

NOTICE OF INDUSTRIAL USER SIGNIFICANT NONCOMPLIANCE 2023

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) along with THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (SCDHEC) require all approved pretreatment programs to publish annually all industrial users in Significant Non-Compliance (SNC) with pretreatment standards during the previous year. Newberry County Water and Sewer Authority (NCWSA) maintains an approved Industrial Pretreatment Program.

Significant Non-Compliance Criteria:

- (1) Violations of wastewater discharge limits, defined here as those in which 66% or more of all the measurements taken during a six-month period exceed (by any magnitude) a numerical Pretreatment Standard, Local Limit, or Requirement for the same pollutant parameter.
- (2) Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of all the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of a numerical Pretreatment Standard or Requirement multiplied by the applicable TRC value (TRC = 1.4 for BOD, TSS, fats, oil, and grease and 1.2 for all other pollutants except pH).
- (3) Any other violation of a pretreatment effluent limit (daily maximum or long-term average) NCWSA determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of NCWSA personnel or the public).
- (4) Any discharges of a pollutant that has caused imminent endangerment to human health, welfare or the environment or has resulted in NCWSA's exercise of its emergency authority to halt or prevent such a discharge.
- (5) Failure to meet, within 90 days after the scheduled date, a compliance milestone contained in an NCWSA notification, permit, or enforcement order, for starting construction, completing construction or attaining final compliance.
- (6) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, self-monitoring compliance reports and reports on compliance with compliance schedules.
- (7) Failure to accurately report noncompliance.
- (8) Any other violation or group of violations which NCWSA determines, has adversely affected the operation or implementation of the Industrial Pretreatment Program.

Listed below are the industries in **Significant Noncompliance for 2023**.

1. Industry Name: Pioneer Frozen Foods, Inc. 11891 C R Koon Hwy. Newberry, SC 29108

Violation(s): Type 2 violation of BOD₅ pollutant limit. Type 2 violation of Phosphorus pollutant limit.

Actions Taken: Pioneer Frozen Foods is constructing a pretreatment system capable of maintaining compliance with discharge limits. **Schedule for Compliance:** Pioneer Foods is scheduled to complete construction of pretreatment system by 2/19/2024. **Penalties:** NCWSA assessed fines for violations.

2. Industry Name: Creative Liquid Coatings, Inc. 12117 C R Koon Hwy. Newberry, SC 29108

Violation(s): Type 5 violation of requirement to provide notice for pretreatment lagoon closure.

Actions Taken: NCWSA inspected lagoon closure. **Schedule for Compliance:** As of 09/19/2023, Industrial User Permit 008 is closed. **Penalties:** NCWSA did not assess fine for violation.

3. Industry Name: Kiswire, Inc. 90 Twin Ponds Rd. Newberry, SC 29108

Violation(s): Type 1 and Type 2 violation of Phosphorus pollutant limit. **Actions Taken:** Kiswire operates a pretreatment system capable of maintaining compliance with discharge limits. Adjustments were made to the pretreatment process. **Schedule for Compliance:** As of May 2023 sampling, Kiswire is meeting pretreatment standards. **Penalties:** NCWSA did not assess fines for violations.