

CRITERIA FOR SIGNIFICANT NONCOMPLIANCE (SNC)

A Significant Industrial User (or any Industrial User which violates paragraphs (C), (D), or (H) below) is in significant noncompliance if its violation meets one or more of the following criteria:

- A) Sixty-six percent (66%) or more of all measurements taken for the same pollutant parameter during two (2) consecutive calendar quarters at a given sample point exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
- B) Thirty-three percent (33%) or more of all measurements taken for the same pollutant parameter during two (2) consecutive calendar quarters at a given sample point equal or exceed the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits multiplied by the applicable Technical Review Criteria (TRC) factor (TRC = 1.4 for oil & grease, and 1.2 for all other pollutants except pH);
- C) Any other violation of a pretreatment standard or requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that IWCP determines has caused, alone or in combination with other discharges, **interference** or **pass through** (including endangering the health of sewage treatment personnel or the general public);
- D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the **POTW's** exercise of emergency authority, under 40 CFR 403.8(f)(1)(vi)(B), to halt or prevent such a discharge;
- E) Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone in a permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F) Failure to provide, **within forty-five (45) days after the due date, required reports such as** baseline monitoring reports, 90-day compliance reports, **periodic self-monitoring reports**, and reports on compliance with compliance schedules;
- G) **Failure to accurately report noncompliance;**
- H) Any other violation or group of violations, which may include a violation of Best Management Practices, which IWCP determines will adversely affect the operation or implementation of the Pretreatment Program.

Pursuant to 40 CFR 403.8(f)(2)(viii), the **Industrial Wastewater Control Program will publish in the San Diego Union Tribune** the names of all IUs who, at any time during the previous calendar year, were in SNC with applicable pretreatment requirements.