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ADMINISTRATIVE ORDER NO. 49

Pursuant to the authority granted to the City by Section 69-7-201 MCA and to the City Administrator by Section 26-101 BMCC, the Rules and Regulations Governing Water and Wastewater Service for Billings, Montana, are hereby amended as follows:

1. Section 2-1, **Definitions**, is amended to add the following definition:

"(88) 'Trucked waste' means wastes, other than septage, transported to the approved waste disposal station by a septage hauler and approved by the city for disposal."

The current numbering of definitions 88 through 100 will be changed accordingly to numbers 89 through 101.

2. Section 38-1, **Prohibited Discharge**, is amended to read as follows:

"38-1. PROHIBITED DISCHARGE

It is prohibited to discharge septage or trucked waste either directly or indirectly into any municipal wastewater system/storm sewer system, or any appurtenance thereof."

3. Section 38-2, **Permit Required**, is amended to read as follows:

"38-2. PERMIT-MANIFEST REQUIRED

It is unlawful for any person to discharge septage or trucked waste into the waste disposal station without first obtaining and properly executing a written permit and manifest for that purpose.

It is unlawful for any person to contract with a septage hauler for the purpose of hauling septage from a non-domestic source or any trucked waste without obtaining a manifest from the city and properly executing and delivering the manifest to the septage hauler at the time of waste pick up."

4. Section 38-3, **Application and Permit Fee**, is amended to read as follows:

"38-3. APPLICATION AND PERMIT FEE

Licensed septage haulers shall make application for septage or trucked waste disposal permits at the public utilities department on a special form

furnished by the city. Permits or manifests will be issued upon compliance with the provisions of this chapter and paying the septage disposal permit fee as required under Section 16-9(16).

The city may refuse to grant or may revoke a permit for the disposal of septage or trucked waste into the waste disposal station to any applicant who has willfully and repeatedly violated the provisions of this chapter. Only septage pumped from septic tanks situated within Yellowstone County and which receive primarily segregated domestic wastes or wastes from sanitary conveniences shall be allowed to be discharged into the waste disposal station. Only approved trucked waste shall be allowed to be discharged into the waste disposal station."

5. That the current Section 38-4, **Receiving Tickets**, is hereby repealed and is replaced with the following:

"38-4. MANIFESTS

Manifests shall be properly executed in triplicate for each source of septage or trucked waste. One copy of the manifest shall be filed with the public utilities director; one copy shall be retained by the septage hauler for his use and files, and, one copy shall be provided to the persons generating the waste. The manifest shall have all requested information filled in by the hauler. For residential septage, the manifest must be signed by the hauler. For non-residential septage (excluding portable toilet wastes), the manifest must be signed by the generator and septage hauler. For trucked waste the manifest must be signed by the generator, septage hauler, and an authorized representative of the public utilities department prior to discharge to the wastewater treatment facility. Failure to furnish all information will subject the septage hauler and/or persons generating the waste to penalties under the applicable city ordinance and rules and regulations."

6. Section 38-7, **Sampling and Testing of Septage**, is amended to read as follows:

"38-7. SAMPLING AND TESTING OF SEPTAGE

The public utilities director shall cause the septage discharged into the waste disposal

station to be periodically tested and analyzed for the purpose of determining whether or not the provisions of this chapter are being complied with. When required by the public utilities director, septage haulers or authorized representatives of the public utilities department shall obtain a sample of septage from each load of septage at the time same is discharged into the waste disposal station. This sample shall be appropriately identified by the septage hauler and stored in the sample storage facilities located for this purpose in the waste disposal station. All measurements, tests, and analyses of the characteristics of the septage to which reference is made in city ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, durations, and frequencies shall be subject to approval by the public utilities director."

DATED this 2 day of July, 1997.


Mark S. Watson, City Administrator

cc: City Clerk
City Attorney
Public Utilities
File