Passed 9-0

ORDINANCE 06-11

TO AMEND TITLE 10 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "WASTEWATER"
Re: Pretreatment and Other Requirements for Compliance With the National Domestic Sewage Study

WHEREAS, the City of Bloomington, Indiana (the City) has constructed and has in operation a wastewater collection system for the purpose of collecting and treating wastewater; and,

WHEREAS, in May 2004 the Dillman Road Wastewater Treatment Plant was issued a National Pollutant Discharge Elimination System ("NPDES") permit which required that the City review its sewer use ordinance for compliance with the National Domestic Sewage Study and the Pretreatment Implementation Review Task Force ("PIRT") regulations; and,

WHEREAS, City of Bloomington Utilities Department staff completed the review of the ordinance and of local discharge limits in March of 2005 and submitted the proposed changes to the Environmental Protection Agency ("EPA") Region V office for approval; and,

WHEREAS, the EPA approved the proposed changes as a minor pretreatment program modification in March of 2006; and,

WHEREAS, the City of Bloomington Utilities Service Board ("USB") has reviewed the proposed ordinance and recommends to the Common Council that it be adopted;

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

SECTION 1. Section 10.04.010 entitled "Definitions" shall be amended by deleting the existing provision and replacing it with the following:

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.

Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
Approval Authority. The Indiana Department of Environmental Management.
Authorized Representative of the User.
(a)If the user is a corporation:
(1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
(2) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
(b) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
(c) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
(d) The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.
Base unit. The amount that equals the average single-family residential impervious area, which is presently set at two thousand square feet but which may be adjusted by action of the utilities service board.

Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
Board. The Bloomington Utilities Service Board (USB) or any duly authorized representative acting in its behalf.
Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307 (b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
City or CBU. The City of Bloomington, Indiana acting through its Utilities Service Board.
Commercial User. Any user other than a residential user, Indiana University user or industrial user as defined in this section.
Conventional pollutant. 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.
Director. The director of the utility or any duly authorized representative acting in his behalf.
Discharger. Any nonresidential user who discharges an effluent into a POTW by means of pipes, conduits, pumping stations force mains, constructed drainage ditches, surface water intercepting ditches, intercepting ditches and all constructed devices and appliances appurtenant thereto.
Domestic wastes. Liquid wastes from the noncommercial 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.
Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.
Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
Grab Sample. A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
Impervious area. The total hard surface area (asphalt, concrete, stone, etc.) that is contained on a lot or parcel, or within a development tract.
Indiana University User. Any Indiana University-owned property located on the central campus which generates wastewater.
Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.
Industrial waste. A solid, liquid or gaseous waste resulting from any industrial manufacturing, trade, or business process or from the development, recovery or processing of natural resources.
Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of Bloomington's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis waste.
New Source.
(a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
(1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (a) (2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(1) Begun, or caused to begin, as part of a continuous onsite construction program

(A) any placement, assembly, or installation of facilities or equipment; or

(B) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

NPDES or National Pollution Discharge Elimination System. The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into navigable waters, the contiguous zones, and the oceans pursuant to the Clean Water Act.

Operation and Maintenance or O & M. The cost of operation and maintenance of the treatment works, including replacement costs. It means the expenses 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.

Other wastes. Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals and all other substances except sewage and industrial wastes.

Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, heavy metals, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Chapter 10.12 of this Title.

Publicly Owned Treatment Works or POTW. A treatment works, as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Public Sewer. A primary or secondary sewer in which all owners of abutting property have equal rights and which is controlled by the utility.

Replacement costs. 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.
Residential User. Any single-family or double-family dwelling which generates wastewater.
Rules. "Rules, Regulations and Standards of Service" adopted by the Utility Service Board.
Sanitary sewer. A sewer which carries wastewater and to which all storm, surface and ground waters and unpolluted industrial wastewater are not intentionally admitted.
Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
Sewage. Water-carried human wastes, or a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, storm or other waters as may be present.
Sewer. Any pipe, conduit, ditch or other device used to collect and transport sewage or stormwater from the generating source.
Shall. Mandatory.
Significant Industrial User.
(a) A user subject to categorical pretreatment standards; or
(b) A user that:
(1) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
(2) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
(3) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
(c) Upon a finding that a user meeting the criteria in section (b) above has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.
Slug Load or Slug. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Chapter 10.12 of this Title or causes interference to the POTW.
Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.
Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
Stormwater utility, stormwater works, and stormwater facilities. All constructed pipes, mains, facilities, structures and natural water courses under the control of the Utilities Service Board used for collecting and conducting stormwater through and from drainage area to the point of final outlet, including but not limited to, any and all of the following: mains, pipes, lift stations, inlets, conduits and pertinent features, creeks, channels, catch basins, ditches, streams, culverts, retention or detention basins, and pumping stations; and excluding there from any part of the system of drains and water courses under the jurisdiction of the Monroe County drainage board; provided, however, that the Utilities Service Board and the Monroe County drainage board may negotiate cooperative arrangements regarding jurisdiction, design, construction, operation and maintenance of drains located outside of the municipal corporate boundaries under the authority of Indiana Code 36-9-27-1 et seq.
Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
Toxic pollutant. Those substances listed in Section 307(a)(1) of the Act.
Upset. An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the standards set forth in the Act due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.
User or Industrial User. A source of indirect discharge; any person or entity that discharges, causes or permits the discharge of wastewater into the wastewater treatment system.
Utilities Director. The person designated by the City of Bloomington to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Title, or a duly authorized representative.
Utility. The City of Bloomington Utilities comprised of water, wastewater and storm water utilities.

Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater treatment system. 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.

SECTION 2. Section 10.04.030 entitled "Wastewater main connections and construction" shall be amended by deleting "rule 6" and replacing it with "Section 23".

SECTION 3. Section 10.04.040 entitled "Extension of wastewater mains" shall be amended by deleting "rule 7" and replacing it with "Sections 13 and 25".

SECTION 4. Section 10.04.100 entitled "Enforcement procedures," Paragraph (a) shall be amended by deleting "rule 11" and replacing it with "Section 22".

SECTION 5. Section 10.04.110 entitled "Penalties" shall be amended by deleting the existing provision and replacing it with the following:

(a) 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 two-thousand five-hundred dollars for each offense. Each day a violation continues shall constitute a separate offense. In addition, the city may recover reasonable attorney's fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

(b) Administrative Fines. When the Director finds that a user has violated, or continues to violate, any provision of this Title, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director may fine such user in an amount not to exceed $2,500.00. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation. In addition, the city may recover reasonable attorney's fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

(1) Unpaid charges, fines, and penalties shall, after forty-five (45) calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.

(2) Users desiring to dispute such fines must file a written request for the Director to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the Director may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

(c) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

SECTION 6. Section 10.08.120 entitled "Waste haulers—Charges," Paragraph (b), column one of "Grease Waste – Each additional 100 gallons" shall be amended by deleting "0.43" and replacing it with "4.30".

SECTION 7. Section 10.12.010 entitled "General Prohibitions" shall be amended by deleting the existing provision and replacing it with the following:

10.12.010 General Prohibitions

(a) General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

(b) Director's Authority. The Director may reject any discharge to the POTW, in whole or part, that he/she determines to have the potential to either adversely affect POTW operation or cause or contribute to a violation of the City's NPDES permit.

SECTION 8. Section 10.12.020 entitled "General discharge prohibition" shall be shall be amended by deleting the existing provision and replacing it with the following:

10.12.020 Specific Prohibitions

(a) No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

(1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140° F (60° C) using the test methods specified in 40 CFR 261.21;

(2) Wastewater having a pH less than 5.0 or more than 10.0 or otherwise causing corrosive structural damage to the POTW or equipment;

(3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference [but in no case solids greater than one inch (1") or forty centimeters (40 cm) in any dimension;

(4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;

(5) Wastewater having a temperature greater than 140°F (60°C)], or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);

(6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

(8) Trucked or hauled pollutants, except at discharge points designated by the Director in accordance with Chapter 10.08 of this Title;

(9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

(10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;

(11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;

(12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director;

(13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;

(14) Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit;

(15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

(16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW; or

(17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than one hundred-fifty (150)mg/l.

(b) Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's cost and expense.

SECTION 9. Section 10.12.030 entitled "Limitations on Wastewater Strength" shall be amended by deleting the existing provision and replacing it with the following:

10.12.030 Limitations on Wastewater Strength

(a) National Categorical Pretreatment Standards. The National Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 400-471 (including the categorical standards) are hereby incorporated.

(1) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

(2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).

(3) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

(4) No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Director may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

(5) Reporting of Changes in Production. Any industrial user operating under a control mechanism incorporating equivalent mass or concentration limits calculated from a production based standard shall notify the Control Authority within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month.

(b) Local effluent limits. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits:

Parameter	Limit (mg/l)
cadmium	.48
chromium	1.53
copper	2.07
cyanide	.65
lead	.20
mercury	.00014
nickel	2.14
oil and grease	150
PCBs	<1.6 ug/l
silver	.55
zinc	1.00

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The Director may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

(c) Accidental discharges/slug discharges. At least once every two (2) years, the Director shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Director may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Director may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

(1) Description of discharge practices, including nonroutine batch discharges;

(2) Description of stored chemicals;

(3) Procedures for immediately notifying the Director of any accidental or slug discharge, as required by Chapter 10.12 of this Title; and

(4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(5) Review and approval of such plans and operating procedures by the city shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this title.

(6) Dischargers shall notify the city by telephone immediately upon the occurrence of a "slugload," or accidental discharge of substances prohibited by this title. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.

(7) Signs shall be permanently posted in conspicuous places on discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such discharge with respect to emergency notification procedure.

SECTION 10. Chapter 10.12 shall be amended by adding the following Section 10.12.050 entitled "Hauled waste" as follows:

10.12.050 Hauled waste

(a) Waste shall only be accepted for treatment by the utility if the treatment processes and final effluent are not adversely affected. All haulers shall provide the utility with the names and addresses of the users whose waste is brought for treatment. The director shall designate the site where the waste will be accepted.

(b) The following types of waste may be accepted for treatment by the city utilities:

(1) Domestic Septage. Domestic septage refers to the waste contained in, or removed from, septic tanks or holding tanks which serve residential homes or other sources which generate only food-based waste. Each truckload delivered will be assumed to be a full load unless proven otherwise by the hauler.

(2) Grease Waste. Grease waste is the waste contained in, or removed from, grease traps or other similar devices which have been installed for the purpose of retaining the portion of the waste stream which floats on water. For the purpose of this document, grease waste refers to greases of plant or animal origin. Petroleum based oils and greases are specifically prohibited from being discharged into the wastewater system. Analysis of the grease wastes may be required before acceptance for treatment and disposal. The charge will be based on the calculated volume of the pit or trap. There will be no additional charge for the water used to wash the grease from the pit.

(3) Wastewater Treatment Plant Waste. Wastewater treatment plant waste includes the excess solids generated at municipal or semi-public wastewater treatment plants and/or the collection systems associated with those treatment plants. The waste may be in the form of sludge, mixed liquor, lagoon dredgings, or waste from lift stations, and must be compatible with the treatment system's processes and capacities. Wastes which jeopardize compliance with the 40 CFR Part 503 rules concerning land application of sludge are prohibited. The board shall establish parameters for the testing of these wastes. The waste hauler will be responsible for the cost of any testing required. Trucks delivering these wastes will be assumed to be full.

(4) Commercial/Industrial Waste. Commercial/industrial waste includes wastes generated by industrial or commercial operations, or an operation which combines domestic waste with waste generated from industrial operations. This waste may be the product of some one-time operation, or may be accumulated in some form of holding tank, such as a septic tank. The wastes may be delivered to the system facilities only after the written request for such disposal has been approved by the director, or his designee, on a case-by-case basis. The board shall establish parameters for the testing of these wastes. The waste hauler will be responsible for the cost of any testing required. Trucks delivering these wastes will be assumed to be full.

(5) Out-of-County Waste. For each of the above listed categories of waste, there shall be a surcharge of fifty percent added to the respective fees for any waste which originates at any source outside the boundaries of Monroe County.

(c) Septic tank waste may be introduced into the POTW only at locations designated by the Director, and at such times as are established by the Director. The Director may require the hauler to provide a waste analysis of any load prior to discharge or the Director may collect samples of each hauled load to ensure compliance with this Title. Waste haulers may be required by the Director to provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The Director may establish operating rules, in addition to those rules listed in this section.

SECTION 11. Section 10.16.020 entitled "Wastewater discharge permits," shall be amended by deleting the existing provision and replacing it with the following:

10.16.020 Wastewater discharge permits.

(a) General Permits. All industrial dischargers proposing to connect to or to discharge sewage, industrial wastes and other wastes to the POTW shall obtain a wastewater discharge permit before connecting to or discharging to the POTW. All existing industrial dischargers connected to or discharging to the POTW shall obtain a wastewater discharge permit within ninety days after the effective date of the ordinance codified in this Title.

(b) Permit Conditions. Wastewater discharge permits shall specify no less than the following:

(1) Fees and charges to be paid upon initial permit issuance;

(2) Limits on the average and maximum wastewater constituents and characteristics regulated thereby;

(3) Limits on average and maximum rate and time of discharge and/or requirements for flow regulations and equalization;

(4) Requirements for installation and maintenance of inspection and sampling facilities;

(5) Special conditions as the city may reasonably require under particular circumstances of a given discharge including sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule;

(6) Compliance schedules;

(7) Requirements for submission of special technical reports or discharge reports where same differ from those prescribed by this title.

(c) Permit Duration. A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years at the discretion of the Director. Each wastewater discharge permit will indicate a specific date upon which it will expire. At the end of the stated expiration date the permittee must reapply for a discharge permit under Section 10.16.020(e).

(d) Limitations on Permit Transfer. Wastewater discharge permits are issued to a specific industrial discharger for a specific operation and are not assignable to another industrial discharger without the prior written approval of the city, or transferable to any other location.

(e) Permit Application. Industrial dischargers shall complete and file with the city, a permit application therefore in the form prescribed by the city, and accompanied by the appropriate fee. Existing industrial dischargers shall apply for a wastewater discharge permit within thirty days after the effective date of the ordinance codified in this chapter, and proposed new industrial dischargers shall apply at least ninety days prior to connecting to the POTW. No discharge permit shall be issued unless and until the following conditions have been met:

(1) Disclosure of name, address, and location of the discharger;

(2) Disclosure of Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;

(3) Disclosure of wastewater constituents and characteristics, including but not limited to those mentioned in this title, including Section 307 of the Act as appropriate, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, Part 136, as amended;

(4) Disclosure of time and duration of discharges;

(5) Disclosure of average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any. All flows shall be measured unless other verifiable techniques are approved by the city due to cost or nonfeasibility;

(6) Disclosure of site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location and elevation;

(7) Description of activities, facilities and plant processes on the premises including all materials which are or may be discharged to the sewers or works of the city;

(8) Disclosure of the nature and concentration of any pollutants or materials prohibited by this title in the discharge, together with a statement regarding whether or not compliance is being achieved with this title on a consistent basis and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the industrial discharger to comply with this title;

(9) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this title, the industrial discharger shall provide a declaration of the shortest schedule by which the industrial discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities.

(A) The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial discharger to comply with the requirements of this title including, but not limited to dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this title.

(B) Under no circumstances shall the city permit a time increment for any single step directed toward compliance which exceeds nine months.

(C) Not later than fourteen days following each milestone date in the schedule and the final date for compliance, the industrial discharger shall submit a progress report to the city, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industrial discharger to return the construction to the approved schedule. In no event shall more than nine months elapse between such progress reports to the city;

(10) Users shall provide wastewater treatment as necessary to comply with this Title and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Chapter 10.12 of this Title within the time limitations specified by EPA, the State, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this Title.

(11) Disclosure of each product produced by type, amount, process or processes and rate of production;

(12) Disclosure of the type and the amount of raw materials utilized (average and maximum per day);

(13) All permit applications for new or modified permits shall be signed by an authorized representative of the user;

(14) All sewers shall have an inspection and sampling manhole or structure with an opening of no less than twenty-four inches diameter and an internal diameter of no less than thirty-six inches containing flow measuring, recording and sampling equipment as required by the city to assure compliance with this title. The city will evaluate the complete application and data furnished by the industrial discharger and may require additional information. Within thirty days after full evaluation and acceptance of the data furnished, the city shall issue a wastewater discharge permit subject to terms and conditions provided herein.

(f) Permit Modifications. The city reserves the right to amend any wastewater discharge permit issued hereunder in order to assure compliance by the city with applicable laws and regulations. Within nine months of the promulgation of a National Categorical Pretreatment Standard, the wastewater discharge permit of each industrial discharger subject to such standards shall be revised to require compliance with such standards within the time frame prescribed by such standards. All National Categorical Pretreatment Standards adopted after the promulgation of this title shall be adopted by the city as part of this title. Where an industrial discharger, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a wastewater discharge permit as required by Section 10.16.020(e), the industrial discharger shall apply for a wastewater discharge permit from the city within one hundred eighty days after the promulgation of the applicable National Categorical Pretreatment Standard by the U.S. EPA. In addition, the industrial discharger with an existing wastewater discharge permit shall submit to the city within one hundred eighty days after the promulgation of an applicable National Categorical Pretreatment Standard, the information required by paragraphs (8) and (9) of Section 10.16.020(e). The industrial discharger shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Any significant changes in the industrial discharger's wastewater constituents or characteristics shall be reported to the city at least thirty days prior to initiation of any proposed in-plant modification causing the change. Any permit modification due to the proposed change must be completed prior to the change.

SECTION 12. Section 10.16.030 entitled "Reporting requirements for permittee" shall be amended by adding paragraphs (c) through (g) as follows:

(c) Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the Director within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director with thirty (30) days after becoming aware of the violation. The user is not required to resample if the Director monitors at the user's facility at least once a month, or if the Director samples between the user's initial sampling and when the user receives the results of this sampling.

(d) Application Signatories and Certification. All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

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

(e) Baseline Monitoring Reports.

(1) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in paragraph 2, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Director a report which contains the information listed in paragraph 2, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(2) Users described above shall submit the information set forth below.

(A) Identifying Information. The name and address of the facility, including the name of the operator and owner.

(B) Environmental Permits. A list of any environmental control permits held by or for the facility.

(C) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(D) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(E) Measurement of Pollutants.

(i) The categorical pretreatment standards applicable to each regulated process.

(ii) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Director, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Chapter 10.12 of this Title.

(iii) Sampling must be performed in accordance with procedures set out in Chapter 10.12 of this Title.

(F) Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(G) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Chapter 10.16 of this Title.

(H) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 10.16.030(d).

(f) Reports of Changed Conditions. Each user must notify the Director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60)] days before the change.

(1) The Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 10.16.020.

(2) The Director may issue a wastewater discharge permit under Section 10.16.020 or modify an existing wastewater discharge permit under Section 10.16.020(f) in response to changed conditions or anticipated changed conditions.

(3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%)] or greater, and the discharge of any previously unreported pollutants

(g) Reports of Potential Problems

(1) Dischargers shall notify the city by telephone immediately upon the occurrence of a "slugload," or accidental discharge of substances prohibited by this title. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.

(2) Within five (5) days following such discharge, the user shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this Title.

(3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph (g), above. Employers shall ensure that all employees, who may cause such a discharge, are familiar with the provisions of this Title.

SECTION 13. Section 10.16.080 entitled "Emergency suspension of service and discharge permits" shall be amended by deleting the existing provision and replacing it with the following:

10.16.080 Emergency suspension of service and discharge permits

The Director may immediately suspend a user's discharge, after informal notice to the user, wherever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, and endangerment to the environment.

(a) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 10.16.085 are initiated against the user.

(b) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director prior to the date of any show cause or termination hearing under Chapters 10.04 or 10.16 of this Title.

SECTION 14. Chapter 10.16 shall be amended by adding Section 10.16.085 entitled, "Termination of Discharge" which shall read as follows:

10.16.085 Termination of Discharge

(a) In addition to the provisions in Section 10.16.090, any user who violates the following conditions is subject to discharge termination:

(1) Violation of wastewater discharge permit conditions;

(2) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(3) Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;

(4) Refusal of reasonable access to the user's premises for the purpose of inspection monitoring or sampling, or;

(5) Violation of the pretreatment standards in Chapter 10.12 of this Title.

(b) Such user will be notified of the proposed termination of its discharge and be offered and opportunity to show cause under Chapters 10.04 and 10.16 of this Title why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a bar prerequisite for, taking any other action against the user.

(c) The city may for good cause shown suspend the wastewater treatment service and the wastewater discharge permit of an industrial discharger when it appears to the city that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interferes with the operation of the POTW, or violates any pretreatment limits imposed by this title or any wastewater discharge permit issued pursuant to this title. Any industrial discharger notified of the suspension of the city's wastewater treatment service and/or the industrial discharger's wastewater discharge permit, shall within a reasonable period of time, as determined by the city, cease all discharges. In the event of failure of the industrial discharger to comply voluntarily with the suspension order within the specified time, the city shall commence judicial proceedings immediately thereafter to compel the industrial discharger's compliance with such order. The city shall reinstate the wastewater discharge permit and/or the wastewater treatment service and terminate judicial proceedings upon receipt of proof by the industrial discharger of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

SECTION 15. Section 10.16.140 entitled "Enforcement actions—Annual publication" shall be shall be amended by deleting the existing provision and replacing it with the following:

10.16.140 Enforcement actions—Annual publication

Publication of Users in Significant Noncompliance. The Director shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six- (6-)month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

(b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-)month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

(c) Any other discharge violation that the Director believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

(d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;

(e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to accurately report noncompliance; or

(h) Any other violation(s) which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 16. Section 10.16.160 entitled "Operating upsets" shall be amended by deleting the existing provision and replacing it with the following:

10.16.160 Operating upsets

(a) Minor operating upsets which place the discharger in temporary non-compliance shall be reported to the Director within 24 hours of the occurrence. Minor upsets are defined as those temporary non-compliant discharges which are not expected to cause pass through or interference to the POTW.

(b) Notification shall be made by telephone to the Director's office. The report shall specify:

(1) Description of the upset, the cause thereof and the upset's impact on an industrial discharger's compliance status;

(2) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur;

(3) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of noncompliance.

(c) A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the city against an industrial discharger for any noncompliance with the title or any wastewater discharge permit issued pursuant hereto, which arises out of violations alleged to have occurred during the period of the upset.

SECTION 17. Chapter 10.16 shall be amended by adding Section 10.16.190 entitled "Regulation of wastes from other jurisdictions" which shall read as follows:

10.16.190 Regulation of wastes from other jurisdictions

(a) If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Director shall enter into an intermunicipal agreement with the contributing municipality.

(b) Prior to entering into an agreement required by paragraph A, above, the Director shall request the following information from the contributing municipality:

(1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;

(2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and

(3) Such other information as the Director may deem necessary.

(c) An intermunicipal agreement, as required by paragraph (a), above, shall contain the following conditions:

(1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this Title and local limits which are at least as stringent as those set out in Chapter 10.12 of this Title. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's Title or local limits;

(2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;

(3) A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Director; and which of these activities will be conducted jointly by the contributing municipality and the Director;

(4) A requirement for the contributing municipality to provide [the Director] with access to all information that the contributing municipality obtains as part of its pretreatment activities;

(5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;

(6) Requirements for monitoring the contributing municipality's discharge;

(7) A provision ensuring the Director access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Director; and

(8) A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

SECTION 18. Severability. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 19. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 5th day of JULY, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 6th day of JULY, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 6TH day of JULY, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

In May 2004 the Dillman Road Wastewater Treatment Plant was issued a National Pollutant Discharge Elimination System ("NPDES") permit which required that the City review its sewer use ordinance for compliance with the National Domestic Sewage Study and the Pretreatment Implementation Review Task Force ("PIRT") regulations. Staff completed review of the ordinance and submitted the proposed changes to the Environmental Protection Agency ("EPA") which approved the proposed changes. Those changes are embodied in this ordinance.

Note: This ordinance was revised after it went out in the 21 June 2006 Council Legislative Packet and before it was introduced at the Regular Session on 21 June 2006. The revisions primarily involved formatting, renumbering and relettering provisions to be consistent with the local code, and changing the references to sections, chapters, Title 10 and this ordinance.

Signed copies to:
legal (8)
controller
utilities
USB
CA/CA (3)
clerk
file
BHC file (2)
HT for publication