

ORDINANCE 80-26

To Repeal and Re-Enact Title 10 of the
Bloomington Municipal Code, Entitled "Wastewater"

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON,
MONROE COUNTY, INDIANA, THAT:

SECTION I. Title 10 of the Bloomington Municipal Code, currently entitled
"Sanitation", shall be repealed and re-enacted to read as follows:

Title 10
WASTEWATER

Chapters:

- 10.04 General Rules
- 10.08 Wastewater Rates and Charges
- 10.12 Prohibited Wastewater Discharges
- 10.16 Industrial Wastewater Discharges

Chapter 10.04
GENERAL RULES

Sections:

- 10.04.010 Definitions.
- 10.04.020 Posting of rules.
- 10.04.030 Wastewater main connections and construction.
- 10.04.040 Extension of wastewater mains.
- 10.04.050 Mandatory connections.
- 10.04.060 Construction and abatement of defective privies or septic systems.
- 10.04.070 Personal sewage sludge use.
- 10.04.080 Admission to property.
- 10.04.090 Illegal connections.
- 10.04.100 Enforcement procedures.
- 10.04.110 Penalties.

10.04.010 Definitions. As used in this title, the following words have the following meanings unless otherwise designated. Where words are not defined, they shall have the meanings provided in the wastewater utility rules.

- (a) "Act" means the Federal Water Pollution Control Act of 1972, Public Law 92-500 and all amendments.
- (b) "Biochemical Oxygen Demand" or "BOD" means the quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures.
- (c) "Board" means the Bloomington Utilities Service Board or any duly authorized representative acting in its behalf.
- (d) "Commercial user" means any user other than a residential user, Indiana University user, or industrial user as defined herein.
- (e) "Conventional pollutant" means those pollutants designated by the Act to include BOD, total suspended solids, pH, fecal coliform, oil and grease, and such additional pollutants which may be specified and controlled in the city's NPDES permits for its wastewater treatment system.
- (f) "Director" means the director of the utility or any duly authorized representative acting in his behalf.
- (g) "Domestic wastes" means liquid wastes from the non-commercial preparation, cooking, and handling of food or liquid wastes containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

- (h) "Indiana University user" means any Indiana University owned property located on the central campus which generates wastewater.
- (i) "Industrial user" means any non-governmental, non-residential generator of wastewater with industrial wastewater discharges and with contributed volumes averaging 25,000 gallons or more per day of equivalent sanitary waste (or the weight of biochemical oxygen demand or suspended solids equivalent to that waste found in 25,000 gallons per day of sanitary wastes) or a volume of process waste; or has in its waste a toxic pollutant in toxic amounts; or is found to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system or upon the quality of its effluent.
- (j) "Industrial wastewater" means the liquid wastes resulting from the processes employed in industrial, manufacturing, trade, or business establishments where characteristics of wastes are entirely different from domestic wastes.
- (k) "National Pollutant Discharge Elimination System" or "NPDES" means the program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zones, and the oceans pursuant to the Act.
- (l) "Nonconventional pollutants" means all pollutants other than toxic or conventional as defined in the Act.
- (m) "Operation and Maintenance" or "O & M" means the cost of operation and maintenance of the treatment works, including replacement costs. It means the expenses for supplies, materials, salaries and equipment necessary for the normal operation of the treatment works, including overhead, meter reading, bill preparation, collection system costs, sewer equipment maintenance and treatment works equipment maintenance.
- (n) "Person" means any individual, firm, company, partnership, corporation, association, group, or society, including the state of Indiana, and agencies, districts, commissions, and political subdivisions created by or pursuant to state law.
- (o) "Pollutant" means any substance that degrades the quality of water.
- (p) "Pretreatment" means application of physical, chemical, and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in wastewater prior to discharging such wastewater into the wastewater treatment system.
- (q) "Pretreatment standards" means all applicable federal rules and regulations implementing the Act, as well as any non-conflicting state or local standards.
- (r) "Public sewer" means a primary or secondary sewer in which all owners of abutting property have equal rights and which is controlled by the utility.
- (s) "Replacement costs" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful life of the wastewater treatment system.
- (t) "Residential user" means any single or double family dwelling which generates wastewater.
- (u) "Rules" means the Rules for the Bloomington Wastewater Utility adopted by the board.
- (v) "Sanitary sewer" means a sewer which carries wastewater and to which all storm, surface, and ground waters and unpolluted industrial wastewater are not intentionally admitted.

- (w) "Sewer" means a pipe or conduit for carrying wastewater or other waste liquids.
- (x) "Storm water" means any flow occurring during or immediately following any form of natural precipitation and resulting from it.
- (y) "Suspended solids" or "SS" means the solids which either float on the surface or are in suspension in water, wastewater, or other liquid and which are removable by laboratory filtration on a glass fiber filter.
- (z) "Toxic pollutant" means a pollutant designated as such in the Act.
- (aa) "User" means any person who discharges, causes, or permits the discharge of wastewater into the wastewater treatment system.
- (bb) "Utility" means the Bloomington Wastewater Utility.
- (cc) "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether pretreated or not, which is discharged into or permitted to enter the wastewater treatment system.
- (dd) "Wastewater treatment system" means any devices, facilities, structures, equipment, or works owned by the city for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

10.04.020 Posting of rules. A copy of the rules shall be filed and posted in the commercial office of the utility and shall be available for public inspection during regular business hours.

10.04.030 Wastewater main connections and construction. All construction of wastewater mains and their connection to the utility shall be made in accordance with Rule 6 of the rules.

10.04.040 Extension of wastewater mains. The extension of wastewater mains and related facilities shall be made in accordance with Rule 7 of the rules.

10.04.050 Mandatory Connections. All wastewater sources located on property which is adjacent to an easement or public roadway in which a public sewer is located shall be connected to the public sewer, provided that the public sewer has the capacity to adequately accept the flow. This connection shall take place within three years of the effective date of this chapter or three years from the construction of an adjacent public sewer.

10.04.060 Construction and abatement of defective privies or septic systems. It shall be unlawful for any person to permit continuance of any outside privy or septic system owned or controlled by him that is full, has reached its capacity, overflows, or is defective, so as to pollute the air or earth. No septic system or outside privy shall be installed or constructed where a sanitary sewer is adjacent or available to any property.

10.04.070 Personal sewer sludge use. Any person who takes sludge or has delivered to him in any form from any wastewater treatment plant serving the city does so at his own risk.

10.04.080 Admission to property. Whenever it is necessary for the purposes of this title, the director may, upon presentation of proper credentials, enter upon any property or premises at reasonable times for the purpose of copying any

records required to be kept under the provisions of this title; inspecting any monitoring equipment or method; and sampling any discharge of wastewater to the wastewater treatment system. The director may enter upon the property at any time if an emergency exists.

10.04.090 Illegal connections. In cases where connections are made to the wastewater treatment system which have not been approved by the utilities engineer, service will be immediately discontinued and a charge to recover losses together with a service charge not to exceed six months estimated billing shall be imposed.

10.04.100 Enforcement procedures. (a) Any discharge of nonconventional or toxic pollutants which affects the operation of the wastewater treatment plant shall be considered a major violation of this title. In such case the director may serve upon the person in violation a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for correction of the violation. If the violation is not corrected in the time provided, the director may order the person to show cause before the board why service should not be terminated after the person has been properly served notice specifying the time and place of the hearing. The hearing shall follow the procedures set forth in Rule 11 of the rules and the violation of any order of the board shall be considered a public nuisance. In such cases the city attorney shall begin an action for appropriate relief.

(b) When the director finds that any person has violated or is violating any other provision of this title, he may serve upon the person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for correction of the violation. If the violation is not corrected in the time provided, the city attorney shall begin an action for appropriate relief.

(c) When the director finds that an emergency exists that may result in serious harm to the wastewater treatment system or its users, the director may request the city attorney to obtain a temporary restraining order against the violator.

10.04.110 Penalties. Any person who violates any provision of this title or any order of the board shall be fined not less than one dollar nor more than one thousand dollars for each offense. Each day a violation continues shall constitute a separate offense. In addition, the city may recover reasonable attorneys' fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

Chapter 10.08

WASTEWATER RATES AND CHARGES

Sections:

- 10.08.010 Rates - Generally.
- 10.08.020 Rates - Biennial review.
- 10.08.030 Rates - Based on quantity of water used.
- 10.08.040 Rates - Metered water user.
- 10.08.050 Rates - Exemptions.
- 10.08.060 Rates - Utility measurement of water.
- 10.08.070 Rates - Nonmetered water users.
- 10.08.080 Billing.
- 10.08.090 Delinquencies - Late payment charge.
- 10.08.100 Liens for nonpayment.
- 10.08.110 Special service rates.
- 10.08.120 Septic haulers - Charges.
- 10.08.130 Inspection charge.

10.08.010 Rates - Generally. Rates or charges shall be collected for the use of and the service rendered by the utility from the owners of each and every lot, parcel of real estate, or building that is connected with and uses the utility by or through any part of the wastewater treatment system, and the rates and charges shall be payable as provided in this chapter.

10.08.020 Rates - Biennial Review. Not less than every two years the board shall review the wastewater contribution of users and user classes, the total cost of operation and maintenance of the treatment works, and its user charge system. The board shall, subject to enactment by the Common Council, revise the charges for users and user classes to maintain the proportionate distribution of operation and maintenance costs among the user and user classes and to generate sufficient revenue to pay the total operation and maintenance costs necessary for proper operation and maintenance of the treatment system, bond payments, and routine improvements.

10.08.030 Rates - Based on quantity of water used. (a) The residential user rates and charges shall be based upon the quantity of water used on or in the property or premises subject to the rates and charges, as water is measured by the city water meter there in use, except as otherwise provided. Residential summer rates for the months of June, July, August, and September shall be based upon the average of April and May or actual usage, whichever is less. All other users shall be charged on the basis of one hundred per cent of metered water consumption subject to user proof of lower wastewater use.

(b) Industrial user rates and charges shall be based on the quantity of water used as well as any special service rates that may apply.

10.08.040 Rates - Metered water users. General service rates shall be applicable to all metered water users except those with other than average strengths of BOD and suspended solids. The general service rates shall be determined as follows:

	<u>Portion of Rate Applicable to</u>		
	<u>Operation & Maintenance Expenses</u>	<u>Capital Related Costs</u>	<u>Total</u>
Monthly service charge (per meter)	\$2.56	0	\$2.56
User charge			
Charge per 1,000 gallons per month for all billable usage			
Residential	0.43	0.95	1.38
Commercial	0.43	0.71	1.14
Indiana University	0.43	0.67	1.10
Industrial	0.43	0.67	1.10

10.08.050 Rates - Exemptions. Water which is used in process of manufacture or for any other purpose which does not discharge into the sanitary sewers shall be exempted; provided, however that the property owner shall install, under the supervision of the utility, the necessary meters to indicate the amount of water used which does not discharge into the sanitary sewers. All meter installation and maintenance costs shall be paid by the user, including a monthly service charge as provided above.

10.08.060 Rates - Utility measurement of water. (a) In the event a lot, parcel of real estate, or building discharging wastewater, water, or other liquids into the wastewater treatment system, either directly or indirectly, is not a user of water supplied by the utility and the water used is not measured by a utility water meter or by a meter acceptable to the utility, then the amount of water used shall be otherwise measured or determined by the utility in order to determine the rate or charge provided for in this chapter, or the user may at his expense install and maintain a meter acceptable to the utility for this purpose.

(b) In the event a lot, parcel of real estate, or building discharges industrial wastewater either directly or indirectly into the wastewater treatment system and the utility finds it is not practical to attempt to measure such wastes by meter, it may be measured in such manner and by such methods as the utility may find practical in the light of the conditions and attendant circumstances in order to determine the rate or charge according to the corresponding rates per thousand gallons provided in this chapter. Higher than average wastewater strengths shall pay accordingly.

10.08.070 Rates - Nonmetered water users. The minimum rate or charge for any service where the user is not a metered water user shall be one hundred fifty-one dollars per year, payable monthly. At the request of the utility or the user, a meter shall be installed.

10.08.080 Billing. Rates and charges shall be billed monthly and shall be due and payable twenty-five days from the mailing of the bill.

10.08.090 Delinquencies - Late payment charge. In the event a net bill is not paid within twenty-five days from the mailing of the bill, it shall become a delinquent bill and a late payment charge may be added to the bill in the amount of three percent of the unpaid balance.

10.08.100 Liens for nonpayment. (a) In addition to any other method of collection of rates and charges, including the late payment charge, the utility may foreclose liens on property when rates and charges become delinquent. The utility may recover the amount due, the penalty, and reasonable attorney's fees in the manner provided by IC 19-2-5.

(b) The utility shall have the right to foreclose the lien against rental property regardless of whether the delinquency in payment was created by the tenant or owner of the property.

10.08.110 Special service rates. (a) Special service rates shall be applicable to all industrial users who generate wastewater which contains any nonconventional pollutants or strengths of BOD or SS that exceed the system average strengths of 300 ppm BOD or 300 ppm SS as determined by special laboratory analysis by the utility's central laboratory. Other special service rates shall be charged on a case-by-case basis for toxic pollutant discharges, with the charges being based on the difficulty of treating the toxic pollutant as well as sampling, testing, and disposal charges. Strength charges are to be computed on actual measured strengths and volumes.

(b) Special service rates shall be determined as follows:

	<u>Portion of Rate Applicable to</u>		
	<u>Operation & Maintenance Expenses</u>	<u>Capital Related Costs</u>	<u>Total</u>
Monthly service charge (per meter)	\$2.56	0	\$ 2.56
Special laboratory analysis monthly charge			
Strength of BOD and SS sampling charge			30.00
Grease and oil sampling charge			40.00
Metal sampling charge (per metal per test)			5.00
User charge			
Charge per 1,000 gallons per month for all billable usage			
Special service rate	0.22	0.29	0.51
Non-excessive strength rate	0.43	0.67	1.10
Strength charge			
Charge per 1,000 gallons of billable usage for each part per million of:			
BOD	.000422(.13)*	.000875(.26)*	.001297(.39)
Suspended solids	.000277(.08)*	.000385(.12)*	.000662(.20)

* Minimum charge when only one of either BOD or SS exceeds the average

10.08.120 Septic haulers - Charges. (a) Septage shall only be accepted for treatment by the utility from residents of Monroe County and only if the treatment processes and final effluent are not adversely affected. Only conventional pollutants shall be accepted for treatment and all haulers shall provide the utility with the names and addresses of the users whose septage is brought for treatment. The director shall designate the site where the septage will be accepted.

(b) The charge for each delivery to the wastewater treatment system shall be ten dollars.

10.08.130 Inspection charge. All inspections during normal business hours shall be free of charge. All inspections during overtime hours shall be at the rate of twelve dollars and fifty cents per hour.

Chapter 10.12

PROHIBITED WASTEWATER DISCHARGES

Sections:

- 10.12.010 General prohibitions.
- 10.12.020 Prohibitions on wastewater discharge.
- 10.12.030 Limitations on wastewater discharge.
- 10.12.040 Special agreements.
- 10.12.050 Regulatory actions.
- 10.12.060 Submission of plans.
- 10.12.070 Pretreatment facilities operations.
- 10.12.080 Protection from accidental discharge.
- 10.12.090 Reporting of accidental discharge.

10.12.010 General prohibitions. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater, industrial wastewater, or other polluted water except where suitable treatment has been provided in accordance with the provisions of this chapter.

10.12.020 Prohibitions on wastewater discharge. No person shall discharge or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

- (a) Oil and grease concentrations or amounts from facilities violating federal pretreatment standards; wastewater from industrial facilities containing floatable fats, wax, grease, or oils; and wax, grease, or oil concentrations of mineral origin of more than ten milligrams per liter whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C) at the point of discharge into the system;
- (b) Liquids, solids, or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment system or its operation, including gasoline, kerosene, naphtha, benzene, toluene, sylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides;
- (c) Noxious or malodorous solids, liquids, or gases, which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are or may be sufficient to prevent entry into a sewer for its maintenance and repair;
- (d) Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half inch in any dimension;
- (e) Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate

body having control over their use and which will or may cause damage or hazards to the wastewater treatment system or personnel operating the system;

- (f) Solid or viscous wastes which will or may cause obstruction to the flow in a sewer or otherwise interfere with the proper operation of the wastewater treatment system, including grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances;
- (g) Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen minutes more than five times the average twenty-four hour concentration and quantities or flow during normal operation that would cause a treatment process upset and subsequent loss of treatment efficiency;
- (h) Any toxic substances in amounts exceeding standards promulgated by the administrator of the U.S. Environmental Protection Agency and chemical elements or compounds, phenols, or other taste- or odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the wastewater treatment system, or that will pass through the system;
- (i) Any unpolluted water including, but not limited to, water from cooling systems or of storm water origin, which will increase the hydraulic load on the wastewater treatment system;
- (j) Wastes with objectionable color not removable by the treatment process;
- (k) Any waste which will cause corrosion or deterioration of the wastewater treatment system, including acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products;
- (l) Any liquid or vapor having a temperature higher than 150°F (65°C);
- (m) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment system;
- (n) Any storm water, surface water, ground water, roof runoff, or sub-surface drainage.

10.12.030 Limitations on wastewater discharge. No person shall discharge or convey, or permit to be discharged or conveyed, into any public sewer any wastewater containing pollutants of such character or quantity that will:

- (a) Not be susceptible to treatment or will interfere with the process or efficiency of the wastewater treatment system;
- (b) Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment system effluent;
- (c) Violate pretreatment standards; or
- (d) Cause the wastewater treatment system to violate its NPDES permit or applicable receiving water standards.

10.12.040 Special agreements. Nothing in this title shall be construed as preventing any special agreement or arrangement between the utility and any user of the wastewater treatment system in which wastewater of unusual strength or character is accepted into the system and specially treated, but such agreement shall be subject to any charges that may be applicable.

10.12.050 Regulatory actions. If wastewater containing any substance described in this chapter is discharged or proposed to be discharged into the wastewater treatment system or to any sewer system tributary, the director may take any action necessary to:

- (a) Prohibit the discharge of such wastewater;
- (b) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this chapter;
- (c) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate the provisions of this chapter;
- (d) Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the utility for handling and treating excess loads imposed on the treatment process;
- (e) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purposes of this chapter.

10.12.060 Submission of plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications, and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the director for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the director.

10.12.070 Pretreatment facilities operations. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his cost and expense, subject to the provisions of this chapter and all other applicable codes, ordinances, and laws.

10.12.080 Protection from accidental discharge. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this title. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the director for review, and shall be approved by him before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility of modifying the facility as necessary to meet the requirements of this title.

10.12.090 Reporting of accidental discharge. In the event a user does not comply with or will be unable to comply with any prohibition or limitation in this title, the user shall immediately notify the director so that corrective action can be taken to protect the wastewater treatment system. In addition, a written report addressed to the director stating the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharge shall be filed within five days of the occurrence of the noncomplying discharge.

Chapter 10.16

INDUSTRIAL WASTEWATER DISCHARGE

Sections:

- 10.16.010 Discharge reports.
- 10.16.020 Records and monitoring.
- 10.16.030 Inspection, sampling, and analysis.

10.16.010 Discharge reports. (a) Every industrial user shall file a periodic discharge report at such intervals as are designated by the director. The director may require any other industrial user discharging or proposing to discharge into the wastewater treatment system to file such periodic reports.

(b) The discharge report shall include, but not be limited to, the nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants, or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the director may require information in the form of self-monitoring reports.

10.16.020 Records and monitoring. (a) All industrial users who discharge or propose to discharge wastewater to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this title and any applicable state or federal pretreatment standards or requirements. Such records shall be made available upon request by the director and all such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand. A summary of such data indicating the industrial user's compliance with this title shall be prepared quarterly and submitted to the director.

(b) The owner or operator of any premises or facility discharging industrial wastes into the wastewater treatment system shall install at his cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. The utility may perform these services if requested, to be paid according to the rates established in this title. The monitoring equipment shall be located and maintained on the user's premises outside of the building. When such a location would be impractical or cause undue hardship to the user, the director may allow the facility to be constructed in a public street or sidewalk area, with the approval of the public agency having jurisdiction over the street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

(c) When more than one user can discharge into a common sewer, the director may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the director may require that separate monitoring facilities be installed for each separate discharge.

(d) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the director's requirements and all applicable construction standards and specifications.

10.16.030 Inspection, sampling, and analysis. (a) Determination of compliance with the provisions of Chapter 10.12 may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four hour period, or over a longer or shorter time span, as determined necessary by the director to meet the needs of specific circumstances.

(b) Sampling of industrial wastewater for the purpose of determining compliance with the provisions of Chapter 10.12 shall be done at such intervals as the director may designate, but it is the intention of the director to conduct compliance sampling or to cause such sampling to be conducted for all industrial users at least once each year.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication as required by state law.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 10th day of July, 1980.

Tomilea Allison
Tomilea Allison, President
Bloomington Common Council

ATTEST:

Nora M. Connors
Nora M. Connors, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 11th day of July, 1980.

Nora M. Connors
Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 11th day of July, 1980.

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would codify those sections of the Rules for the City of Bloomington Wastewater Utility adopted by the Utilities Service Board that involve penalties and fees, with the remainder of the new rules being submitted to the Council in Resolution 80-6. The ordinance repeals and re-enacts Title 10 of the Municipal Code to include some old sections and to incorporate new rules of the Environmental Protection Agency.

LEGAL NOTICE

ORDINANCE 80-26

To Repeal and Re-Enact

Title 10 of the

Bloomington Municipal

Code, Entitled "Wastewater"

Be it hereby obtained by the Common Council of the City of Bloomington, Monroe County, Indiana, that:

Section 1, Title 10 of the Bloomington Municipal Code, currently entitled "Sanitation", shall be repealed and re-enacted to read as follows:

Title 10

WASTEWATER

- Chapters:
10.04 General Rules
10.08 Wastewater Rates and Charges
10.12 Prohibited Wastewater Discharges
10.16 Industrial Wastewater Discharges

Chapter 10.04

GENERAL RULES

Definitions.

Posting of rules.

10.04.010 Wastewater main connections and construction.

10.04.040 Extension of wastewater mains.

10.04.050 Mandatory connections.

10.04.060 Construction and abatement of defective privies or septic systems.

10.04.070 Personal sewage sludge use.

10.04.080 Admission to property.

10.04.090 Illegal connections.

10.04.100 Enforcement procedures.

10.04.110 Penalties.

10.04.010 Definitions. As used in this title, the following words have the following meanings unless otherwise designated. Where words are not defined, they shall have the meanings provided in the wastewater utility rules.

(a) "Act" means the Federal Water Pollution Control Act of 1972, Public Law 92-593 and all amendments.

(b) "Biochemical Oxygen Demand" or "BOD" means the quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures.

(c) "Board" means the Bloomington Utilities Service Board or any duly authorized representative acting in its behalf.

(d) "Commercial user" means any user other than a resident user, Indiana University user, or industrial user as defined herein.

(e) "Conventional pollutant" means those pollutants designated by the Act to include BOD, total suspended solids, pH,

oil, grease, and such other pollutants which may be regulated and controlled in the city's permit system for its wastewater treatment system.

(f) "Director" means the director of the utility or any duly authorized representative acting in his behalf.

(g) "Domestic wastes" means liquid wastes from the non-commercial preparation, cooking, and handling of food or liquid wastes containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

(h) "Indiana University user" means any Indiana University owned property located on the central campus which generates wastewater.

(i) "Industrial user" means any non-governmental, non-residential generator of wastewater with industrial wastewater discharges and with contributed volumes averaging 25,000 gallons or more per day of equivalent sanitary waste (or the weight of biochemical oxygen demand or suspended solids equivalent to that waste found in 25,000 gallons per day of sanitary wastes) or a volume of process waste; or has in its waste a toxic pollutant in toxic amounts; or is found to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system or upon the quality of its effluent.

(j) "Industrial wastewater" means the liquid wastes resulting from the processes employed in industrial, manufacturing, trade, or business establishments where characteristics of wastes are entirely different from domestic wastes.

(k) "National Pollutant Discharge Elimination System" or "NPDES" means the program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zones, and the oceans pursuant to the Act.

(l) "Nonconventional pollutants" means all pollutants other than toxic or conventional as defined in the Act.

(m) "Operation and Maintenance" or "O & M" means the cost of operations and maintenance of the treatment works, including replacement costs. It means the expenses for supplies, materials, salaries and equipment necessary for the normal operation of the treatment works, including overhead, meter reading, bill preparation, collection system costs, sewer equipment maintenance and treatment works equipment maintenance.

(n) "Person" means any individual, firm, company, partnership, corporation, association, group, or society, including the state of Indiana, and agencies, districts, commissions, and political subdivisions created by or pursuant to state law.

(o) "Pollutant" means any substance that degrades the quality of water.

(p) "Pretreatment" means application of physical, chemical, and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in wastewater prior to discharging such wastewater into the wastewater treatment system.

(q) "Pretreatment standards" means all applicable federal rules and regulations implementing the Act, as well as any non-conflicting state or local standards.

(r) "Public sewer" means a primary or secondary sewer in which all owners of abutting property have equal rights and which is controlled by the utility.

(s) "Replacement costs" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful life of the wastewater treatment system.

(t) "Residential user" means any single or double family dwelling which generates wastewater.

(u) "Rules" means the Rules for the Bloomington Wastewater Utility adopted by the board.

(v) "Sanitary sewer" means a sewer which carries wastewater and to which all storm, surface, and ground waters and unpolluted industrial wastewater are not intentionally admitted.

(w) "Sewer" means pipe or conduit for carrying wastewater or other waste liquids.

(x) "Storm water" means any flow occurring during or immediately following any form of natural precipitation and resulting from it.

(y) "Suspended solids" or "SS" means the solids which either float on the surface or are in suspension in water, wastewater, or other liquids and which are removable by laboratory filtration on a glass fiber filter.

(z) "Toxic pollutant" means a pollutant designated as such in the Act.

(aa) "User" means any person who discharges, causes, or permits the discharge of wastewater into the wastewater treatment system.

(bb) "Utility" means the Bloomington Wastewater Utility.

(cc) "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether pretreated or not, which is discharged into or permitted to enter the wastewater treatment system.

(dd) "Wastewater treatment system" means any devices, facilities, structures, equipment, or works owned by the city for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

10.04.020 Posting of rules. A copy of the rules shall be filed and posted in the commercial office of the utility and shall be available for public inspection during regular business hours.

10.04.030 Wastewater main connections and construction. All construction of wastewater mains and their connection to the utility shall be made in accordance with Rule 6 of the rules.

10.04.040 Extension of wastewater mains. The extension of wastewater mains and related facilities shall be made in accordance with Rule 7 of the rules.

10.04.050 Mandatory Connections. All wastewater sources located on property which is adjacent to an easement or public roadway in which a public sewer is located shall be connected to the public sewer, provided that the public sewer has the capacity to adequately accept the flow. This connection shall take place within three years of the effective date of this chapter or three years from the construction of an adjacent public sewer.

10.04.060 Construction and abatement of defective privies or septic systems. It shall be unlawful for any person to permit continuance of any outside privy or septic system owned or controlled by him that is full, has reached its capacity, overflows, or is defective, so as to pollute the air or earth. No septic system or outside privy shall be installed or constructed where a sanitary sewer is adjacent or available to any property.

10.04.070 Personal sewer sludge use. Any person who takes sludge or has delivered to him in any form from any wastewater treatment plant serving the city does so at his own risk.

10.04.080 Admission to property. Whenever it is necessary for the purposes of this title, the director may, upon presentation of proper credentials, enter upon any property or premises at reasonable times for the purpose of copying any records required to be kept under the provisions of this title; inspecting any monitoring equipment or method; and sampling any discharge of wastewater to the wastewater treatment system. The director may enter upon the property at any time if an emergency exists.

10.04.090 Illegal connections. In cases where connections are made to the wastewater treatment system which have not been approved by the utilities engineer, service will be immediately discontinued and a charge to recover losses together with a service charge not to exceed six months estimated billing shall be imposed.

10.64.100 Enforcement procedures.

(a) Any discharge of nonconventional or toxic pollutants which affects the operation of the wastewater treatment plant shall be considered a major violation of this title. In such case the director may serve upon the person in violation a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for correction of the violation. If the violation is not corrected in the time provided, the director may order the person to show cause before the board why service should not be terminated after the person has been properly served notice specifying the time and place of the hearing. The hearing shall follow the procedures set forth in Rule 11 of the rules and the violation of any order of the board shall be considered a public nuisance. In such cases the city attorney shall begin an action for appropriate relief.

(b) When the director finds that any person has violated or is violating any other provision of this title, he may serve upon the person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for correction of the violation. If the violation is not corrected in the time provided, the city attorney shall begin an action for appropriate relief.

(c) When the director finds that an emergency exists that may result in serious harm to the wastewater treatment system or its users, the director may request the city attorney to obtain a temporary restraining order against the violator.

10.04.110 Penalties. Any person who violates any provision of this title or any order of the board shall be fined not less than one dollar nor more than one thousand dollars for each offense. Each day a violation continues shall constitute a separate offense. In addition, the city may recover reasonable attorneys' fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

Chapter 10.08

WASTEWATER RATES AND CHARGES

Sections:

10.08.010 Rates--Generally.

10.08.020 Rates--Biennial review.

10.08.030 Rates--Based on quantity of water used.

10.08.040 Rates--Metered water user.

10.08.050 Rates--Exemptions.

10.08.060 Rates--Utility measurement of water.

10.08.070 Rates--Nonmetered water users.

10.08.080 Billing.

10.08.090 Delinquencies--Late payment charge.

10.08.100 Liens for nonpayment.

10.08.110 Special service rates.

10.08.120 Septic haulers--Charges.

10.08.130 Inspection charge.

10.08.010 Rates--Generally. Rates or charges shall be collected for the use of and the service rendered by the utility from the owners of each and every lot, parcel of real estate, or building that is connected with and uses the utility by or through any part of the wastewater treatment system, and the rates and charges shall be payable as provided in this chapter.

10.08.020 Rates--Biennial Review. Not less than every two years the board shall review the wastewater contribution of users and user classes, the total cost of operation and maintenance of the treatment works, and its user charge system. The board shall, subject to enactment by the Common Council, revise the charges for users and user classes to maintain the proportionate distribution of operation and maintenance costs among the user and user classes and to generate sufficient revenue to pay the total operation and maintenance costs necessary for proper operation and maintenance of the treatment system, bond payments, and routine improvements.

10.08.030 Rates--Based on quantity of water used. (a) The residential user rates and charges shall be based upon the quantity of water used on or in the property or premises subject to the rates and charges, as water is measured by the city water meter there in use, except as otherwise provided. Residential summer rates for the months of June, July, August, and September shall be based upon the average of April and May or actual usage, whichever is less. All other users shall be charged on the basis of one hundred per cent of metered water consumption subject to user proof of lower wastewater use.

(b) Industrial user rates and charges shall be based on the quantity of water used as well as any special service rates that may apply.

10.08.040 Rates--Metered water users. General service rates shall be applicable to all metered water users except those with other than average strengths of BOD and suspended solids. The general service rates shall be determined as follows:

Portion of Rate Applicable to Operation & Capital Total Maintenance Related Expenses Costs

Monthly service charge (per meter) \$2.56 0 \$2.56

User charge

Charge per 1,000 gallons per month for all billable usage

Residential 0.43 0.95 1.38

Commercial 0.43 0.71 1.14

Indiana University 0.43 0.67 1.10

Industrial 0.43 0.67 1.10

10.08.050 Rates--Exemptions.

Water which is used in process of manufacture or for any other purpose which does not discharge into the sanitary sewers shall be exempted, provided, however that the property owner shall install, under the supervision of the utility, the necessary meters to indicate the amount of water used which does not discharge into the sanitary sewers. All meters installation and maintenance costs shall be paid by the user, including a monthly service charge as provided above.

10.08.060 Rates--Utility measurement of water.

(a) In the event a lot, parcel of real estate, or building discharging wastewater, water, or other liquids into the wastewater treatment system, either directly or indirectly, is not a user of water supplied by the utility and the water used shall be otherwise measured or determined by the utility in order to determine the rate or charge provided for in this chapter, or the user may at his expense install and maintain a meter acceptable to the utility for this purpose.

(b) In the event a lot, parcel of real estate, or building discharges industrial wastewater either directly or indirectly into the wastewater treatment system and the utility finds it is not practical to attempt to measure such wastes by meter, it may be measured in such manner and by such methods as the utility may find practical in the light of the conditions and attendant circumstances in order to determine the rate or charge according to the corresponding rates per thousand gallons provided in this chapter. Higher than average wastewater strengths shall pay accordingly.

10.08.070 Rates--Nonmetered water users.

The minimum rate or charge for any service where the user is not a metered water user shall be one hundred fifty-one dollars per year, payable monthly. At the request of the utility or the user, a meter shall be installed.

10.08.080 Billing. Rates and charges shall be billed monthly and shall be due and payable twenty-five days from the mailing of the bill.

10.08.090 Delinquencies--Late payment charge.

In the event a net bill is not paid within twenty-five days from the mailing of the bill, it shall become a delinquent bill and a late payment charge may be added to the bill in the amount of three percent of the unpaid balance.

10.08.100 Liens for nonpayment.

(a) In addition to any other method of collection of rates and charges, including the late payment charge, the utility may foreclose liens on property when rates and charges become delinquent. The utility may recover the amount due, the penalty, and reasonable attorney's fees in the manner provided by IC 19-2-5.

(b) The utility shall have the right to foreclose the lien against rental property regardless of whether the delinquency in payment was created by the tenant or owner of the property.

10.08.110 Special service rates.

(a) Special service rates shall be applicable to all industrial users who generate wastewater which contains any nonconventional pollutants or strengths of BOD or SS that exceed the system average strengths of 300 ppm BOD or 350 ppm SS as determined by special laboratory analysis by the utility's central laboratory. Other special service rates shall be charged on a case-by-case basis for toxic pollutant discharges, with the charges being based on the difficulty of treating the toxic pollutant as well as sampling, testing, and disposal charges. Strength charges are to be computed on actual measured strengths and volumes.

(b) Special service rates shall be determined as follows:

Portion of Rate Applicable to Operation & Capital Total Maintenance Related Expenses Costs

Monthly service charge (per meter) \$2.56 0 \$2.56

Special laboratory analysis monthly charge

Strength of BOD and SS sampling charge 30.00

Grease and oil sampling charge 40.00

Metal sampling charge (per metal per test) 5.00

User charge

Charge per 1,000 gallons per month for all billable usage

Special service rate 0.22 0.29 0.51

Non-excessive strength rate 0.43 0.67 1.10

Strength charge

Charge per 1,000 gallons of billable usage for each part per million of:

BOD .000422(13)* .000875(26)* .001257(39)

Suspended solids .000277(.80)* .000385(1.2)* .000521(2.0)

*Minimum charge when only one of either BOD or SS exceeds the average.

10.08.120 Septic haulers--Charges.

(a) Septage shall only be accepted for treatment by the utility from residents of Monroe County and only if the treatment processes and final effluent are not adversely affected. Only conventional pollutants shall be accepted for treatment and all haulers shall provide the utility with the names and addresses of the users whose septage is brought for treatment. The director shall designate the site where the septage will be accepted.

Monthly service charge (per meter) \$2.56 0 \$2.56

User charge

Charge per 1,000 gallons per month for all billable usage

Residential 0.43 0.95 1.38

Commercial 0.43 0.71 1.14

Indiana University 0.43 0.67 1.10

Industrial 0.43 0.67 1.10

Special laboratory analysis monthly charge

Strength of BOD and SS sampling charge 30.00

Grease and oil sampling charge 40.00

Metal sampling charge (per metal per test) 5.00

User charge

Charge per 1,000 gallons per month for all billable usage

Special service rate 0.22 0.29 0.51

Non-excessive strength rate 0.43 0.67 1.10

Strength charge

Charge per 1,000 gallons of billable usage for each part per million of:

BOD .000422(13)* .000875(26)* .001257(39)

Suspended solids .000277(.80)* .000385(1.2)* .000521(2.0)

*Minimum charge when only one of either BOD or SS exceeds the average.

10.08.120 Septic haulers--Charges.

(a) Septage shall only be accepted for treatment by the utility from residents of Monroe County and only if the treatment processes and final effluent are not adversely affected. Only conventional pollutants shall be accepted for treatment and all haulers shall provide the utility with the names and addresses of the users whose septage is brought for treatment. The director shall designate the site where the septage will be accepted.

(b) The charge for each delivery to the wastewater treatment system shall be ten dollars.

10.08.130 Inspection charge. All inspections during normal business hours shall be free of charge. All inspections during overtime hours shall be at the rate of twelve dollars and fifty cents per hour.

Chapter 10.12

PROHIBITED WASTEWATER DISCHARGES

Sections:

10.12.010 General prohibitions.

10.12.020 Prohibitions on wastewater discharge.

10.12.030 Limitations on wastewater discharge.

10.12.040 Special agreement.

10.12.050 Regulatory actions.

10.12.060 Submission of plans.

10.12.070 Pretreatment facilities operations.

10.12.080 Protection from accidental discharge.

10.12.090 Reporting of accidental discharge.

10.12.010 General prohibitions. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater, industrial wastewater, or other polluted water except where suitable treatment has been provided in accordance with the provisions of this chapter.

10.12.020 Prohibitions on wastewater discharge. No person shall discharge or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

(a) Oil and grease concentrations or amounts from facilities violating federal pretreatment standards; wastewater from industrial facilities containing floatable fats, wax, grease, or oils; and wax, grease, or oil concentrations of mineral origin of more than ten milligrams per liter whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 degrees C and 65 degrees C) at the point of discharge into the system;

(b) Liquids, solids, or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment system or its operation, including gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides;

(c) Noxious or malodorous solids, liquids, or gases, which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are or may be sufficient to prevent entry into a sewer for its maintenance and repair;

(d) Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half inch in any dimension;

(e) Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate body having control over their use and which will or may cause damage or hazards to the wastewater treatment system or personnel operating the system;

(f) Solid or viscous wastes which will or may cause obstruction to the flow in a sewer or otherwise interfere with the proper operation of the wastewater treatment system, including grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances;

(g) Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen minutes more than five times the average twenty-four hour concentration and quantities or flow during normal operation that would cause a treatment process upset and subsequent loss of treatment efficiency;

(h) Any toxic substances in amounts exceeding standards promulgated by the administrator of the U.S. Environmental Protection Agency and chemical elements or compounds, phenols, or other taste- or odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the wastewater treatment system, or that will pass through the system;

(i) Any unpolluted water including, but not limited to, water from cooling systems or of storm water origin, which will increase the hydraulic load on the wastewater treatment system;

(j) Wastes with objectionable color not removable by the treatment process;

(k) Any waste which will cause corrosion or deterioration of the wastewater treatment system, including acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products;

(l) Any liquid or vapor having a temperature higher than 150 degree F (65 degree C);

(m) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment system;

any action necessary to:

(a) Prohibit the discharge of such wastewater.

(b) Require a discharger to demonstrate that in plant modifications will reduce or eliminate the discharge of such substances in conformity with this chapter.

(c) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate the provisions of this chapter;

(d) Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the utility for handling and treating excess loads imposed on the treatment process;

(e) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purposes of this chapter.

10.12.060 Submission of plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications, and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the director for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the director.

10.12.070 Pretreatment facilities operations. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his cost and expense, subject to the provisions of this chapter and all other applicable codes, ordinances, and laws.

10.12.080 Protection from accidental discharge. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this title. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner or operator's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the director for review, and shall be approved by him before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility of modifying the facility as necessary to meet the requirements of this title.

10.12.090 Reporting of accidental discharge. In the event a user does not comply with or will be unable to comply with any prohibition or limitation in this title, the user shall immediately notify the director so that correction, a written report addressed to the director stating the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharge shall be filed within five days of the occurrence of the noncomplying discharge.

Chapter 10.15

INDUSTRIAL

WASTEWATER DISCHARGE

Sections:

10.16.010 Discharge reports.

10.16.020 Records and monitoring.

10.16.030 Inspection, sampling, and analysis.

10.16.040 Discharge reports.

(a) Every industrial user shall file a periodic discharge report at such intervals as are designated by the director. The director may require any other industrial user discharging or proposing to discharge into the wastewater treatment system to file such periodic reports.

(b) The discharge report shall include, but not be limited to, the nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentration of controlled pollutants, or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on the site even though they are not normally discharged. In addition to discharge reports, the director may require information in the form of self-monitoring reports.

10.16.020 Records and monitoring.

(a) All industrial users who discharge or propose to discharge wastewater to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollution amounts or concentrations as are necessary to demonstrate compliance with the requirements of this title and any applicable state or federal pretreatment standards or requirements. Such records shall be made available upon request by the director and all such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand. A summary of such data indicating the industrial user's compliance with this title shall be prepared quarterly and submitted to the director.

(b) The owner or operator of any premises or facility discharging industrial wastes into the wastewater treatment system shall install at his cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. The utility may perform these services if requested, to be paid according to the rates established in this title. The monitoring

(a) Any storm water, surface water, ground water, roof runoff, or subsurface drainage.

10.12.040 Limitations on wastewater discharge. No person shall discharge or cause or permit to be discharged or conveyed into any public sewer any wastewater containing pollutants of such character or quantity that it will:

(a) Not be responsible to treatment or will interfere with the process or efficiency of the wastewater treatment system;

(b) Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment system effluent;

(c) Violate pretreatment standards;

or

(d) Cause the wastewater treatment system to violate its NPDES permit or applicable receiving water standards.

10.12.040 Special agreements. Nothing in this title shall be construed as preventing any special agreement or arrangement between the utility and any user of the wastewater treatment system in which wastewater of unusual strength or character is accepted into the system and specially treated, but such agreement shall be subject to any charges that may be applicable.

10.12.050 Regulatory actions. If wastewater containing any substance described in this chapter is discharged or proposed to be discharged into the wastewater treatment system or to any system tributary, the director may take equipment shall be located and maintained on the user's premises outside of the building. When such a location would be impractical or cause undue hardship to the user, the director may allow the facility to be constructed in a public street or sidewalk area, with the approval of the public agency having jurisdiction over the street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

(c) When more than one user can discharge into a common sewer, the director may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the director may require that separate monitoring facilities be installed for each separate discharge.

(d) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the director's requirements and all applicable construction standards and specifications.

10.16.030 Inspection, sampling, and analysis.

(a) Determination of compliance with the provisions of Chapter 10.12 may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four hour period, or over a longer or shorter time span, as determined necessary by the director to meet the needs of specific circumstances.

(b) Sampling of industrial wastewater for the purpose of determining compliance with the provisions of Chapter 10.12 shall be done at such intervals as the director may designate, but it is the intention of the director to conduct compliance sampling or to cause such sampling to be conducted for all industrial users at least once a year.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication as required by state law.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 10th day of July, 1980.

Tomilea Allison, President
Bloomington Common Council

ATTEST:

Nora M. Connors, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 11th day of July, 1980.

Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 11th day of July, 1980.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would codify those sections of the Rules for the City of Bloomington Wastewater Utility adopted by the Utilities Service board that involve penalties and fees, with the remainder of the new rules being submitted to the Council in Resolution 80-6. The ordinance repeals and re-enacts Title 10 of the Municipal Code to include some old sections and to incorporate new rules of the Environmental Protection Agency.

19-25