

Notice of Violation/repeat sampling and reporting requirements

If sampling performed by a user (self-monitoring) indicates a permit violation, the user must notify the SAWS (as the Control Authority) within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis, and submit the results of the repeat analysis to the Control Authority within forty-five (45) days after becoming aware of the violation. The user is not required to resample if the Control Authority monitors at the user's facility at least once a month, or if the Control Authority samples between the users initial sampling and when the user receives the results of this sampling. All sampling and notification performed by the user under this section shall comply with the requirements of 40 CFR 403.12 (g).

If sampling by the SAWS (as the Control Authority) indicates a violation of the Industrial users permit parameters then a Notice of Violation will be issued. The industrial user in responding to receipt of a notice of violation shall follow the response as outlined below:

- (a) The industrial user shall submit a written report within the fifteen (15) working days designated in section 34-481(3) to the Control Authority. If the violation involves a discharge that is prohibited, or exceeds quantity, quality, or concentration limitations, the report shall contain information regarding the time, date, location, cause, source, quantity, quality and concentration of the discharge and the corrective measures actually taken, or to be taken, by the industrial user to correct and prevent any similar recurring discharges. If the violation is an administrative or procedural violation, the report shall contain information regarding corrective measures and time schedules the industrial user has adopted to assure expeditious compliance.
- (b) Should the recipient of a notice of violation fail to respond in writing to the Control Authority within the initial fifteen (15) working day response period as required in section 34-481(3), of the City code, the user shall be considered in violation of the code with each day resulting in a separate violation. Such failure to respond may be cited by the SAWS in any legal proceeding in the appropriate municipal, county, district, or federal court.