San Jose/
Santa Clara
Water Pollution
Control Plant

Tributary Tribune

www.sanjoseca.gov/esd

Winter 2008




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The **Tributary Tribune** serves the cities of San José, Santa Clara, Milpitas, Cupertino Sanitary District, West Valley Sanitation District (including Campbell, Los Gatos, Monte Sereno, Saratoga), County Sanitation Districts 2-3, Sunol and Burbank Sanitary Districts.

Chain of Custody Validates Samples

Chain of custody (COC) procedures are designed to document and track times of possession, handling, and storage of wastewater samples — from the point the sample was taken to the final analytical result. Proper procedures create an accurate, written, and verified record that can be used to trace every movement of the sample. COC protocols can be used to demonstrate that the sample and/or sample containers were handled and transferred in such a manner to eliminate possible tampering or cross contamination.

Whether a regulating agency collects samples or a permitted facility collects their own on-site samples, there is always a chance that the sample may be used as evidence in a legal proceeding. If that happens, then established COC protocols become critical. The procedures used to document evidence must be strong enough to prove the data's legal integrity. When these procedures are carefully followed, the integrity of the sample is assured.

COC procedures must be followed when working in the field or in the laboratory. Accurate sample custody will be achieved by using approved field and analytical documentation, document control, and review. Laboratory COC protocols are valid *only when the field COC is properly performed and documented*.

Following are some important instructions on how to use COC procedures to ensure the integrity of your samples. In addition, these points are also useful in establishing sound scientific practices:

- Clearly indicate the nature and intent of each entry.
- Be sure the required analysis for each sample is clearly stated, both on the COC as well as the labels for the sample containers. Also make sure to include the sample point from which the sample was collected.
- Minimize the number of people who handle the sample.
- Include signatures of all individuals who are actively involved in handling the samples, accompanied by a short statement that describes the activity of the signatory (i.e., received by, relinquished by, etc.). The sample collector should initiate the COC form.
- Use COC records to account for all time periods associated with the sample.
- Write entries to all records with waterproof ink so that they are not obliterated.

Continued on next page


CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

CHAIN OF CUSTODY
Environmental Services Dept., Watershed Protection Laboratory

Site Name:
Site Address:
Witness:
Collected By:
Sampling Location:
Permit #:
Collected On:
Case Manager:
Task ID
Task Due Date

Labworks ID	Sample Date	Sample Time	Sample ID	Parameter Analyzed	Sample Type	Analysis Result	Split?	Preservation Method	Sample Bottle

RELINQUISHED BY	DATE	TIME	RECEIVED BY

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Inspector:
Date:
Action Taken:

Ask Your Inspector

Q: Why don't inspectors make appointments?

A: Inspectors are legally required to go unannounced into the premises of all Industrial Users (IU). This allows them to independently determine whether or not the industry is complying with federal, state, and local requirements.

Publicly Owned Treatment Works (POTW) such as the San Jose/Santa Clara Water Pollution Control Plant (Plant) are required to implement an industrial pretreatment program. Federal regulations state that the production and composition of process wastewater discharges to the sewer system must be monitored and evaluated, and accidental discharges must be minimized or eliminated.

According to federal regulations, it is not enough to depend solely on information supplied by the industry. Inspectors must see the operation first-hand by conducting sampling, examining records, and setting up any devices necessary to monitor operations.

The frequency of IU inspections is regulated by federal and state law. Requirements dictate the minimum number of site visits that a regulatory agency would expect for a facility with a good compliance history.

The authority to enter an IU's premises comes from the Municipal or Operations Code of the contributing tributary agencies. This code authorizes unannounced inspections and vests the authority to the official responsible for overseeing POTW operations — or to a designated representative (i.e., the Environmental Inspector).

- All corrections to record-keeping errors must be made by one line marked through the error. The individual making the correction must sign (or initial) and date the correction.
- Clearly indicate which type of sample you are documenting — grab or composite.

A **"grab sample"** is a single discrete sample collected at a particular time and place which represents the composition of the wastewater only at that time and place. A **"composite sample"** is a flow proportional or time proportional sample, which accurately represents the average pollutant concentration discharged during a continuous time period. **Important: The start time, end time, and date of the composite sample should be accurately recorded.**

Case Study in Surveillance Monitoring

Companies that violate pretreatment regulations — whether by design or through carelessness — risk paying a bundle to fix pollution-causing problems.

As part of an investigation of an anomalous cyanide event at the San Jose/Santa Clara Water Pollution Control Plant (Plant), inspectors uncovered elevated levels of copper, chromium, nickel, and zinc in samples collected from the sanitary sewer downstream from one of our industrial dischargers. Additional upstream and downstream monitoring and further investigations led to the discovery that one of our facilities was bypassing the sample point and discharging acid waste neutralization system sludge directly to the sanitary sewer.

Discharges such as these, in addition to being a violation, have the potential to create dangerous and damaging conditions, such as increased combustibility and corrosivity, which pose a serious threat to the sanitary sewer system and workers maintaining these systems. In addition to these concerns, such pollutants can potentially impact the biological treatment process at the Plant and pass through the Plant causing pollutants to flow untreated into the South San Francisco Bay.

Enforcement action resulted in the offending facility being issued 24 "Notices of Violation" and having its sewer surcharge

fees increased by 1000% for a year. Additionally, a compliance schedule issued by city Environmental Inspectors required each batch of wastewater to be collected, sampled, tested, and reported before approval to discharge would be granted. Inspectors also required the facility to repair existing equipment, to clean the sanitary sewer lateral, and to hire a professional engineer to evaluate its process and treatment systems. These measures added significant expense to the offending company.

Title 40 of the Code of Federal Regulations (40CFR) states that every pretreatment program is required to "conduct surveillance activities in order to identify, independent of information supplied by industrial users, occasional and continuing noncompliance with pretreatment standards."

To verify the compliance of industrial discharges, Environmental Inspectors conduct an ongoing Surveillance Monitoring Program. By sampling at alternate points, upstream and downstream from the designated sample point, Inspectors are able to confirm previously collected mass loading data and data reported by the Industrial User (IU).

Several factors are taken into consideration when choosing which facilities to monitor. These include the adequacy of the IU's pretreatment system, use of certain pollutants which may impact the Plant, violation history, and on-site indicators of illegal discharge.

However, your facility could be sampled at any time. With that in mind, remember the financial and environmental impact of violating local, state, and federal regulations — and don't let it happen to your company!

2009 Business Environmental Awards – Call for Applications

Acterra's **Business Environmental Awards** recognize businesses and organizations for outstanding environmental leadership within the San Francisco Bay Area.

The 2009 Awards will recognize exemplary programs in the following categories: *sustainability, pollution prevention/resource conservation, commute/transportation, environmental enterprise, sustainable built environment, and environmental & sustainability education*.

If your company has demonstrated environmental leadership in one of these award categories, you may be eligible to apply for this special recognition. The application deadline is January 30, 2009. For applications and further information, visit Acterra's website: ***www.acterra.org/bea/***.

Did You Know?

New Permit Application Deadlines

With the new ordinance changes recently adopted by all the San Jose/Santa Clara Water Pollution Control Plant's tributary agencies, new Industrial Waste Discharge Permit application deadlines were established that directly affect all industrial users.

Permit applications are due 90 days before either the expiration date of your existing Industrial Waste Discharge Permit or you begin discharging to the sanitary sewer for new permits.

Anyone who submits a late permit application must pay a late permit application fee in addition to the application fee as shown in the chart on the right:

Delinquent Filing	Late Permit Fee
30 days or less	50% of application fee
31 days to 1 year	100% of application fee
1 year or greater	1000% of application fee

Note: New permit applications are required for the following:

- Ownership changes
- Adding or deleting process discharge or sample points
- Increase in average process flow of 20%, or
- A flow increase over the peak flow capacity allotted through the sewage treatment plant fees for the property on which the industrial user is located.

In addition to the above permit application requirements, facilities are also required to notify the San Jose/Santa Clara Water Pollution Control Plant in writing within 30 days if any of the above changes have occurred. If you have any questions, please ask your Environmental Inspector at ***(408) 945-3000***.

TributaryTribune

Watershed Protection Division
City of San José Environmental
Services Department

170 W. San Carlos Street
San José, CA 95113
Phone 408-945-3000
Fax 408-277-5775

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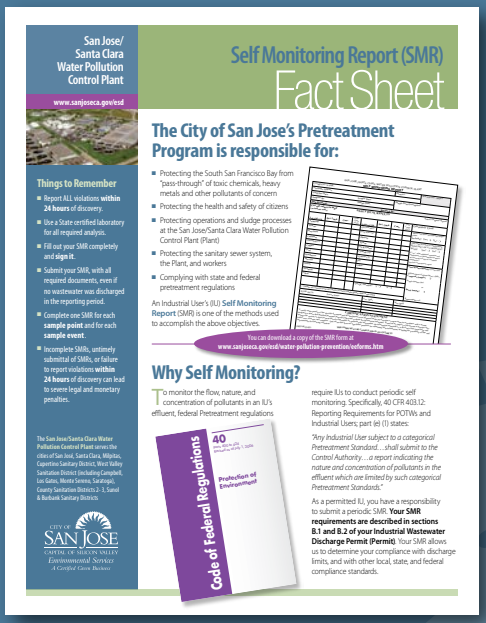
A Painless Approach to Filling Out SMRs

Ever wonder if you need to attach lab results or flow logs to your Self-Monitoring Report (SMR)? Or whether or not you need to submit a report if no wastewater was discharged during the reporting period? Wonder no more.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Self Monitoring Report (SMR)
Fact Sheet

Things to Remember

- Report ALL violations **within 24 hours** of discovery.
- Use a State-certified laboratory for all required analysis.
- Fill out your SMR completely and **sign it**.
- Submit your SMR, with all required documents, even if no wastewater was discharged in the reporting period.
- Complete one SMR for each **sample point** and for each **sample event**.
- Incomplete SMRs, untimely submittal of SMRs, or failure to report violations **within 24 hours** of discovery can lead to severe legal and monetary penalties.

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CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY
Environmental Services
A Certified Green Business

The City of San Jose's Pretreatment Program is responsible for:

- Protecting the South San Francisco Bay from "pass-through" of toxic chemicals, heavy metals and other pollutants of concern
- Protecting the health and safety of citizens
- Protecting operations and sludge processes at the San Jose/Santa Clara Water Pollution Control Plant (Plant)
- Protecting the sanitary sewer system, the Plant, and workers
- Complying with state and federal pretreatment regulations

An Industrial User's (IU) **Self Monitoring Report** (SMR) is one of the methods used to accomplish the above objectives.

You can download a copy of the SMR form at www.sanjoseca.gov/esd/water-pollution-prevention/eeforms.htm

Why Self Monitoring?

To monitor the flow, nature, and concentration of pollutants in an IU's effluent, federal Pretreatment regulations require IUs to conduct periodic self monitoring. Specifically, 40 CFR 403.12: Reporting Requirements for POTWs and Industrial Users; part (e) (1) states:

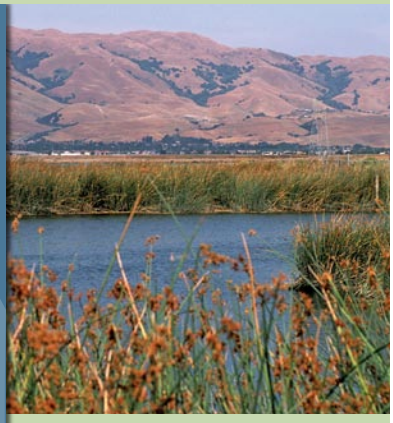
"Any Industrial User subject to a categorical Pretreatment Standard…shall submit to the Control Authority…a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical Pretreatment Standards."

As a permitted IU, you have a responsibility to submit a periodic SMR. **Your SMR requirements are described in sections B.1 and B.2 of your Industrial Wastewater Discharge Permit (Permit)**. Your SMR allows us to determine your compliance with discharge limits, and with other local, state, and federal compliance standards.

All permitted industries can now take advantage of a new handy, informational SMR fact sheet and quick reference guide providing answers to all your report questions. These resources will help you prepare your SMR and remain in compliance by avoiding incomplete and/or inaccurate SMRs.

The informational materials break down SMRs section by section and give direction on how to correctly fill out all of the report components. The fact sheet includes tips on preventing SMR violations, along with a complete SMR checklist. There are also useful "things to remember" to ensure that your reports are perfect every time, and that your company remains in compliance.

Contact your inspector at ***(408) 945-3000*** or visit ***www.sanjoseca.gov/esd/water-pollution-prevention/eeforms.htm*** to get your copies today!



In accordance with the Americans with Disabilities Act, City of San José Environmental Services Department materials can be made available upon request in alternative formats, such as Braille, large print, audio-tape or computer disk. Requests may be made by calling (408) 945-3000 (Voice) or (800) 735-2929 (CRS).

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