS IN ORDER OF SEVERITY

1. Any Notice of Non-Compliance (NONC) will be delivered to the IU by USPS General Delivery and also by email to the IUs Authorized Representative.
2. Any Notice of Violation (NOV) will be delivered to the IU by USPS General Delivery and by email to the IUs Authorized Representative.
3. Any Administrative Order (AO) will be hand delivered to the IUs Authorized Representative and delivered by USPS Certified Mail.
4. Any Cease and Desist Order will be hand delivered to the IUs Authorized Representative and delivered by USPS Certified Mail.
5. Any Revocation of Permit notification will be hand delivered to the IUs Authorized Representative and delivered by USPS Certified Mail.
6. Any Termination of Service notification will be hand delivered to the address where service is to be terminated at the time of termination. Such termination of service could occur even if there are no persons available for receipt of such notification.

TABLE B

Code	Violation	Points	Enforcement Response	Code Reference
P-1	Allow a prohibited discharge into the POTW which causes pass through or interference – 1 st occurrence.	8.0	NONC*, NOV	§ 02(A)
P-2	Allow a prohibited discharge into the POTW which causes pass through or interference – 2 nd occurrence within any two consecutive quarters.	16.0	NONC*, NOV	§ 02(A)
P-3	Allow a prohibited discharge into the POTW – 1 st occurrence.	8.0	NONC*, NOV	§ 02(2)(a-r)
P-4	Allow a prohibited discharge into the POTW – 2 nd occurrence within any two consecutive quarters.	16.0	NONC*, NOV	§ 02(2)(a-r)
P-5	Discharge from nondomestic source without a permit.	8.0	NONC*	§ 04(B)(C)(D)
P-6	Discharge from nondomestic source without a permit – 2 nd occurrence within any two consecutive quarters.	16.0	NONC*, NOV	§ 04(B)(C)(D)
P-7	Processing or storage of a prohibited pollutant, substance, or wastewater that could be discharged into POTW.	8.0	NONC*, NOV	§ 02(A)
P-8	Violation of Local or Categorical limit - 1 st occurrence.	4.0	NONC*, NOV	§ 02(B)(D)
P-9	Violation of Local or Categorical limit - 2 nd occurrence within any two consecutive quarters.	8.0	NOV	§ 02(B)(D)
P-10	Violation of Local or Categorical limit - 3 rd occurrence within any two consecutive quarters.	16.0	NOV, AO	§ 02(B)(D)
P-11	Use of process water to dilute discharge as a partial or complete substitute to adequate treatment – 1 st occurrence.	8.0	NOV, AO	§ 02(F)
P-12	Use of process water to dilute discharge as a partial or complete substitute to adequate treatment – 2 nd occurrence within any two consecutive quarters.	16.0	NOV, AO	§ 02(F)
P-13	Tamper, damage, or destroy monitoring equipment.	16.0	NOV, AO Revocation of permit	§ 05(F)
P-14	Tamper with pretreatment device – 1 st occurrence.	8.0	NOV	§ 11(C)
P-15	Tamper with pretreatment device – 2 nd occurrence within any two consecutive quarters.	16.0	NOV, AO, CEASE and DESIST	§ 11(C)
P-16	Failure to provide pretreatment facilities.	4.0	NONC*, NOV	§ 03
P-17	Failure to restrict discharge during peak flow period.	1.0	NONC*, NOV	§ 03(B)(a)
P-18	Failure to install suitable storage and flow control equipment as directed by the Director of Utilities.	1.0	NONC*, NOV	§ 03(B)(2)

*Reference section: VI. Points Assessment Criteria

Code	Violation	Points	Enforcement Response	Code Reference
P-19	Failure to properly maintain pretreatment equipment and flow measurement equipment – 1 st occurrence.	4.0	NONC*, NOV	§ 03
P-20	Failure to properly maintain pretreatment equipment and flow measurement equipment – 2 nd occurrence.	8.0	NONC*, NOV	§ 03
P-21	Failure to properly maintain pretreatment equipment and flow measurement equipment – 3 rd occurrence.	16.0	NOV, AO	§ 03
P-22	Failure to maintain cleaning and maintenance records – 1 st occurrence.	4.0	NONC*, NOV	§ 03 (B)(3), 06 (D)(4)
P-23	Failure to maintain cleaning and maintenance records – 2 nd occurrence within any two consecutive quarters.	8.0	NONC*, NOV	§ 03 (B)(3), 06 (D)(4)
P-24	Failure to maintain cleaning and maintenance records – 3 rd occurrence within any two consecutive quarters.	16.0	NONC*, NOV	§ 03 (B)(3), 06 (D)(4)
P-25	Failure to develop and/or implement accidental discharge/slug control plan – 1 st occurrence.	2.0	NONC*, NOV	§ 03(C)
P-26	Failure to develop and/or implement accidental discharge/slug control plan – 2 nd occurrence within any two consecutive quarters.	8.0	NONC*, NOV	§ 03(C)
P-27	Failure to develop and/or implement accidental discharge/slug control plan – 3 rd occurrence within any two consecutive quarters.	16.0	NOV, AO	§ 03(C)
P-28	Discharge of hauled waste into POTW without discharge permit – 1 st occurrence.	16.0	NOV, AO, CEASE and DESIST	§ 03(D)
P-29	Illegal disposal of pretreatment sludge and other material.	16.0	NOV, AO, CEASE and DESIST	§02(A)(2)(m)
P-30	Failure to submit wastewater analysis within thirty (30) days of request – 1 st occurrence.	4.0	NONC*, NOV	§ 04(A)
P-31	Failure to submit wastewater analysis within thirty (30) days of request – 2 nd occurrence within any two consecutive quarters.	8.0	NONC*, NOV	§ 04(A)
P-32	Failure to submit wastewater analysis within thirty (30) days of request – 3 rd occurrence within any two consecutive quarters.	12.0	NOV, AO	§ 04(A)
P-33	Failure to submit information required by City Code Section 191-04.	1.0	NONC*	§ 04(B)(E)
P-34	Failure to obtain wastewater discharge permit - discharge occurring.	8.0	NONC*, NOV	§ 04(C)
P-35	Failure to notify Director of Utilities of significant changes to wastewater prior to changed discharge.	16.0	Revocation of permit	§ 10(H)
P-36	Failure to provide prior notification to the Director of Utilities of changed conditions.	16.0	Revocation of permit	§ 05(F)(a)
P-37	Misrepresentation or failure to fully disclose all relevant facts in wastewater discharge permit application.	16.0	Revocation of permit	§ 05(F)(c)
P-38	Falsifying self-monitoring reports.	16.0	Revocation of permit	§ 10(H)(b)

*Reference section: VI. Points Assessment Criteria

Code	Violation	Points	Enforcement Response	Code Reference
P-39	Refusing to allow the Director of Utilities timely access to the facility premises and records.	16.0	Revocation of permit	§ 05(F)(f)
P-40	Failure to meet effluent limitations.	16.0	Revocation of permit	§ 05(F)(g)
P-41	Failure to pay fines.	16.0	Revocation of permit	§ 05(F)(h)
P-42	Failure to pay sewer charges.	16.0	Revocation of permit	§ 05(F)(i)
P-43	Failure to meet compliance schedules.	16.0	Revocation of permit	§ 05(F)(j)
P-44	Failure to complete a wastewater survey or the wastewater discharge permit application.	16.0	Revocation of permit	§ 05(F)(k)
P-45	Failure to provide advance notice of the transfer of business ownership of a permitted facility.	16.0	Revocation of permit	§05(F)(l)
P-46	Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this article.	16.0	Revocation of permit	§ 05(F)(m)
P-47	Failure to immediately notify of potential problems.	4.0	NONC*, NOV	§ 06(F)
P-48	Failure to submit detailed written report within 5 days following discharge violation.	4.0	NONC*, NOV	§ 06(F)(2)
P-49	Failure to post notification information of POTW in the event of an accidental discharge, non-routine discharge, or slug load which may impact the POTW.	8.0	NONC*, NOV	§ 06(F)(3)
P-50	Failure to notify Director of Utilities within 24 hours of becoming aware of violation – 1 st occurrence.	4.0	NONC*, NOV	§ 06(H)
P-51	Failure to notify Director of Utilities within 24 hours of becoming aware of violation – 2 nd occurrence within any two consecutive quarters.	8.0	NONC*, NOV	§ 06(H)
P-52	Failure to notify Director of Utilities within 24 hours of becoming aware of violation – 3 rd occurrence within any two consecutive quarters.	16.0	NOV, AO	§ 06(H)
P-53	Failure to notify of discharge of hazardous waste.	8.0	NONC*, NOV	§ 06(I)
P-54	Improper test method conducted – 1 st occurrence.	2.0	NONC*, NOV	§ 11(C)(3)
P-55	Improper test method conducted – 2 nd occurrence within any two consecutive quarters.	4.0	NONC*, NOV	§ 11(C)(3)
P-56	Improper test method conducted – 3 rd occurrence within any two consecutive quarters.	8.0	NONC*, NOV, AO	§ 11(C)(3)
P-57	Failure to apply for renewal of discharge permit within 90 days of permit expiration for SIU.	8.0	NONC*, NOV	§ 04(C)
P-58	Failure to apply for renewal of discharge permit within 180 days of permit expiration for CIU.	16.0	NONC*, NOV	§ 04(C)

*Reference section: VI. Points Assessment Criteria

Code	Violation	Points	Enforcement Response	Code Reference
P-59	Failure to submit complete reports, and or late reports, and or improperly signed or certified reports. – 1st occurrence.	2.0	NONC*, NOV	§04(G) §06(C) §12(A)
P-60	Failure to submit complete reports, and or late reports, and or improperly signed or certified reports. – 2 ND occurrence within two consecutive quarters.	4.0	NONC*, NOV	§04(G) §06(C) §12(A)
P-61	Failure to maintain records.	4.0	NOV	§06(M)
P-62	Continuous pH monitoring violation based on time-1 st occurrence.	4.0	NONC*	§ 02(B)(D)
P-63	Continuous pH monitoring violation based on time-2 nd occurrence within two consecutive quarters.	8.0	NOV	§ 02(B)(D)

*Reference section: VI. Points Assessment Criteria