

ADMINISTRATIVE ORDER NO. 29

Pursuant to Administrative Order, authorized by Ordinance 85-4618, attached amendments to Sections 2-1, 22-1, 22-8, 24-1, 24-7(3), 24-8(1), 24-11, 34-1, and 36-1 of the City's Rules and Regulations Governing Water and Wastewater Service are hereby adopted.

DATED this 11 day of August, 1992.


 Alan Tandy, City Administrator

cc: City Clerk
 City Attorney
 Public Utilities
 File

**AMENDMENTS TO RULES & REGULATIONS
GOVERNING WATER & WASTEWATER SERVICE**

CHAPTER 2 - DEFINITIONS

Section 2-1 is amended to change or add the following definitions to read as follows:

"(37) "Industrial Wastes" or "Industrial Wastewater" means ~~the all~~ liquid or water-carried wastes ~~from industrial manufacturing or processing,~~ as ~~distinct from~~ other than domestic or sanitary wastes. The term also includes, by way of example and not by limitation, the trade wastes produced by food processing and bottling plants, food manufacturing plants, slaughtering plants, tallow works, plating works, disposal services, industrial cleaning plants, fertilizer plants, car and truck washing operations, vehicle repair facilities, commercial laundries and cleaning establishments, cooling plants, industrial plants, factories, feedlots, and chemical treatment installations.

. . .

(39) "Interference" means the inhibition or disruption of the municipal wastewater system treatment processes or operations which causes ~~or materially contributes to~~ a violation of any requirement of the utility's MPDES Permit, or of the requirements of any agency with jurisdiction over discharges by the municipal wastewater treatment plant into the receiving waters. The term also includes contamination of the treatment plant sludge byproducts.

. . .

(78) "Significant Industrial User" means any user of the city's wastewater collection, treatment and disposal system who:

(a) Is subject to national categorical pretreatment standards as defined herein;
or

(b) Discharges an average of 25,000 gallons per day or more of process wastewater to the WWS, excluding sanitary, noncontract cooling and boiler blowdown wastewater;

or

- (c) Contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the WWTP; or
 - (d) Is designated as such by the city on the basis that the industrial user has a potential for adversely affecting the WWS or for violating any pretreatment standard or requirement.
- (79) "Significant Violator" means an industrial user who is in significant noncompliance by violating one or more of the following criteria:
- (a) Chronic violations of wastewater discharge limits, defined as those in which sixty-six percent or more of all of the measurements taken during a six-month period exceed, by any magnitude, the daily maximum limit or the average limit for the same pollutant parameter;
 - (b) Technical review criteria (TRC) violations, defined as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit times the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease and 1.2 for all other pollutants except pH);
 - (c) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the administrator determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of city personnel or the general public;
 - (d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or the environment or has resulted in the city's exercise of its emergency authority to halt or prevent such a discharge;

- (e) Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction or attaining final compliance;
- (f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or
- (h) Any other violation or group of violations which the administrator determines will adversely affect the operation or implementation of the local pretreatment program."

CHAPTER 22- USE OF WASTEWATER SERVICE

Section 22-1 is amended to read as follows:

"22-1. DISCHARGING CERTAIN MATTER INTO SEWERS PROHIBITED

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sanitary sewer:

- (1) Any liquid or vapor having a temperature higher than the lesser of (a) one hundred fifty four degrees Fahrenheit or (b) that which, alone or in conjunction with other discharges, causes the influent at the WWTP to exceed one hundred four degrees Fahrenheit;
- (2) Any water or waste which may contain more than one hundred milligrams per liter of fat, oil or grease;
- (3) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas pollutants which create a fire or explosion hazard in the WWS, including, but

not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21.

- (4) Any garbage that has not been properly shredded;
- (5) Any ashes, cinders, sand, mud, straw, shaving, metal, glass, rags feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in the public sanitary sewers or otherwise interfere with the proper operation of the municipal wastewater system;
- (6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the utility;
- (7) Any waters or wastes containing a toxic, ~~or~~ poisonous or infectious substance in sufficient quantity to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, pollutants which result in the presence of toxic gases, vapors, or fumes within the municipal wastewater system in a quantity that may cause worker health and safety problems, or create any hazard in the receiving waters of the municipal wastewater treatment plant;
- (8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the municipal wastewater treatment plant;
- (9) Any noxious or malodorous gas or substance capable of creating a public nuisance; ~~and/or~~
- (10) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the municipal wastewater system unless such discharge is first approved by the public utilities director-;

- (11) Any petroleum oil, solvents, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through; and/or
- (12) Any trucked or hauled pollutants, except for septage which is to be discharged at the waste disposal station."

Section 22-8 is amended to read as follows:

"22-8. WASTEWATER TESTING AND ANALYSES

All measurements, tests and analyses of the characteristics of the waters and wastes to which reference is made in Section 22-1 and 22-4, herein, shall be determined in accordance with 40 CFR Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, "Standard Methods for the Examination of Water and Wastewater," latest edition, unless specified otherwise, and shall be determined at the control manhole provided for in Section 22-7, herein, or upon suitable samples taken at such control manhole. In the event that no control manhole has been required, the control manhole shall be considered to be the nearest manhole downstream to a point in the public sanitary sewer at which the building sewer is connected."

CHAPTER 24 - PRETREATMENT OF INDUSTRIAL WASTES

Section 24-1 is amended to read as follows:

- "24-1. METHODOLOGY** All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with either the latest edition of the "Standard Methods for the Examination of Water and Wastewater," as published by the American Public Health Association, or the ASTM Annual Book of Standards, or the "Methods for Chemical Analysis of Waters and Wastes," as published by the EPA, unless specified otherwise."

Section 24-7(3) is amended to read as follows:

"(3) PERMIT CONDITIONS Industrial discharge permits and significant industrial user permittees shall be subject to all the provisions of Article 26-600, BMCC, and all other applicable city laws, user charges and fees. Permits shall contain, but shall not be limited to, the following requirements or terms and conditions:

1. Notice of the general and specific prohibitions required under Article 26-600, BMCC.
2. Prohibitions on discharge of any specific materials.
3. Notice of applicable National Categorical Pretreatment Standards.
4. Limits equal to or more stringent than the Specific Pollutant Limitations as established pursuant to Section 26-606, BMCC, concerning average and maximum wastewater constituents, and on characteristics of either the individual industrial process wastes or combined industrial wastewater discharge.
5. Limits on average and maximum rate and time of discharge, or requirements for flow regulations and equalization.
6. Monitoring facilities as described in Section 26-607~~(d)~~(c), BMCC.
7. Monitoring programs, which may include sampling locations, frequency of sampling, number, types and standards for tests, and reporting schedules, and pollutants to be monitored.
8. Installation, maintenance, and cleaning of any pretreatment facilities that are necessary to achieve compliance with the requirements of Article 26-600, BMCC, including filtration, chemical treatment, grease, oil, and sand traps and other necessary equipment.

9. Compliance schedules and any periodic progress or compliance reports required by Article 26-600, BMCC, or by federal pretreatment regulations, including 40 CFR 403.12.
10. Submission of technical reports or discharge reports, as provided for in Section 26-607(b)B, BMCC, and Section 24-8, herein.
11. Maintenance and retention of plant records relating to wastewater discharge for a minimum of three (3) years or as specified by the public utilities director.
12. Notification of the public utilities director of (1) any discharge of new wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the municipal wastewater system and (2) accidental or slug discharges of wastewater.
13. Notification of any slug or accidental discharge as per Section 26-605(b), BMCC, and Section 24-11, herein.
14. Agreement by the industrial user to allow reasonable access by the city to ensure compliance with permit conditions, to agree to perform and comply with all permit conditions, and to submit to the remedy of specific performance for breach of contract.
15. Permit duration and conditions of transfer.
16. Penalties for violations.
17. Other appropriate conditions, in the judgement of the public utilities director, necessary to ensure compliance with Article 26-600, BMCC."

Section 24-8(1) is amended to read as follows:

"24-8. REPORTING REQUIREMENTS

- (1) The compliance Reports required by Section 26-607(b)B(1) and (2), BMCC, shall indicate the average and maximum daily flow or predicted flow for the process units in the significant industrial user facility subject to the

federal, state or city standards and requirements, whether these standards are being met on a consistent basis and, if not, what additional operations, maintenance or pretreatment is or will be necessary to bring the significant industrial user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the significant industrial user and shall be certified by a qualified professional engineer or a person with adequate wastewater discharge experience as determined by the public utilities director."

Section 24-11 is amended to read as follows:

"24-11. NOTIFICATION OF VIOLATION Whenever the city finds that any significant industrial user has violated or is violating Article 26-600, BMCC, an industrial discharge permit, or any prohibition, limitation, condition or requirement contained therein, the public utilities director, in his discretion, may either immediately cite the violator or may serve upon such person a written notice stating the nature of the violation, corrective action necessary, and the time limit for its satisfactory correction. Violation of any permit condition shall be considered to be a violation of the Article. ~~Unless required earlier by another provision of the Article, within thirty days after the date of~~ Within the time limit stated in said notice the significant industrial user shall submit to the public utilities director evidence of the satisfactory correction of the violation, ~~or a plan to correct the same."~~

CHAPTER 34 - WATER SERVICE LINES AND FIRELINES

Section 34-1 is amended to read as follows:

"34-1. PERMIT REQUIRED No unauthorized persons shall uncover, make any connection with or opening into, use, alter, repair, extend, or otherwise disturb any water service line, fireline, or

combination thereof; any connection of a water service line, fireline, or combination thereof with a public water main; or any appurtenances thereto without first:

- (1) Having on file at the city finance director's office a valid plumbing contractor's license or a public contractor's license, however, only persons with a plumbing contractor's license may perform the above work on private property including connection at the curb stop;
- (2) Having on file in the office of the city clerk a good and sufficient surety bond and certificate of public liability insurance;
- (3) Obtaining any required excavation permits for excavating in public rights-of-way;
- (4) Paying to the public utilities department any applicable water connection charges, water main construction fees and/or water system development fees;
- (5) Obtaining a written water service line installation permit from the public utilities director and paying to the public utilities department the appropriate permit fees adopted under Section 16-9(4) herein; and
- (6) Complying with all other local, state or federal laws pertaining to:
 1. The installation of water service lines and firelines,
 2. The making of connections to public water mains,
 3. The making of repairs, alterations or extensions to such facilities, or
 4. When appropriate, any work involved in making excavation in public rights-of-way or utility easements.

Public contractors will not be subject to the permit requirements set forth herein this section when stubbing-out water service lines, firelines or combinations thereof in conjunction with public water main construction projects which have been previously approved in writing for construction by the public utilities director. However, ~~public contractors installing said stubbed-out services shall not connect same to any customer-owned water facilities without first having obtained for each of the stubbed-out services to be connected the permit required under this section.~~"

CHAPTER 36 - WASTEWATER SERVICE LINES AND CONNECTIONS

Section 36-1 is amended to read as follows:

"36-1. PERMIT REQUIRED No unauthorized persons shall uncover, make any connection with or opening into, use, alter, repair, extend, or otherwise disturb any wastewater service line, any connection of a wastewater service line with a public sanitary sewer, or any appurtenances thereto without first:

- (1) Having on file at the city finance director's office a valid plumbing contractor's license or public contractor's license, however, only persons with a plumbing contractor's license may perform the above work on private property including connection at the property line;
- (2) Having on file in the office of the city clerk a good and sufficient surety bond and certificate of public liability insurance;
- (3) Obtaining any required excavation permits for excavating in public rights-of-way;
- (4) Paying to the public utilities department any applicable sanitary sewer connection charges, sanitary sewer construction fees, and/or wastewater system development fees;

- (5) Obtaining a written wastewater service line installation permit from the public utilities director and paying to the public utilities department and appropriate permit fee adopted under Section 16-9(5) herein; and
- (6) Complying with all other local, state or federal laws pertaining to:
 1. The installation of wastewater service lines and appurtenances,
 2. The making of connections to the public sanitary sewer,
 3. The making of repairs, alterations or extensions to such facilities, or
 4. When appropriate, any work involved in making excavations in public rights-of-way or utility easements.

Public contractors ~~shall~~ will not be subject to the permit requirements set forth herein this section when stubbing-out wastewater service lines in conjunction with public sanitary sewer line construction projects which have been previously approved in writing for construction by the public utilities director. ~~However, public contractors installing said stubbed-out services shall not connect same to any wastewater facilities without first having obtained, for each of the stubbed-out services to be connected, the permit required in this section."~~