



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street

DENVER, CO 80202

Phone 800-227-8917

<http://www.epa.gov/region08>

**Enclosure 2**

**Monument Powder Coating Fact Sheet**

**Pretreatment ICIS Number:** CO-PF00108

**Facility Name and Address:** Monument Powder Coating  
169 South Mulberry Street  
Fruita, CO 81521

**Authorized Representative Contact:** Jesse Mease  
Owner  
169 South Mulberry Street  
Fruita, CO 81521  
970-858-2070, [jesse@monumentpc.com](mailto:jesse@monumentpc.com)

**Applicable Pretreatment Regulations:** Metal Finishing Point Source Category, Non-Significant Categorical Industrial User

**Categorical Reference:** 40 CFR Part 433 (Pretreatment Standards for New Sources at 40 CFR § 433.17)

**Receiving POTW/Collection System:** Fruita POTW  
CDPS Permit No. CO-0048854  
1131 15 Road  
Fruita, CO 81521

**POTW Contact:** Kenneth Haley, Public Works Director  
City of Fruita  
900 Kiefer Avenue  
Fruita, CO 81521  
970-858-9558, [khaley@fruita.org](mailto:khaley@fruita.org)

## Section 1 Monument Powder Coating Process Description Operation

### 1.1 Facility Description

The Monument Powder Coating facility (facility) located at 169 South Mulberry Street in Fruita, CO employs three employees that work a 40-hour week from 8 a.m. to 5 p.m., Monday through Friday. The facility has been in operation since 2004.



**Figure 1 - Monument Powder Coating - Google Earth View**

## 1.2 Raw Materials and Chemicals Storage and Spill Potential

Table 1 lists the chemicals the facility uses in its powder coating process:

**Table 1 – Raw Materials and Chemicals Overview**

Chemical	Volume/Mass	Storage Location	Process/Equipment Use
Iron phosphate chemicals (Bulk Bond 739SC)	5-gallon containers	Stored in hallway next to the pressure washing area	Phosphating
Aluminum Dip Coat	5-gallon containers	Stored in hallway next to the pressure washing area	Preparation step prior to phosphating

The facility receives iron phosphate chemicals (Bulk Bond 739SC) and aluminum dip (E-CLPS2100) in 5-gallon containers, which are stored in the hallway next to the oven and next to the pressure washer (Figure 2). The facility mixes eight ounces of the phosphate chemical in a 2-gallon pump sprayer to apply onto the parts.



**Figure 2 - Phosphate Chemical and Aluminum Dip Coat Chemical Storage**

### 1.3 Powder Coating and Painting Unit Operations

The facility powder coats various hot/cold rolled steel and aluminum according to customer specifications. The facility receives the parts and stages the parts for the process. The aluminum parts are either sandblasted or manually hand sanded with a Scotch-Brite pad. The spent sand from the sandblasting cabinet is disposed of in the dumpster. The steel parts are prepared for powder coating by using the phosphate etch process. The facility uses the pressure washer to apply a first water rinse on the part, uses the pump sprayer to apply the phosphate, and then uses the pressure washer to apply a final rinse (Figure 3). The facility applies the phosphate with a pump sprayer to control chemical use (Figure 4) for precise application on the part and minimize overspray. The water rinses and phosphate application are performed in the phosphate spray area (Figure 5). About 5% of the aluminum parts are dip coated with E-CLPS2100 prior to the phosphate spray. The dip coat chemical is stored next to the iron phosphate.

The phosphated parts are prebaked in the oven then powder coated in a booth (Figure 6). The facility uses four powder paint colors. Excess powder paint is swept up and disposed of in the dumpster. The powder coated parts are cured in the oven. Any off-specification powder coated parts are hand sanded and repainted.



**Figure 3 - Pressure Washer**



**Figure 4 - Iron Phosphate Manual Sprayer**



**Figure 5 - Phosphate Spray Area**



**Figure 6 - Powder Coating Spray Booth**

#### *1.4 Wastewater Treatment*

The floor drain, located in the center of the phosphate spray area, is connected to a two-chamber sand interceptor located outside of the front door of the facility. The wastewater is passively treated in the sand interceptor and discharges to the sanitary sewer.

### **Section 2 Applicable Pretreatment Regulations**

The facility is subject to the Metal Finishing Point Source Category found in 40 C.F.R. Part 433. These regulations are applicable to discharges from facilities which perform any of the following six metal finishing operations: Electroplating, Electroless Plating, Anodizing, Coating (chromating, phosphating, and coloring), Chemical Etching and Milling, and Printed Circuit Board Manufacture. If any of those six operations are present, then this part applies to discharges from those operations and also to discharges from any of the following 40 process operations: Cleaning, Machining, Grinding, Polishing, Tumbling, Burnishing, Impact Deformation, Pressure Deformation, Shearing, Heat Treating, Thermal Cutting, Welding, Brazing, Soldering, Flame Spraying, Sand Blasting, Other Abrasive Jet Machining, Electric Discharge Machining, Electrochemical Machining, Electron Beam Machining, Laser Beam Machining, Plasma Arc Machining, Ultrasonic Machining, Sintering, Laminating, Hot Dip Coating, Sputtering, Vapor Plating, Thermal Infusion, Salt Bath Descaling, Solvent Degreasing, Paint Stripping, Painting, Electrostatic Painting, Electropainting, Vacuum Metalizing, Assembly, Calibration, Testing, and Mechanical Plating.

The facility's phosphating process generates wastewater that is discharged to the City of Fruita's POTW. The wastewater generated from this process is subject to the Metal Finishing Pretreatment Categorical

Standards as a core categorical process defined as coating. Coating is described on page 2-2 of EPA's 1984 *Guidance Manual for Electroplating and Metal Finishing Pretreatment Standards*, which states "Coatings include chromating, phosphating, metal coloring and passivating." The rinse waters are cleaning operations as described on page 3-3 of this guidance document, which states, "This operation involves the removal of oil, grease, and dirt from the basis material using water with or without detergents or other dispersing agents." The facility began operation in 2004 and is a new source to the Metal Finishing regulations (new source date = August 31, 1982). "New source" is defined in 40 C.F.R. § 403.3(m)(1).

## *2.1 Non-Significant Categorical Industrial User (NSCIU) Regulations*

The General Pretreatment Regulations at 40 CFR 403.3(v)(2) define an NSCIU as the following:

"The Control Authority may determine that an Industrial User subject to categorical Pretreatment Standards under §403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard). In addition, the following conditions must be met:

- (i) The Industrial User, prior to the Control Authority's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
- (ii) The Industrial User annually submits the certification statement required in §403.12(q) together with any additional information necessary to support the certification statement; and
- (iii) The Industrial User never discharges any untreated concentrated wastewater."

An indirect discharger that has been designated an NSCIU by its Control Authority (EPA) is no longer an SIU, so there is no requirement to control it through a permit or other control mechanism. However, NSCIUs are still categorical dischargers and are still required to comply with applicable categorical Pretreatment Standards. If the Control Authority determines that an existing NSCIU no longer meets a required criterion for being categorized as non-significant, the Industrial User becomes an SIU and must be issued a control mechanism.

The Control Authority may reduce sampling and reporting requirements for an NSCIU as it deems appropriate, but at a minimum the facility must annually report and certify that it still meets the definition of an NSCIU, including that it complied with the applicable categorical Pretreatment Standards during the reporting period. The annual report and certification requirements allow the Control Authority to evaluate, at least once per year, whether the NSCIU still meets the non-significant criteria in 40 CFR 403.3(v)(2).

## *2.2 Evaluation of Monument Powder Coating NSCIU Criteria*

Based on information gathered during the 2017 facility inspection, the facility does not discharge untreated concentrated wastewater or discharge over 100 gallons per day of process wastewater discharge in any production day to the City of Fruita's POTW. Based on EPA's evaluation, the facility has consistently complied with the Pretreatment Standards for at least two years and meets the NSCIU criteria.

## Section 3 Pretreatment Requirements

### 3.1 NSCIU Pretreatment Requirements

The facility is subject to the definitions and conditions found in 40 CFR Part 433, but the facility meets the NSCIU criteria identified in 40 CFR 403.3(v)(2). The Pretreatment Requirements apply at outfall 001. The outfall is defined as follows:

**Outfall 001:** Discharge from the floor drain located in the center of the phosphate spray area flows to a two-chamber sand interceptor located outside of the front door of the facility. The wastewater is passively treated in the sand interceptor and discharges to the sanitary sewer.

These NSCIU Requirements allow the facility to discharge less than or equal to 100 gallons per day of regulated wastewater from Outfall 001 for any production day. An exceedance of 100 gallons per day of regulated wastewater would trigger Pretreatment Requirements for monitoring, reporting, and notification found in 40 CFR §§403.12, 403.16, and 403.17. However, because the facility is classified as an NSCIU, the monitoring and notification requirements found in 40 CFR §§ 403.12, 403.16, and 403.17 do not apply, with the exceptions identified below.

### 3.2 Monitoring Requirements

The facility is required to monitor the flow volume of the process discharge from Outfall 001 daily and document the discharge quantity in gallons for each day of discharge. This flow monitoring is required to ensure the facility never discharges more than 100 gallons of total categorical wastewater on any given day as required to maintain its status as an NSCIU.

### 3.3 Reporting Requirements

As required in 40 CFR 403.12(q), the facility is required to annually submit the following certification statement with an Annual NSCIU Compliance Report:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR Part 433, I certify that, to the best of my knowledge and belief that during the period from January 1, [*Calendar Year*], to December 31 [*Calendar Year*]:

(a) The facility described as Monument Powder Coating met the definition of a non-significant categorical Industrial User as described in §403.3(v)(2); (b) the facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based upon the following information:

[*Complete or attached required applicable documentation, including process discharge records*]

The Annual NSCIU Compliance Report shall also include flow documentation data based on flow monitoring at Outfall 001. The facility is required to record flow volumes for every production day in which a discharge occurs. The facility is also required to calculate and report a monthly average and the maximum daily flow from Outfall 001 for each month in the reporting period. If no discharge occurs during a month, it shall be stated as such on the DMR. This flow data will allow EPA to evaluate if the



facility ever discharges more than 100 gallons of total categorical wastewater on any given day as required to maintain its status as an NSCIU.

The facility will submit the Annual NSCIU Compliance Report through the NetDMR electronic reporting system, as described in §3.8. Table 2 lists the deadline due dates based on annual reporting:

**Table 2 – Monument Powder Coating Reporting Deadline**

Compliance Monitoring Period	Due Date
January through December	January 31

### 3.4 Notification of Changed Discharges

The Pretreatment Regulations at 40 CFR 403.12(j) states the following: “All Industrial Users shall promptly notify the Control Authority (and the POTW if the POTW is not the Control Authority) in advance of any substantial change in the volume or character of pollutants in their Discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under paragraph (p) of this section.”

This regulation requires Monument Powder Coating to promptly notify EPA, as the Control Authority, and the City of Fruita in advance of any substantial change in the volume or character of pollutants in its discharge. These substantial changes include changes that may affect the NSCIU requirements contained in this notification and could include changes to the operations, wastestream generation, and/or wastewater management (discharges of volumes above 100 gallons per day for any day or discharges of concentrated chemical solutions) that may affect the status of Monument Powder Coating under the Pretreatment Regulations. This also includes any changes to the operation that changes the discharge of listed or hazardous wastes.

### 3.5 Additional Monitoring

The facility is classified as an NSCIU and is not required to sample the pollutants of concern listed in 40 CFR § 433.17 but is still subject to the Pretreatment Standards. 40 CFR § 403.12(g) requires the following:

“If an Industrial User subject to the reporting requirement in paragraph (e) or (h) of this section [*compliance reports*] monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Control Authority, using the procedures prescribed in paragraph (g)(5) of this section [*representative sampling and 40 CFR § 136 analytical methods*], the results of this monitoring shall be included in the report.” [*emphasis added*]

EPA is incorporating this requirement for the facility in the NSCIU Requirements using authority for information gathering found in §308 of the Clean Water Act [33 USC § 1318(a)(A)]. If the facility monitors any Metal Finishing regulated pollutant listed in Part II.B.1 of the NSCIU Requirements at Outfall 001 using representative sampling and analytical procedures listed in 40 CFR 136, the results shall be submitted with their Annual NSCIU Compliance Report. This data will allow EPA to continue to evaluate the facility’s status as an NSCIU and to ensure the facility is in compliance with the Metal Finishing Regulations at 40 CFR 433.17

### 3.6 Record-keeping Requirements

40 CFR § 403.12(o) establishes record-keeping requirements for any Industrial User subject to reporting requirements resulting from any monitoring (including flow monitoring), including documentation with Best Management Practices.

The facility shall be required to retain for a minimum of three years any records of monitoring activities and results (whether or not such monitoring activities are required by the Pretreatment Regulations) and shall make such records available for inspection and copying by EPA and the POTW. This period of retention shall be extended during the course of any unresolved litigation regarding the facility or when requested by EPA.

### 3.7 Signatory Requirements

The Annual NSCIU Compliance Report shall be signed as follows:

1. By a responsible corporate officer, if the Industrial User is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
  - a. A president, secretary, treasurer, or 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
  - b. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which 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 control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. By a general partner or proprietor if the Industrial User is a partnership, or sole proprietorship respectively.
3. By a duly authorized representative of the individual designated in (1) or (2) of this section if:
  - a. The authorization is made in writing by the individual described in paragraph (1) or (2);
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
  - c. The written authorization is submitted to the EPA.
4. If an authorization under (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of (3) of this section must be submitted to EPA prior to or together with any reports to be signed by an authorized representative.

### 3.8 Reporting and Notification Contacts

1. On October 22, 2015, EPA published in the federal register the NPDES Electronic Reporting rule for all NPDES permit reporting and notification requirements (40 CFR Part 127). The Annual NSCIU Compliance Report is listed in 40 CFR Part 127, Appendix A as a report subject to the Electronic Reporting rule. The deadline for the electronic reporting of Periodic Compliance Reports for CIUs/SIUs in municipalities without an approved Pretreatment (Phase 2 of the Rule) is December 21, 2020 (40 CFR §127.16).

On September 23, 2020, EPA signed the NPDES e-Rule Phase 2 Extension final rule which would provide states and EPA additional time to implement electronic reporting for certain Clean Water Act discharge permitting requirements. In this final rule, EPA extended the compliance deadline for implementation of Phase 2 of the e-Rule by five years, from December 21, 2020 to December 21, 2025.

Upon the effective date of the NPDES Electronic Reporting Rule, the facility will be required to:

- a. Establish a NetDMR account to electronically submit the Annual NSCIU Compliance Reports as a discharge monitoring report (DMR)s and notifications and sign and certify all electronic submissions in accordance with the signatory requirements of the control mechanism. NetDMR is accessed from the internet at <https://netdmr.zendes.com/home>. Additionally, the facility can contact EPA via our [R8NetDMR@epa.gov](mailto:R8NetDMR@epa.gov) mailbox for any individual assistance or one-on-one training and support.
  - b. The Annual NSCIU Compliance Reports will need to be submitted via NetDMR to EPA on an **annual** basis.
2. Until the effective date of the NPDES Electronic Reporting Rule, the facility may either submit Annual NSCIU Compliance Reports electronically, as described above, or submit hard copies to the address below. Other written reports and notifications to EPA shall be submitted at the following address:

NPDES and Wetlands Enforcement Section (8ENF-W-NW)  
US EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202  
Attention: Pretreatment

3. All written reports and notifications must also be submitted to the POTW at the following address:

Kenneth Haley, Public Works Director  
City of Fruita  
900 Kiefer Avenue  
Fruita, CO 81521

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4. Verbal notifications required to be submitted to EPA shall be made by calling either number below and asking to speak with NPDES Enforcement, Pretreatment.

303-312-6312 or 800-227-8917

5. Verbal notifications required to be submitted to the POTW shall be made by calling the number below.

970-858-9558

#### **Section 4 Public Notice Period and Response to Comments**

Pending:

#### **Comments received during Public Notice:**

Pending: