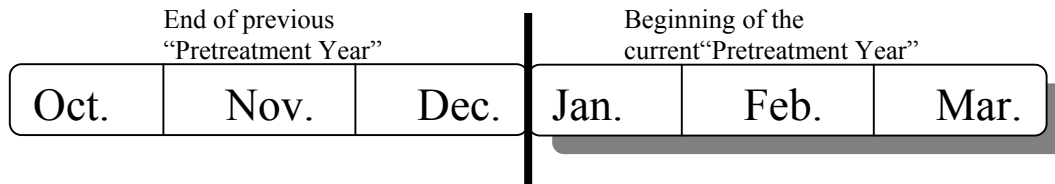


Determination of Industrial User (IU) Significant Noncompliance (SNC)

1. The POTW (in conjunction with the Approval Authority) must establish its “Pretreatment Year.”
2. At the end of each quarter, POTWs and States should evaluate their IU’s compliance status for the two criteria which are evaluated on a six month time frame (i.e., the “A” and “B” criteria – 403.B(f)(2)(vii) (A) and (B) as illustrated below. The example below assumes a “Pretreatment Year” equal to the calendar year.

FIRST EVALUATION PERIOD



3. At the end of the first quarter (March 31st in our example), the POTW must evaluate the data from an industrial user for the previous six months (i.e., beginning with October 1 of the previous “Pretreatment Year” as in our example). Likewise, the POTW must evaluate six months of data at the end of each subsequent quarter (i.e., June 30th, September 30th, and December 31st).

SECOND EVALUATION PERIOD



4. At the end of the “Pretreatment Year,” the POTW must summarize the compliance status of its industrial users over the reporting period and report on this compliance status to the Approval Authority. The POTW must publish all industrial users which were identified in SNC during the “Pretreatment Year,” unless the IU was previously published for violations which occurred solely in the last quarter of the previous “Year.”

THIRD EVALUATION PERIOD



FOURTH EVALUATION PERIOD

