



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
1596 Cipolla Road
Fruita, CO 81521

Authorized Representative Contact: Jesse Mease
Owner
1596 Cipolla Road
Fruita, CO 81521
970-640-1620, jesse@monumentpc.com

Applicable Pretreatment Regulations: Metal Finishing Point Source Category, Categorical Industrial User

Categorical Reference: 40 C.F.R. Part 433 (Pretreatment Standards for New Sources at 40 C.F.R. § 433.17)

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

POTW Contact: Kimberly Bullen, Public Works Director
City of Fruita
900 Kiefer Avenue
Fruita, CO 81521
970-858-9558, kbullen@fruita.org

Section 1 Modification of Notice of Discharge Requirements Justification

A Notice of Discharge Requirements (NDR) # CO-PF00108 was public noticed on October 23, 2020 and issued to Monument Powder Coating on November 24, 2020. In the 2020 NDR, EPA determined that Monument Powder Coating is subject to the Metal Finishing Regulations at 40 C.F.R. § 433.17 but was classified as a non-significant categorical industrial user (NSCIU) as defined in 40 C.F.R. § 403.3(v)(2).

“The Control Authority may determine that an Industrial User subject to categorical Pretreatment Standards under § 403.6 and 40 C.F.R. 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) and the following conditions are 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.”

In 2020, the NSCIU determination was based on Monument Powder Coating never discharging untreated concentrated wastewater, never discharging over 100 gallons per day of total categorical process wastewater discharge in any production day to the City of Fruita’s POTW and consistently complying with Pretreatment Standards for at least two years. As a result of the NSCIU determination by EPA, the 2020 NDR contained Metal Finishing Pretreatment standards for new sources (PSNS) but no compliance monitoring and sampling requirements. As a result of the NSCIU determination, the facility was only required to submit an annual certification statement on its NSCIU status.

A facility inspection was performed by EPA on April 11, 2022 and during the records review, it was discovered that Monument Powder Coating exceeded Part II.A.1 of the NDR which requires pH of the facility’s discharge to be greater than or equal to 5.0. The pH of the wastewater discharged from the facility was below 5.0 for measurements taken from January 17, 2022 to April 11, 2022, for a total of 15 production days where the pH was below 5.0. According to the facility, the pH below 5.0 was attributed to a production increase in aluminum parts that are sprayed with a new aluminum deoxidizing chemical called CED. In addition, the facility did not notify EPA within 24 hours of becoming aware of this violation, as required by 40 C.F.R. § 403.12(g)(2).

As a result of these violations, Monument Powder Coating did not consistently comply with Pretreatment Standards and therefore, no longer meets the NSCIU criteria and is required to comply with Pretreatment Standards found in 40 C.F.R. § 433 and 40 C.F.R. § 403. A permit application for a CIU permit was received on March 17, 2023.

Section 2 Monument Powder Coating Process Description Operation

2.1 Facility Description

The Monument Powder Coating facility (facility) was previously located at 169 South Mulberry Street in Fruita, CO, 81521 and moved to 1596 Cipolla Road in Fruita, CO 81521 in 2022. According to the March 17, 2023 permit application, the facility employs four employees that work 10-hour shifts from 8 a.m. to 6 p.m., Monday through Friday. Figure 1 provides a Google Earth View of the facility.



Figure 1 - Monument Powder Coating - Google Earth View

2.2 Raw Materials and Chemicals Storage and Spill Potential

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

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Table 1 – Raw Materials and Chemicals Overview

Chemical	Volume/Mass	Storage Location	Process/Equipment Use
Iron phosphate chemicals (Bulk Bond 739SC)	53-gallon drum	Stored in 270-gallon tote for spill containment	Phosphating
Aluminum Dip Coat	5-gallon containers	Stored next to the pressure washing area	Preparation step prior to phosphating

The facility receives iron phosphate chemicals (Bulk Bond 739SC) in 55-gallon drums and aluminum dip (E-CLPS2100) in 5-gallon containers. The facility mixes eight ounces of the phosphate chemical in a 2-gallon pump sprayer to apply onto the parts.

2.3 Powder Coating and Painting Unit Operations

Monument Powder Coating powder coats various steel and aluminum parts, according to customer specifications. The facility performs work for Monroe Pump, Meyers and Company, Ski Racks, and FHE oil field equipment. The facility receives the steel and aluminum parts from customers and stages them for the coating process. The steel parts are either sandblasted to a white metal finish or manually hand sanded. Sandblasting operations were performed outdoors at the new facility. The spent sand (Green Diamond - zero silica outdoor approved) from the sandblasting is dumped in the dumpster and sent to the landfill.

The steel parts are prepared for powder coating by using the phosphate etch process. The facility receives iron phosphate chemicals (Bulk Bond 739SC) in 55-gallon containers. The iron phosphate chemicals are then transferred to smaller containers and stored indoors in secondary containment. The facility mixes approximately eight ounces of iron phosphate in a two-gallon pump sprayer to apply to the steel parts. The pump sprayer is used for precise application, to control chemical use, and to minimize overspray. Prior to iron phosphate application, the facility uses a pressure washer to rinse the part. Following the initial rinse, the facility applies iron phosphate, and completes a final rinse with the pressure washer. The rinses and iron phosphate application are performed in the wash bay. A large floor drain is located in the center of the wash bay, that leads to a two-chamber sand interceptor located outside the facility. According to the 2023 permit application, the facility discharges an average of 80 gallons per day.

The aluminum parts are sanded and sprayed with an aluminum deoxidizing chemical, called CED. The facility mixes approximately 32 ounces of the CED chemical with water in a gallon pump sprayer to apply onto the aluminum parts. The facility sprays a second CED application to the parts, if needed. The aluminum parts are then rinsed in the wash bay. An average of 5 gallons of CED are used per week. The CED is stored in a 55-gallon container.

The phosphated steel parts and deoxidized aluminum parts are prebaked in the oven, then powder coated in a paint booth. The facility uses multiple colors and sweeps up the excess powder paint and disposes the paint in the dumpster. Due to the nature of the powder, no water or chemicals are used between colors; rather, lines are cleared with air pressure. The powder coated parts are cured in the oven. Any off-specification powder coated parts are hand sanded and repainted. No water is used in the powder coat area.

2.4 Wastewater Treatment

The floor drain, located in the center of the phosphate spray area, is connected to a 50-gallon sand/oil separator and then to a 1000-gallon two-chamber sand/oil separator. The effluent from the two-chamber sand/oil separator connects with sanitary wastewater from the facility and is discharged to the City sewer collection system.

Section 3 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 at 1596 Cipolla Road, Fruita, CO 81521 in 2022 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).

The Pretreatment Regulations found in 40 C.F.R. §§ 403 and 433 impose Pretreatment Requirements on the facility based on the core and ancillary metal finishing operations and resulting discharge to the POTW. These Pretreatment Requirements include monitoring, reporting, and notification requirements found in 40 C.F.R. Sections 403.12, 403.16, and 403.17 and specialized definitions and monitoring requirements specific to the Metal Finishing Point Source Category are found in 40 C.F.R. Part 433. The applicable effluent limits are listed in the pretreatment standards for new sources at 40 C.F.R. 433.17.

3.1 Discharge Limitations

The Metal Finishing New Source Categorical Pretreatment Standards found in 40 C.F.R. § 433.17(a) establish the limitations for listed pollutants. Any new source subject to this subpart that introduces pollutants into a POTW must comply with 40 C.F.R. part 403 and achieve the following pretreatment standards for new sources:

Table 2 - Metal Finishing Standards for New Source (PSNS) - 40 C.F.R. § 433.17(a)

Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)
Cadmium (Cd), Total	0.11	0.07
Chromium (Cr), Total	2.77	1.71
Copper (Cu), Total	3.38	2.07
Lead (Pb), Total	0.69	0.43
Nickel (Ni), Total	3.98	2.38
Silver (Ag), Total	0.43	0.24
Zinc (Zn), Total	2.61	1.48
Cyanide (CN), Total	1.20	0.65
Total Toxic Organics (TTO) ⁽¹⁾	2.13	---

1. TTO is the summation of all quantifiable values greater than 0.01 mg/L for the toxic organics listed in 40 C.F.R. § 433.11(e).

Because the facility does not have cyanide treatment, 40 C.F.R. § 433.17(b) does not apply. These provisions allow for an amenable limit in place of a total cyanide limit, upon agreement with the EPA.

40 C.F.R. § 433.17(c) states, “No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.”

3.2 Toxic Organic Management Plan

40 C.F.R. § 433.17(d) states, “An existing source submitting a [Total Toxic Organics] certification in lieu of monitoring pursuant to §433.12 (a) and (b) of this regulation must implement the toxic organic management plan approved by the control authority.” 40 C.F.R. § 433.12 (a) and (b) provide the following:

“(a) In lieu of requiring monitoring for TTO, the control authority may allow dischargers to make the following certification statement: “Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the permitting [or control] authority.” For indirect dischargers, the statement is to be included as a comment to the periodic reports required by 40 C.F.R. 403.12(e). If monitoring is necessary to measure compliance with the TTO standard, the industrial discharger need analyze for only those pollutants which would reasonably be expected to be

present.

(b) In requesting the certification alternative, a discharger shall submit a solvent management plan that specifies to the satisfaction of the control authority the toxic organic compounds used; the method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration; and procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater. “

Monument Powder Coating has not developed and submitted a Toxic Organic Management Plan (TOMP) that specifies to the satisfaction of the control authority the toxic organic compounds used; the method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration; and procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater.

3.3 Reporting, Monitoring, Notification and Record-Keeping Requirements

The reporting, monitoring, notification, and record keeping requirements are found in 40 C.F.R. Part 403 of the General Pretreatment Regulations and include the following:

- **Baseline Report and 90-Day Compliance Report Monitoring Requirements** (40 C.F.R. § 403.12(b) and (d); 40 C.F.R. § 403.12(g));
- **Periodic Compliance Report Monitoring Requirements** (40 CFR§ 403.12(e); 40 CFR§ 403.12(g))
- **Potential Problem and Slug Reporting** (40 C.F.R. § 403.12(f))
- **Effluent Violation Reporting and Resampling** (40 C.F.R. § 403.12(g)(2))
- **Notification of Changed Discharge** (40 C.F.R. § 403.12(j))
- **Hazardous Waste Discharge Notification** (40 C.F.R. § 403.12(p))
- **Upset Effect, Notification, and Reporting** (40 C.F.R. § 403.16)
- **Bypass Requirements Notification** (40 C.F.R. § 403.17)
- **Report Signatory Requirements** (40 C.F.R. § 403.12(l))
- **Retention of Records** (40 C.F.R. § 403.12(o))

3.4 Self-Monitoring Reporting Requirement

40 C.F.R. § 403.12(e) requires industrial users “subject to a categorical Pretreatment Standard” to monitor and report twice per year “unless required more frequently...by the Control Authority,” which is the EPA in this case. Because of daily averages flow are approximately 80 gallons per day, the reporting requirements for Monument Powder Coating. are established at twice a year required by 40 C.F.R. § 403.12(e) to ensure compliance with the Pretreatment Standards found in the Metal Finishing regulations (40 C.F.R. § 433.17).

Monument Powder Coating will submit reports through the NetDMR electronic reporting system, as described in §3.7. Table 3 lists the deadline due dates based on quarterly reporting:

Table 3 - Self-Monitoring Reporting Frequency

Compliance Monitoring Period	Due Date
January through June	July 31
July through December	January 31

3.5 Monitoring Requirements

The discharges from the facility at Outfall 001 are subject to the following monitoring requirements, listed in Table 4. Outfall 001 is defined as the 2nd chamber in the 1,000-gallon sand/oil separator during a discharge from the second chamber and prior to mixing with sanitary wastewater generated from the facility.

40 C.F.R. § 403.12(g)(3) requires that periodic compliance reports “must be based upon data obtained through appropriate sampling and analyses performed during the period covered by the report, which data are representative of the conditions occurring during the reporting period.” Based on the EPA’s evaluation of the facility’s discharge characteristics, a grab sample for regulated metals is representative of the discharge for the production day. In addition, the facility is required to measure for flow and pH because of the potential for fluctuations during the discharge. At a minimum, the daily discharge of every production day shall be measured for pH and flow.

All analyses shall be performed in accordance with test procedures established in 40 C.F.R. Part 136. Sampling methods shall be those defined in 40 C.F.R. Part 136, 40 C.F.R. Part 403, as defined further described in the Notification of Discharge Requirements.

Table 4 - Monitoring Frequency

Pollutant	Sample Type	Sampling Frequency
Flow	Measured	Every Production day
pH	Measured	Every Production Day
Cadmium (Cd)	Grab	Semi-Annually ⁽¹⁾
Chromium (Cr)	Grab	Semi-Annually ⁽¹⁾
Copper (Cu)	Grab	Semi-Annually ⁽¹⁾
Lead (Pb)	Grab	Semi-Annually ⁽¹⁾
Nickel (Ni)	Grab	Semi-Annually ⁽¹⁾
Silver (Ag)	Grab	Semi-Annually ⁽¹⁾
Zinc (Zn)	Grab	Semi-Annually ⁽¹⁾
Cyanide (CN)	Grab	Semi-Annually ⁽¹⁾

<p>Total Toxic Organics (TTO)</p> <ul style="list-style-type: none"> • Volatile Organics (VOA) • Semi-volatile Organics (SVOA) • Pesticides • PCBs 	<p>Grab</p>	<p>Semi-Annually ⁽¹⁾</p>
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(1) – Semi-Annual Sampling – the 1st sample shall be taken in the January through June time-period and the 2nd sample shall be taken in the July through December time-period.

3.6 Additional Monitoring

The Pretreatment Regulations at 40 C.F.R. § 403.12(g)(6) 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 C.F.R. § 136 analytical methods], the results of this monitoring shall be included in the report.” [emphasis added]

3.7 Notification of Changed Discharges

The Pretreatment Regulations at 40 C.F.R. 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 requirements contained in this notification and could include changes to the operations, waste stream 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’s current control mechanism conditions under the Pretreatment Regulations. This also includes any changes to the operation that changes the discharge of listed or hazardous wastes.

3.8 Record-keeping Requirements

40 C.F.R. § 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 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.

3.9 Signatory Requirement

Pursuant to 40 C.F.R. §403.12(l), the Baseline Report, 90-day Compliance Report, and Periodic Compliance Reports (Parts III.A and B) shall include the following signed certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

The certification statement 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.

3.10 Reporting and Notification Contacts

On October 22, 2015, the Environmental Protection Agency (EPA) published in the federal register the NPDES Electronic Reporting rule for all NPDES permit reporting and notification requirements (40 C.F.R. Part 127). 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 C.F.R. § 127.16). A proposal to extend this deadline to December 21, 2025 was signed by the EPA on September 23, 2020. Upon the effective date of the NPDES Electronic Reporting Rule, the facility will be required to:

- a. Establish a NetDMR account to electronically submit DMRs and notifications and must 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.zendesk.com/home>. Additionally, the facility can contact the EPA via our R8NetDMR@epa.gov mailbox for any individual assistance or one-on-one training and support.
- b. Effluent monitoring results will be summarized for each month and recorded on a DMR to be submitted via NetDMR to the EPA on a quarterly basis. If no discharge occurs during a month, it shall be stated as such on the DMR.

Until the effective date of the NPDES Electronic Reporting Rule, the facility may either submit Periodic Compliance Reports electronically, as described above, or submit hard copies to the address below. Other written reports and notifications to the 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

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

Kimberly Bullen, Public Works Director
City of Fruita
900 Kiefer Avenue
Fruita, CO 81521
kbullen@fruita.org

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

303-312-6312 or 800-227-8917

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

The proposed fact sheet and discharge requirements for Monument Powder Coating, NPDES ID # COPF00108 were public noticed on the EPA website on May 17, 2023. During the 30-day public notice period, EPA received no public comments.