

UPPER MONTGOMERY JOINT AUTHORITY
RULES AND REGULATIONS LIMITING AND CONTROLLING THE QUALITY OF WASTEWATER AND
PRETREATMENT OF WASTEWATER

SECTION 1—GENERAL PROVISIONS

1.0 Purpose and Policy

These Regulations (also referred to herein as “Industrial Regulations”) set forth uniform requirements for Users of the Publicly Owned Treatment Works (POTW) for the Upper Montgomery Joint Authority (UMJA) and enable UMJA to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403). The objectives of these Industrial Regulations are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and biosolids in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and biosolids from the Publicly Owned Treatment Works;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- F. To enable the UMJA to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, biosolids use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

These Industrial Regulations shall apply to all Persons who are Industrial Users of the Publicly Owned Treatment Works. These Industrial Regulations authorize the issuance of individual wastewater discharge permits; provide for monitoring and inspection, compliance, and enforcement and penalty activities; establish administrative review procedures; require User reporting; and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Except as otherwise provided herein, the Authority shall administer, implement, and enforce the provisions of these Industrial Regulations.

1.1 Interpretation. These Industrial Regulations shall be interpreted in a manner consistent with all applicable laws and regulations of the Commonwealth of Pennsylvania. The Authority has adopted other Rules and Regulations regulating the use of its sanitary sewage system. To the extent that there is any conflict in definitions or other provisions between these Industrial Regulations and any other rule or regulation of the Authority, the definitions and provisions of these Industrial Regulations shall control regarding the subject matter of these Industrial Regulations.

2.0 Definitions

As herein, the following words, terms and phrases will hereinafter have the meanings set forth in this section, unless the context clearly indicates otherwise:

2.1 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,

2.2 Ammonia nitrogen: The total amount of nitrogen in the form of ammonia or ammonia usually expressed as a concentration (mg/L).

2.3 Applicant: The User applying for permission to connect to the Sewer System.

2.4 Approval Authority: The United States Environmental Protection Agency.

2.5 Authority: The Upper Montgomery Joint Authority (UMJA)

2.6 Authorized Representative (of Industrial User): An Authorized Representative of an Industrial User may be:

A. If the User is a Corporation:

(a) 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

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- B. A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively;
- C. A principal executive officer or director having responsibility for the overall operation of the discharging facility or a ranking elected official if the Industrial User is a governmental entity, charitable organization or other such unincorporated entity;
- D. A duly authorized representative of the individual designated above in (1), (2) or (3) if such representative, by name or position, is (a) identified in writing submitted to the Authority and (b)(i) is responsible for the overall operation of the facilities from which the Discharge originates or (ii) has overall responsibility for environmental matters for the company.

2.7 Best Management Practice (BMP). A schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMP's also apply to the control of fats, oils and greases generated by a facility prior to discharge to the Authority's wastewater publicly owned treatment works (potw).

2.8 Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter (mg/L)).

2.9 Building Sewer. A Sewer conveying Wastewater from the premises of a User to the Sewer System.

2.10 Bypass: The intentional diversion of Wastewater from any portion of an Industrial User's Pretreatment facility through which the Wastewater normally passes.

2.11 Calendar Day: Unless otherwise specified, the term Calendar Day when referred to in these Industrial Regulations consists of the period from midnight to midnight, or any equivalent twenty-four consecutive hour period, as determined to be appropriate by the Authority.

2.12 Carbonaceous Biochemical Oxygen Demand (CBOD5): The quantity of oxygen utilized by organic (carbonaceous) compounds in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter (mg/L)).

2.13 Categorical Industrial User. An Industrial User subject to Categorical Standards.

2.14 Categorical Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317)

which applies to a specific category of Industrial Users. National Categorical Pretreatment Standards are enumerated in 40 CFR, Chapter I, Subchapter N, Parts 405 through 471.

- 2.15 Chain of Custody: A record of sample collection indicating the place date and time of collection and the Person collecting the sample. It shall also include a record of each Person involved in possession of the sample including the laboratory Person who takes final possession of the sample for the purpose of analysis.
- 2.16 Clean Streams Law: The Act of June 22, 1937, P.L. 1937, as amended and reenacted by the Act of October 10, 1980, P.L. 894, 35 P.S. Sections 691.1 to 691.702.
- 2.17 Color: Color of light transmitted through a waste after removal of all suspended matter, including pseudo-colloidal particles, and measured in platinum-cobalt units.
- 2.18 Combined Waste Formula: A procedure for calculating discharge concentrations of constituents of Industrial Waste, as defined in 40 CFR §403.6(e).
- 2.19 Compliance: Adherence to conditions or requirements of these Industrial Regulations, any Order issued by the Authority, or any Wastewater Discharge Permit or other permit issued under the provisions of these Industrial Regulations.
- 2.20 Composite Sample: A sample composed of individual subsamples taken at regular intervals over a specified period of time. Subsamples may be proportioned by time interval or size according to flow (Flow-proportioned Composite Sample) or be of equal size and taken at equal time intervals (Equal-time Composite Sample).
- 2.21 Contributing Municipality: The Red Hill, the Pennsburg and East Greenville Boroughs, and any other municipality which is party to a service agreement and therefore a User of the Sewer System, their officers, members, employees, agents and assigns.
- 2.22 Color: The "true color" due to the substances in solution expressed in wavelengths of light.
- 2.23 Cooling Water: The water discharges from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- 2.24 Daily Maximum: The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- 2.25 Daily Maximum Limit: The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

- 2.26 Discharge: The conveyance or placing of any water, Wastewater or other substance into the Sewer System including the delivery of water or Wastewater by truck.
- 2.27 Domestic Wastes: Normal household wastes from kitchens, water closets, lavatories and laundries, or any waste from a similar source and possessing the same characteristics.
- 2.28 Effluent: The discharge of wastewater from a source including the discharge from the UMJA's POTW.
- 2.29 Environmental Protection Agency or EPA: The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- 2.30 Existing Source: Any source of discharge that is not a "New Source."
- 2.31 Garbage: Solid or semi-solid wastes resulting from preparation, cooking, and dispensing of food, and from handling storage and sale of produce.
- 2.32 Grab Sample: A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
- 2.33 Indirect Discharge or Discharge: The introduction of pollutants into the POTW from any nondomestic source.
- 2.34 Industrial User: Any Person who Discharges Industrial Waste into the Authority's Publicly Owned Treatment Works ("POTW").
- 2.35 Industrial Waste: Any solid, liquid or gaseous substance, or form of energy, which is produced as a result, whether directly or indirectly, of any industrial, trade, or business process or activity, or in the course of developing, recovering, or processing of natural resources and which is Discharged into the POTW; but not Non-Contact Cooling Water or Sanitary Sewage. Any Wastewater which contains Industrial Waste, and which is Discharged from an industrial, manufacturing, trade, or business premises is considered Industrial Waste for the purposes of these Industrial Regulations.
- 2.36 Instantaneous 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.
- 2.37 Interference: A discharge that, 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 the UMJA'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.

- 2.38 Local Limits: Numerical limitations on the concentration, mass or other characteristics of wastes or Pollutants Discharged, or likely to be Discharged, by Industrial Users, and which are developed by the Authority.
- 2.39 Manhole: A structure allowing access from the surface of the ground to a Sewer.
- 2.40 mg/L: Milligrams per liter; a measure of concentration of water borne substances.
- 2.41 Monthly Average: The arithmetic mean of all daily determinations of concentration made during a calendar month.
- 2.42 NPDES Permit: (National Pollutant Discharge Elimination System) A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- 2.43 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 that 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 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 (2.43)(b) or (c) 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 a 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

(c) Entered in to 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.

D. Any source designated by the Authority pursuant to Section 4.3.B.

2.44 Noncompliance: Not in Compliance.

2.45 Non-Contact Cooling Water: The water from any use such as air conditioning, cooling or refrigeration, not otherwise considered as Process Wastewater, and to which the only pollutant added is heat.

2.46 Owner: Any Person vested with ownership, legal or equitable, sole or partial, of an improved property.

2.47 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 UMJA's NPDES permit, including an increase in the magnitude or duration of a violation.

2.48 Person: Any individual, partnership, co-partnership, 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.

- 2.49 pH: A measure of the acidity or alkalinity of a solution, expressed in standard units.
- 2.50 Pollutant: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, 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, fats, oils and greases, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- 2.51 Pollution: The contamination of any Waters of the State such as will create or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, municipal, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life; or contamination of the air, soil, or of the environment so as to produce or is likely to produce similar deleterious effects.
- 2.52 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.
- 2.53 Pretreatment Requirements: Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
- 2.54 Pretreatment Standards or Standards: Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, Specific Pollutant Limitations on Wastewater outlined in Section 4.1.B, and Local Limits if so developed.
- 2.55 Process Wastewater: Any Wastewater resulting from the direct contact of water with any raw material, intermediate product, finished product, by-product, or waste during any manufacturing process, or water other than Non-Contact Cooling Water which results from a manufacturing process.
- 2.56 Prohibited Discharge Standards or Prohibited Discharges: Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 4.1 of these Industrial Regulations.
- 2.57 Publicly Owned Treatment Works or POTW: Publicly Owned Treatment Works (POTW) — Shall mean a treatment works defined by Section 212 of the Act (33 U.S.C. 1292) which is owned, in this instance, by the Authority. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes pipes, sewers, and other conveyances only if they convey wastewater to a POTW treatment plant. For the purposes of this Resolution, "POTW" shall also include any sewers that convey wastewater to the POTW from Users outside the Authority's Sewer Service areas, who are, by contract or agreement with the Authority, Users of the Authority's POTW. The term also means the

municipality as defined in Section 502 (4) of the Act, which has jurisdiction over the indirect discharges to and discharges from such a treatment works.

- 2.58 Qualified Professional: An individual licensed by the Commonwealth of Pennsylvania.
- 2.59 Regulations: The term Regulations, aka Industrial Regulations), refers to these Regulations.
- 2.60 Sanitary Sewage: The normal water-carried Domestic Wastes from any improved property but excluding effluent from septic tanks or cesspools; rain, snow, or Stormwater; Groundwater; or other collected water from roofs, drains or basements.
- 2.61 Sanitary Sewer: A Sewer carrying only Sanitary Sewage or Industrial Wastes, and to which Stormwater, surface water or Groundwater are not intentionally admitted.
- 2.62 Sewage Collection System. All facilities of the Authority or any Contributing Municipality or Person party to a service agreement with the Authority or Contributing Municipality, as of any particular time, used or usable for collecting, transporting, pumping and disposing of Wastewater, which facilities are connected to and served by the POTW
- 2.63 Sewer System. All facilities owned by the Authority for the collection and treatment of Wastewater, including, but not limited to its Sewage Collection System and its Sewage Treatment Plant.
- 2.64 Shall: When used in the Resolution, shall is mandatory, may is permissive.
- 2.65 Significant Industrial User: An Industrial User who:
- A. Has a discharge flow of 25,000 gallons or more of Process Wastewater during a Normal Production Day; or
 - B. Discharges Industrial Waste which makes up 5 percent or more of the average dry weather organic capacity of the Sewage Treatment Plant; or
 - C. Is regulated by Categorical Standards; or
 - D. Is determined by the Authority to have the potential of adversely affecting the operation of the POTW, causing Interference or Pass Through, or of violating any Pretreatment Requirement or Prohibited Discharge Standard.
- 2.66 Slug Load or Slug Discharge: Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 4.1 of these Industrial Regulations. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

- 2.67 Storm Water: Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- 2.68 Spill: Any Discharge of a non-routine, episodic nature, including but not limited to an accidental Spill or a deliberate or accidental non-customary or unauthorized batch Discharge, or the control or cleanup activities associated with such an occurrence. A Spill may result from the emptying, spilling, overflowing, rupture, or leakage of any storage, process, or transfer container, whether purposeful or accidental.
- 2.69 Spill and Slug Control Plan: A plan prepared by an Industrial User to minimize the likelihood, duration and intensity of a Slug Load or Spill and to expedite control and cleanup activities should a Slug Load or Spill occur.
- 2.70 Standard Industrial Classification (SIC): A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget.
- 2.71 State: Commonwealth of Pennsylvania.
- 2.72 Stormwater: Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- 2.73 Superintendent: The Person designated by the Authority to supervise the operation of the POTW, or their duly authorized representative.
- 2.74 Total Suspended Solids or Suspended Solids: The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.
- 2.75 Total Solids: The sum of the dissolved and undissolved solid constituents of water or Wastewater.
- 2.76 Total Toxic Organics (TTO): The sum of all quantifiable values of various organic pollutants as determined by the Authority or, for certain Categorical Industrial Users, as defined in the applicable Categorical Standard.
- 2.77 Toxic Organic Management Plan (TOMP): A plan submitted in lieu of testing for Total Toxic Organics in which an Industrial User specifies methods of control to assure that Total Toxic Organics do not routinely enter the Sewer System.
- 2.78 Toxic Pollutants: Any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of Section 307(a) of the Act, or other acts, or is present in sufficient quantity, either singly or in combination with other Wastewater, so as to present risk of causing Interference or Pass

Through, causing harm to humans, animals or plants, or creating a hazard to Persons or property, either in the POTW t, or the environment into which it is released.

- 2.79 Unauthorized Discharge: Discharge of an Unauthorized Waste, or a Discharge which otherwise is not in Compliance with the requirements of the Rules or Regulations of the Authority or a Contributing Municipality.
- 2.80 Unauthorized Waste: Any substance which is Discharged into the Sewer System and which is not in Compliance with the provisions of these Industrial Regulations,
- 2.81 User or Industrial User: A source of indirect discharge.
- 2.82 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.
- 2.83 Waters of the State: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- 2.84 Wastewater Treatment Plant or Treatment Plant: That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

3.0 **ABBREVIATIONS**

The following abbreviations, when used in these Industrial Regulations, shall have the designated meanings:

- A. BOD — Biochemical Oxygen Demand
- B. BMP — Best Management Practice
- C. BMR — Baseline Monitoring Report
- D. CFR — Code of Federal Regulations
- E. CIU — Categorical Industrial User
- F. COD — Chemical Oxygen Demand
- G. EPA — U.S. Environmental Protection Agency
- H. gpd — gallons per day
- I. IU — Industrial User
- J. mg/l— milligrams per liter
- K. NPDES — National Pollutant Discharge Elimination System
- L. NSCIU — Non-Significant Categorical Industrial User
- M. POTW — Publicly Owned Treatment Works
- N. RCRA — Resource Conservation and Recovery Act
- O. SIU — Significant Industrial User

- P. SNC — Significant Noncompliance
- Q. TSS — Total Suspended Solids
- R. U.S.C. — United States Code

4.0 GENERAL SEWER USE REGULATIONS

- A. All Industrial Users are subject to evaluation by the Authority to determine if they shall obtain a Permit from the Authority. No Industrial User determined to require a permit shall discharge any Wastewater to the POTW without a Permit. No Industrial User shall contribute or cause to be contributed, directly or indirectly, any Wastewater which will or may violate these Industrial Regulations, any applicable Rules or Regulations of EPA or DEP. All Permits shall be deemed to incorporate, by reference, the terms, provisions and prohibitions of these Industrial Regulations and all applicable Rules and Regulations of EPA and DEP, as same maybe amended and revised from time to time.

4.1 Prohibited Discharge Standards

- 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. Specific Prohibitions. 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, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
 - 2. Wastewater having a pH less than 6.0 or more than 9.0, or otherwise causing corrosive structural damage to the POTW or equipment;
 - 3. Solid or viscous substances which may cause obstruction to the flow in a Sewer or other Interference with the operation of the POTW, such as, but not limited to: grease, Garbage with particles greater than one-half inch (1/2") in any dimension, 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, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating mud, or glass grinding or polishing wastes.
 - 4. Any Wastewater containing Toxic Pollutants in sufficient quantity, either singly or by interaction with other constituents of the Wastewater, to injure or interfere

with any Wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect the receiving waters of the Sewage Treatment Plant, or to exceed the applicable Categorical Standard.

5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other substances present in the POTW are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the Sewer System for maintenance and repair.
6. Any substance which results in the formation or release of toxic gases, vapors, or fumes in a quantity that may cause worker health and safety problems.
7. Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through.
8. Fats, oils, greases, or waxes of animal or vegetable origin in amounts which will cause Interference or Pass Through or in excess of 100 mg/L.
9. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, biosolids, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with biosolids use or disposal criteria, guidelines, or regulations affecting biosolids use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the biosolids management method being used.
10. Any substance which will cause the Authority to violate its NPDES or applicable receiving water quality standards.
11. Any Wastewater with objectionable color which will Pass Through the POTW, such as, but not limited to, dye wastes and vegetable tanning solutions.
12. Any Wastewater having a temperature which will inhibit biological activity in the POTW resulting in Interference, but in no case Wastewater with a temperature at the Discharge into the POTW which exceeds 104° F (40° C).
13. Any Pollutants, including oxygen demanding Pollutants (BOD, etc.) released at a flow rate and/or Pollutant concentration which will cause Interference to the POTW or interfere with the operation of the Sewer System.
14. Any Wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority or applicable State or federal regulations, cause Interference, or otherwise adversely impact the POTW or cause or contribute to Pollution.

15. Any trucked or hauled Wastewater or Pollutants except those Discharged at points designated by the Authority.
16. Any Wastewater which is incompatible with treatment processes in use at the POTW so as to cause Interference or Pass Through.
17. Any Infectious Waste.

4.2 Unauthorized Discharges

Discharge of any prohibited substance listed under paragraph 4.1 shall be considered an Unauthorized Discharge and the Authority may take whatever steps are necessary to halt such a Discharge, as set forth in Section 13 of these Industrial Regulations.

4.3 Grease Interceptors and Grease Control Program

- A. Facilities required by the Authority to install and utilize grease interceptor(s) shall develop a Fats, Oils and Grease Control Program. The basic components of this Program shall include:
 1. A written program describing management and corporate support for the plan and a commitment to implement planned activities and achieve established goals through the implementation and enforcement of best management practices.
 2. A description of the facility type and a summary of the products made and/or service provided.
 3. A description of current reduction, recycling and treatment activities pertaining to Fats, Oils and Greases.
 4. Schematics of the process areas illustrating drains and discharge points connected to the sanitary sewer.
 5. Specific performance goals and implementation schedule.
 6. Written Best Management Practices (BMP's) geared towards reducing the quantity of Fats, Oils and Greases discharged in to the wastewater system.
 7. Initial training for new employees and refresher training for all employees every six (6) months.
- B. Grease interceptors are required of all new facilities conducting food preparation or food processing activities (i.e., food establishments that have the potential to discharge

grease in excess of the Authority's standards) and any existing facilities of the same type whose wastewater discharges into the POTW. The size, type of construction, and location of installation shall be approved by the Authority prior to installation.

- C. Existing Facilities with Grease Removal. On or after the effective date of these Industrial Regulations, existing food processing establishments, food sales establishments, or food service establishments shall be permitted to operate and maintain existing grease interceptors or grease traps; provided, that the equipment is in efficient operating condition. All such establishments are required to develop a Fats, Oils and Grease Control Program in accordance with Section 4.3.A. Any facilities that are known to cause grease-related cleaning activities in the wastewater system, a grease-related wastewater system overflow or fail to implement and enforce BMPs will be required to install a properly sized and functioning grease interceptor.
- D. Existing Facilities without Grease Removal. Installation of a grease removal system shall be required when the Authority determines that such discharge could result in obstruction to flow in the sewer or accumulations of grease that could result in obstruction to flow in the sewer.
- E. No wastewater, other than from kitchen fixtures or food processing equipment, shall discharge into the grease removal system.
- F. Grease Interceptors are to be installed to treat wastewater emanating from any establishment involved in the preparation of food. Such establishments include, but are not limited to motels, cafeterias, restaurants, hospitals, schools and other institutions. Wastewater from garbage grinders is prohibited from entering into the grease interceptor and the POTW. Grease interceptors shall be located and plumbed to prevent congealing and clogging of waste lines from all kitchen plumbing fixtures served (i.e. all sinks/drains used in the preparation/sanitization of food, dishwashers, and mop sinks). Other design considerations include:
 - 1. The inlet and outlet on the grease interceptor shall be properly baffled;
 - 2. A manhole is to be installed as to finished to grade to allow for easy access for proper maintenance;
 - 3. The interceptor is to be installed so as to be inaccessible to insects and vermin.
 - 4. The interceptor is to be concrete and of the Authority's specifications unless specifically approved otherwise by the Authority.
- G. The Grease Interceptor system shall be evaluated for proper sizing and may be required to be expanded when the existing facility:
 - 1. Expands their seating capacity for food service by 25%;

2. Renovates or remodels their facility.
- H. A suitable sampling location shall be provided for sampling of the discharges from grease removal systems.
 - I. The size and installation of the grease interceptor shall conform to the requirements contained in the 2015 International Plumbing Code (IPC), the 2015 International Residential Code (IRC) and/or the 2015 International Building Code (IBC).
 - J. Grease interceptors shall be designed using standard engineering principles for sedimentation and flotation in gravity separators. The grease interceptor will have a minimum of two (2) compartments with fittings designed for grease retention.
 - K. Grease interceptors shall be installed at a location where it is easily accessible for sample collection, inspection, and cleaning and removal of retained grease. The grease interceptor may not be installed in any part of the building, unless preapproved, and the location must meet the approval of the Authority.
 - L. Grease interceptors shall be located in the food service establishment's lateral line between all fixtures which may introduce grease into the wastewater system and the connection to the wastewater system. Such fixtures shall include but not be limited to sinks, dishwashers, floor drains for food preparation and storage areas, mop sinks, and any other fixture which is determined to be a potential source of grease. Grease interceptors must be vented. Sanitary wastes shall not be discharged to the interceptor.
 - M. Flushing the grease interceptor with water having a temperature in excess of one hundred forty (140) degrees Fahrenheit is prohibited (maximum temperature for effect on concrete).
 - N. Grease interceptors shall be considered out of compliance if the total volume of grease and solids displaces more than twenty-five (25) percent of the effective volume of the final chamber of the interceptor. Grease interceptors must be serviced and emptied of accumulated waste content as required maintaining a minimum design capability or effective volume, but not less than once every sixty (60) calendar days. If a facility determines that cleaning every sixty (60) calendar days is unnecessary in order to remain in compliance with requirements, the facility may make a written application for a variance from the cleaning schedule.
 - O. The owner(s) shall be responsible for cleaning and maintaining the grease removal systems and shall maintain records of the dates of cleaning and means of disposal, subject to review by the Authority. Any removal and hauling of the collected materials not performed by the owner(s) must be performed by licensed waste disposal firms.

Wastes removed from the grease interceptor shall not be discharged into the Sewer System.

- P. Wastes removed from a grease interceptor shall be disposed of at a facility permitted to receive such waste. Neither grease, solids nor liquids removed from grease interceptors shall be returned to any grease interceptor, private sanitary sewer line, any portion of the wastewater system or any portion of the stormwater system. A copy of the manifest from the grease disposal hauler shall be provided to the Authority showing proof of proper disposal.
- Q. Grease and oil interceptors shall be provided at the user's expense, when such user operates an establishment preparing, processing, or serving food and/or food products. Grease interceptors can be required in other industrial or commercial establishments when they are necessary in the opinion of the Authority for proper handling of liquid wastes containing oil and/or grease in amounts in excess of one hundred (100) mg/L by weight fat soluble, or for any flammable wastes all such traps, tanks, chambers or other interceptors shall be of a type and capacity approved by the Authority and shall be readily and easily accessible for cleaning and inspection. All such interceptors shall be serviced and emptied of the waste content as required for their efficient operation, but not less often than every sixty (60) days, or more frequently if determined by the Authority, in order to maintain their minimum design capability to intercept oils and greases from the wastewater discharged to the publicly owned sanitary sewer. Failure to comply can result in the implementation of the enforcement procedures in Section 13 of this Section.
- R. A facility must keep interceptor cleaning records on file a minimum of three (3) years. The following information must be maintained: receipt for job performed signed by contractor and cost, clean-out date, person responsible for cleaning, name of firm performing the clean out, manifest for disposal method and destination of material removed.
- S. A facility must inspect and maintain oil and grease storage containers at least once a week and record in a maintenance log, the date (month, day and year) and time of inspection, maintenance activity and the name of the individual conducting the activity. The maintenance activities that shall be documented in the maintenance log and must include the following:
1. Deterioration of the oil containers;
 2. Leakage and spills from the oil containers;
 3. Properly covered storage containers
 4. When the grease containers were emptied/removed and by whom.

- T. A facility must maintain proper containment around a storage container and storage area to prevent surface and ground contamination.
- U. The direct addition into the building plumbing, grease interceptor of enzymes, chemicals or other agents designed to emulsify the grease compounds is prohibited. Grease interceptor design and sizing criteria are based on gravimetric separation for grease and solids removal. The addition of enzymes or chemical emulsion agents would impede the gravimetric separation and defeats the purpose of the grease interceptor. Any attempt to modify the interceptor into a biological reactor by adding bacterial or microbial agents is also prohibited.

4.3 Categorical Standards

- A. If the Categorical Standards for a particular Industrial User are more stringent than limitations or other Pretreatment Requirements imposed under these Industrial Regulations, then the Categorical Standards shall apply. The National Categorical Pretreatment Standards are hereby incorporated as program requirements for those Industrial Users subject to such Categorical Standards.

4.4 State Requirements: State requirements and limitations on Discharges shall apply in any case where they are more stringent than federal requirements and limitations or those established under these Industrial Regulations.

4.5 Limitations on Wastewater Discharge: No person shall discharge any wastewater containing any pollutant in excess of:

<u>Parameter</u>	<u>Daily Maximum Concentration (mg/L)</u>
<u>Ammonia Nitrogen as N</u>	25
<u>Antimony</u>	5.0
<u>Arsenic</u>	0.1
<u>Barium</u>	4.0
<u>BOD5</u>	250
<u>Boron</u>	1.0
<u>Cadmium</u>	0.05
<u>Chromium (hexavalent)</u>	0.1
<u>Chromium (total)</u>	2.0
<u>Copper</u>	1.0
<u>Cyanide</u>	0.2
<u>(FOG) Fats, Oils and Grease</u>	100
<u>Iron</u>	5.0
<u>Lead</u>	0.1
<u>Manganese</u>	1.0
<u>Mercury</u>	0.01

<u>Nickel</u>	1.0
<u>Phenol</u>	0.5
<u>Selenium</u>	0.04
<u>Silver</u>	0.1
<u>Tin</u>	3.0
<u>TKN as N</u>	40
<u>TSS</u>	250
<u>Vanadium</u>	3.0
<u>Zinc</u>	4.0
<u>Total Halogenated Organics</u>	5.0 for any parameter
<u>Toxic Pollutants</u>	listed in Section 307, Clean Water Act - 30.0 total for all toxic parameters on list

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

Where any user requires greater than five percent (5%) of the POTW Treatment Plant's capacity on an average daily mass basis, more stringent limitations may be imposed.

- 4.6 **Authority's Right of Revision:** The Authority reserves the right to establish by Rules and Regulations, or other appropriate method, more stringent limitations or requirements on discharges to the POTW, if deemed necessary to comply with the objectives presented in Section 1.0 of these Rules and Regulations. All such revisions shall automatically constitute revisions to any Permit issued.
- 4.7 **Dilution:** No User shall ever increase the use of process or non-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.
- 4.8 **Slug Loads and Spills:** Each Industrial User shall provide protection from Spills or Discharges that result in Slug Load Discharges. Facilities to prevent Spills and Slug Loads shall be provided and maintained at the Owner's or Industrial User's own cost and expense.
- A. Notification. In the case of a Spill or Slug Load the Industrial User shall immediately telephone and notify the Superintendent of the incident. The notification shall include location of Discharge, type of waste, concentration, and volume, corrective actions being taken or planned, and expected duration. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the Sewer System, fish kills, or any other damage to Person or property; nor shall such notification relieve the Industrial User of any fines, civil penalties, or other liability which may be imposed by these Industrial Regulations or applicable law.

- B. Notice to Employees. A notice shall be permanently posted on the Industrial User's bulletin board or other prominent place advising employees whom to call (i.e., the Superintendent) in the event of a Spill or Slug Load. Employers shall insure that all employees who may cause, suffer or observe such a Discharge to occur are advised of the emergency notification procedure.
- C. Written Notice. Within five (5) days following a Spill or Slug Load the Industrial User shall submit to the Authority a detailed written report describing the cause of the Discharge and the measures to be taken by the Industrial User to prevent similar future occurrences. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the Sewer System, fish kills, or any other damage to Person or property; nor shall such notification relieve the Industrial User of any fines, civil penalties, or other liability which may be imposed by these Industrial Regulations or applicable law. This written notice requirement may be waived by the Authority for any Industrial User which is not required to submit a plan under Subsection 4.9 below.

4.9 Accidental Discharge/Slug Discharge Control Plans:

- A. The Authority shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Authority may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. An accidental discharge/slug discharge 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 Authority of any accidental or Slug Discharge, as required by Section 4.8 of these Industrial Regulations; 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.

5.0 FEES

The Authority may establish a system of rates and charges for implementation of these Industrial Regulations, which shall be applicable to all Users of the Sewer System or to such Industrial Users as determined by the Authority in its sole discretion. Such a system of rates is

incorporated herein by reference and made a part hereof. Such a system of rates and charges may be changed from time to time by resolution.

6.0 ADMINISTRATION

6.1 New Connections: The Authority may require an Industrial User of the POTW to obtain an Industrial User discharge permit prior to the discharge of wastewater into the POTW.

- A. In order to determine if a Permit is necessary, the Authority may require the User to provide information needed to determine compliance with these Industrial Regulations or other applicable local, state, or federal laws, rules, or regulations. These requirements may include:
1. Identifying Information.
 - a. The name and address of the facility, including the name of the operator and owner;
 - b. Contact information, description of activities, facilities, and plant production processes on the premises;
 2. Environmental Permits.

A list of any environmental control permits held by or for the facility.
 3. Description of Operations.
 - a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and 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.
 - b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - d. Type and amount of raw materials processed (average and maximum per day);

- e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
 - i. Time and duration of discharges;
 - ii. The locations for monitoring all wastes covered by permit;
- 4. 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 waste stream formula if applicable, set out in Section 2.2C (40 CFR 403.6(e)).
- 5. Measurement of Pollutants:
 - a. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Authority, of regulated pollutants in the discharge from each regulated process.
 - c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 7 of these Industrial Regulations. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Authority or the applicable Standards to determine compliance with the Standard. Sampling must be performed in accordance with procedures set in Section 7 of these Industrial Regulations.
- B. Any other information as may be deemed necessary by the Authority to evaluate the permit application.
- C. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

6.2 Existing Connections

- A. Any User not previously required to obtain an Industrial User Wastewater Discharge Permit who was discharging wastewater into the POTW prior to the effective date of these Industrial Regulations and who wishes to continue such discharges in the future, shall, within 90 days of notification by the Authority apply for an Industrial User Wastewater Discharge Permit in accordance with Section 6 of these Industrial Regulations, and shall not cause or allow discharges to the POTW to continue after 90 days of the effective date of this ordinance except in accordance with an Individual Wastewater Discharge Permit issued by the Authority.

6.3 Other Industrial Users

Except as otherwise required by the Authority on a case-by-case basis, Industrial Users that are not Significant Industrial Users or Categorical Users do not require a Wastewater Discharge Permit, but are required to comply with all other provisions of these Industrial Regulations . If an Industrial User makes changes to processes, flow, Wastewater concentration, Wastewater characteristics, or other changes which result in the Industrial User meeting the definition of Significant Industrial User, the Industrial User shall, immediately upon becoming aware that such a change has occurred, or ninety (90) days prior to such a change if it is planned, notify the Authority and apply for a Wastewater Discharge Permit. The Authority, at its discretion, may modify the timeframe for submission of a permit application and may require any non-Significant Industrial Users to apply for and obtain a Wastewater Discharge Permit, as the Authority deems appropriate.

6.4 Wastewater Discharge Permit Application

All Users required to obtain an Industrial User wastewater Discharge Permit **must** submit a permit application. Information requested shall be in accordance with Section 6 of these Industrial Regulations.

6.5 Industrial User Wastewater Discharge Permits

- A. The Authority will evaluate the data furnished by the User and may require additional information. Within 21 days of receipt of a complete permit application, the Authority will determine whether to issue a Wastewater Discharge Permit.
- B. Wastewater Discharge Permit Conditions - Wastewater Discharge Permits are hereby expressly subject to all provisions of these Industrial Regulations and all other applicable regulations, User charges and fees established by the Authority. Permits shall contain the conditions specified in 40 CFR §403.8(f)(1)(iii). Permits may contain, but are not limited to, the following:

1. Limits on the average and maximum Wastewater constituents and characteristics, including Local Limits and/or Categorical Standards, as applicable;
2. List of Prohibited Discharges, as presented in Section 4.1;
3. Requirements for submission of technical reports or Discharge reports, including the information to be contained and the signatory requirements of these reports;
4. Specifications for monitoring programs which may include the specific substances to be analyzed, sampling locations, frequency of sampling, number, types and standards for tests, toxicity testing, and reporting schedules;
5. Requirements for maintaining and retaining records relating to Industrial Waste and Wastewater Discharges and characteristics as specified by the Authority, and affording the Authority access thereto;
6. Requirements for notification to the Authority of any new introduction of Wastewater constituents or any substantial change in the volume or character of the Wastewater constituents being Discharged into the POTW;
7. Requirements for notification of Slug Loads and Spills as per Section 4.9;
8. Statement of duration of the Industrial User Wastewater Discharge Permit, as provided in paragraph 6.6 of this Section;
9. Notification of the rules regarding transferability, as stated in paragraph 6.8 of this Section;
10. Notification of penalties provided for Noncompliance as contained in Section 13 , or otherwise available to the Authority;
11. Requirements pertaining to modification, suspension, and termination of the Industrial User Wastewater Discharge Permit, and appeal procedures;
12. Limits on average and maximum rate and time of Discharge or requirements for flow regulation and equalization;
13. Requirements for installation and maintenance of inspection and sampling facilities;
14. Requirements for installation and maintenance of Pretreatment facilities;
15. Compliance schedules;
16. The unit charge or schedule of charges and fees; and

17. Other conditions as deemed appropriate by the Authority to ensure compliance with this or any other applicable ordinance and applicable federal, State and local Pretreatment Requirements.

6.6 Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period of less than five (5) years or may be stated to expire on a specific date. Except as otherwise approved by the Authority, the Industrial User shall apply for reissuance of the Wastewater Discharge Permit at least 180 days prior to the expiration of the Industrial User's existing Wastewater Discharge Permit.

6.7 Permit Modification

- A. The terms and conditions of the Industrial User Wastewater Discharge Permit may be subject to modification by the Authority during the term of the Wastewater Discharge Permit as limitations or requirements as identified in Section 6 are modified or other just cause exists, including but not limited to the following:
 1. Noncompliance with any term or condition of the Industrial User Wastewater Discharge Permit and/or any requirement set forth in an applicable pretreatment ordinance, regulation or rule;
 2. Obtaining an Industrial User Wastewater Discharge Permit by misrepresentation or failure to disclose fully all relevant facts in either the permit application or any report, including the falsification of self-monitoring reports or the tampering with monitoring equipment;
 3. Promulgation of more stringent standards under federal, State or local law, including the adoption of new or revised pretreatment resolution by the Authority;
 4. Changes in the processes used by the Permittee or changes in the volume or character of the Industrial Waste;
 5. Changes in the design or capability of the POTW, or changed or new NPDES permit requirements, or sludge disposal requirements;
 6. A change in any condition that requires a temporary or permanent reduction or elimination of the Discharge;
 7. Failure to allow timely access to the Industrial User's facility or records;

8. Failure to pay timely fines, fees or applicable sewer charges assessed by the Authority;
9. Other such conditions determined to be appropriate by the Authority.

6.8 Permit Transfer

Wastewater Discharge Permits are issued to a specific Industrial User for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new Person, new Industrial User, different premises, or a new or changed operation without approval of the Authority. If such a transfer is approved by the Authority, the existing Owner or Operator shall provide a copy of the Wastewater Discharge Permit to the new Owner or Operator. Any succeeding Industrial User shall also comply with the terms and conditions of the existing Wastewater Discharge Permit. The Authority may, at its discretion, deny the transfer of a Wastewater Discharge Permit and require application for a new Wastewater Discharge Permit under the provisions of this Section.

7.0 WASTEWATER MONITORING AND REPORTS

7.1 Baseline monitoring reports.

- A. 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 Authority 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 Authority, 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.
- B. Users described above shall submit the information set forth below.
 1. Identifying information.

The name and address of the facility, including the name of the operator and owner.
 2. Environmental permits.

A list of any environmental control permits held by or for the facility.

3. 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 indicate points of discharge to the POTW from the regulated processes.

4. 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 waste stream formula set out in 40 CFR 403.6(e).

5. Measurement of pollutants.

- a. The categorical pretreatment standards applicable to each regulated process.
- b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Authority, have 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 Section 7.5.

6. 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.

7. 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.

8. Signature and certification.

All baseline-monitoring reports must be signed and certified in accordance with Section 7.1.

7.2 Compliance schedule progress report.

The following conditions shall apply to the compliance schedule required by this Section.

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, concerning and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine (9) months;
- C. The user shall submit a progress report to the Authority no later than fourteen (14) days following each date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps taken by the user to return to the established schedule; and
- D. In no event shall more than nine (9) months elapse between such progress reports to the Authority.

7.3 Reports on compliance with categorical pretreatment standard deadline.

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Authority a report containing the information described in Section 7.1. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 7.1.

7.4 Periodic compliance reports.

- A. All significant industrial users shall, at a frequency determined by the Authority, but in no case less than twice per year (in May and November), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 7.1.
- B. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- C. If a user subject to the reporting requirement in this Section monitors any pollutant more frequently than required by the Authority, using the procedures prescribed in Section 7.5, the results of this monitoring shall be included in the report.
- D. The Authority shall impose mass limitations on users, which are using dilution to meet applicable pretreatment standards or requirements in the effluent of the user.

7.5 Sampling and Analysis

- A. Each Industrial User shall perform Wastewater sampling and analyses in accordance with its Wastewater Discharge Permit or as otherwise directed by the Authority.
- B. All sampling and analysis performed by the Industrial User in Compliance with Wastewater Discharge Permit conditions, to prepare the reports required in Section 7, or as otherwise required by the Authority, shall be accomplished using techniques specified in 40 CFR Part 136 and amendments thereto or alternative procedures approved by the Authority and the Administrator, and performed by a Qualified Analyst. Unless otherwise required, all sampling should be performed during a Normal Production Day and should reflect the usual and typical Wastewater Discharge of the User during the period of the report. In addition, the sampling must comply with the requirements specified in 40 CFR 403.12(g)(3) as follows:
 - 1. Except as indicated in Section b and c below, the User shall collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Authority. Where time-proportional composite sampling or grab sampling is authorized, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and

appropriate EPA guidance documents, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory (but not in the field). In some cases, grab samples may be required to show compliance with Instantaneous Limits.

2. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds shall be obtained using grab collection techniques.
 3. For sampling required in support of Baseline Monitoring Reports and 90-day Categorical Compliance Reports a minimum of four (4) grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist. For facilities for which historical sampling data are available, the Authority may authorize a lower minimum. For the all other purposes, including routine monitoring and resampling in preparation of a Routine Compliance Report (Section 7) the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Categorical Standards and Industrial Discharge Permit requirements.
- C. The Industrial User may monitor more frequently than otherwise required by the Authority. If the Industrial User monitors any Pollutant, subject to an effluent limitation and at the location designated for compliance monitoring more frequently than otherwise required by the Authority using the procedures set forth in 40 CFR Part 136 or otherwise required, the results of such monitoring shall be included in the calculation and reporting of the data submitted to the Authority.
 - D. Where the Authority performs the sampling or collects the required information herein, the Authority may waive the corresponding reporting requirement as provided in 40 CFR §§ 403.12(g) and 403.12(h).
 - E. The Industrial User shall ensure that all monitoring and analytical equipment it uses to monitor or otherwise analyze the Pollutants Discharged to the Sewer System are periodically calibrated and maintained at intervals which ensure the accuracy of measurements.
 - F. If sampling results indicate that the Industrial User has exceeded an effluent limitation, the Authority may require the Industrial User to undertake increased sampling. Upon notification from the Authority, the Industrial User shall undertake such additional monitoring as directed. All sampling and analysis performed in compliance with Wastewater Discharge Permit conditions or to prepare the reports required in Section 7 shall be accomplished using techniques specified in 40 CFR Part 136, or alternative procedures approved by the Authority and Administrator.

8.0 COMPLIANCE MONITORING AND INSPECTION

- A. The Authority shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of these Industrial Regulations and any individual wastewater discharge permit or order issued hereunder. Users shall allow the Authority ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
1. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Authority shall be permitted to enter without delay for the purposes of performing specific responsibilities.
 2. The Authority shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
 3. The Authority may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.
 4. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Authority and shall not be replaced. The costs of clearing such access shall be borne by the User.
 5. Unreasonable delays in allowing the Authority access to the User's premises shall be a violation of these Industrial Regulations.

9.0 MONITORING FACILITIES

- A. The Authority may require an Industrial User to provide and operate at the Owner's or Industrial User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the Wastewater or Industrial Waste Discharge. The monitoring facility should normally be situated on the Industrial User's premises, but the Authority may, when such a location would be impractical or cause undue hardship on the Industrial User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

- B. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the Industrial User.
- C. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Authority's and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Authority.

10.0 PRETREATMENT FACILITIES

- A. Industrial Users shall provide necessary Wastewater Pretreatment as required to comply with these Industrial Regulations and shall achieve Compliance with all applicable State, local and Categorical Standards within the time limitations as specified by the applicable Categorical Standards and, for other Pretreatment Requirements, shall achieve Compliance as specified by the State or Authority, whichever is more stringent. Any facilities required for Pretreatment shall be provided, operated, and maintained at the Industrial User's expense. Detailed plans showing the Pretreatment facilities and operating procedures shall be submitted to the Authority for review and shall be acceptable to the Authority before construction of the facility. The review of such plans and operating procedures will in no way relieve the Industrial User from the responsibility of modifying the facility as necessary to produce a Discharge which complies with the provisions of these Industrial Regulations. Any subsequent changes in the Pretreatment facilities or method of operation shall be reported to and be acceptable to the Authority prior to the Industrial User's initiation of the changes. The review and acceptance of plans and procedures by the Authority shall not be considered as an approval regarding their efficacy, safety or reliability; such considerations are solely the responsibility of the Industrial User.

11.0 RECORDKEEPING

- A. All Industrial Users shall keep and maintain records of monitoring activities and results, Wastewater Discharge Permits, and reports to the Authority, including records and reports indicating compliance with narrative standards and Best Management Practices, where applicable, in accordance 40 C.F.R. § 403.12(o), for a minimum of 3 years. This period automatically extended to the duration of any litigation concerning compliance with these Industrial Regulations or where the Industrial User has been notified of a longer retention period by the Authority.
- B. The Industrial User shall furnish the Authority, within a reasonable time, any information which the Authority may request to determine whether cause exists for modifying,

reissuing, suspending or revoking a Wastewater Discharge Permit or to determine Industrial User compliance. The Industrial User shall also furnish to the Authority, upon request, copies of records required to be kept.

- C. Where the Industrial User becomes aware that it failed to submit any relevant facts in an application for a Wastewater Discharge Permit, or submitted incorrect information in an application for a Wastewater Discharge Permit, report to the Authority, or in any other correspondence pertaining to its Industrial Wastewater Discharge, it shall promptly submit such facts or corrective information to the Authority.

12.0 CONFIDENTIAL INFORMATION

- A. Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the Authority's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Authority, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

13.0 ADMINISTRATIVE ENFORCEMENT REMEDIES

- A. Designated Enforcement Officer. Except as may be otherwise provided herein, the Executive Superintendent of the Authority is hereby authorized and directed to be responsible for the implementation and enforcement of these Industrial Regulations. The Executive Superintendent is authorized to appoint other Authority employees or agents to assist him or her with enforcement.
- B. Notification of Violation (NOV). Whenever the Authority finds that any User has violated or is violating these Industrial Regulations, the Wastewater Discharge Permit, or any order, prohibition, limitation or requirements contained herein, the Authority may serve upon said User a written notice, stating the nature of the violation. Within ten (10) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Authority by the User.

If the User fails to submit a plan within this ten (10) day period, the Authority shall develop and enforce a plan to correct the violation in question. All costs, including but not limited to professional fees and administrative costs, incurred by the Authority in developing said plan shall be charged to and are immediately due from the User. . The provisions of this section shall not relieve the User of any responsibility under local, State or Federal statutes, laws, rules or regulations.

- C.** Cease and Desist Order. When the Authority finds that a User has violated or continues to violate these Industrial Regulations, the Wastewater Discharge Permit, or Order issued hereunder, the Authority may issue a written Order to cease and desist all such violations and direct the User in noncompliance to comply forthwith; and take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.
- D.** Compliance Order. When the Authority finds that a User has violated or continues to violate these Industrial Regulations, the Wastewater Discharge Permit, or Order issued thereunder, the Authority may issue a Compliance Order to the User responsible for the discharge directing that, following a specific time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances have been installed and are properly operated. Compliance Orders may also contain other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self—monitoring, and management practices.
- E.** Consent Order. The Authority is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for the noncompliance. Such orders will include specific action to be taken by the User to correct the noncompliance within a time period also specified by the Order. Consent Orders shall have the same force and effect as Compliance Orders issued pursuant to Section 13.D.
- F.** Cost Recovery. The Authority shall be entitled to recover from any User who or which has violated these Industrial Regulations all of its costs and expenses it may have incurred to carry out and enforce these Industrial Regulations, which will include, but not be limited to, the following: administrative costs, reasonable professional and consultant fees, fines and/or penalties imposed on the Authority by any governmental regulatory agency, costs of hearings, administrative appeals, court costs, repair and/or remediation of any damage to, obstruction of or interference with the operation of the POTW.

- G.** Emergency Suspensions The Authority may suspend the water/wastewater treatment service and/or the Wastewater Discharge Permit when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge which presents, or may present, an imminent endangerment to the health or welfare of persons or to the environment, may interfere with the POTW, or may cause the POTW to violate any condition of its NPDES permit.
1. Any User notified of a suspension of the water/wastewater treatment service and/or Wastewater Discharge Permit shall immediately stop or eliminate the wastewater discharge to the POTW. In the event of a failure of the User to comply voluntarily with the suspension order, the Authority shall take 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 Authority shall reinstate the Wastewater Discharge Permit upon proof of the elimination of the noncomplying discharge by the User and payment of any damages, fines, penalties or costs associated with the discharge.
 2. User which is responsible, in whole or in part, for imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent future occurrence to the Authority within ten (10) days of the date of the occurrence.
- H.** Revocation of Permit. Any User who violates these Industrial Regulations or applicable state or federal regulations, is subject to having his Wastewater Discharge Permit revoked for, but not limited to, any of the following:
1. Failure of the User to factually report the wastewater constituents and characteristics of discharge;
 2. Failure of the User to report significant changes in operations or wastewater constituents and characteristics prior to the changed discharge;
 3. Refusal to permit reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling;
 4. Violation of the conditions of the Wastewater Discharge Permit; or
 5. Termination of undesirable new or increased discharges.
 6. Knowingly making any false statements, representations or certifications in any application, record, report, plan, or other document filed or required to be

maintained pursuant to the Authority's Resolution, or the Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the Authority.

Noncompliant Users will be notified of the proposed termination of their Wastewater Discharge Permit and be offered an opportunity to show cause under Section 13 why the proposed action should not be taken.

13.1 Right to Refuse

The Authority reserves the right to refuse to accept Wastewater, or combinations of Wastewater, which are Discharged in violation of the terms or conditions of these Industrial Regulations, or the orders of the Authority issued pursuant to the conditions of these Industrial Regulations. The Authority may take such steps as it deems necessary to compel discontinuance of use of the POTW or Pretreatment of Industrial Wastes in order to comply with the provisions hereof. The Authority may exercise its right of refusal by denial of issuance of a Wastewater Discharge Permit; in such a case the Discharge of the subject Industrial Waste is prohibited.

13.2 Right of Appeal

A. An Industrial User may appeal:

1. The enforcement actions enumerated above in Section 13;
2. Denial of issuance of a Wastewater Discharge Permit; or
3. Conditions contained in a Wastewater Discharge Permit.

A Notice of Violation or notice to appear at a show-cause hearing shall not be appealed.

B. An appeal is subject to the following requirements:

1. An appeal shall be made in writing to the Authority;
2. An appeal must be made within thirty (30) calendar days from the date of receipt of the Wastewater Discharge Permit or revision to a Wastewater Discharge Permit; notice of denial of issuance of a Wastewater Discharge Permit; receipt of written directions; or notice of suspension or revocation of a Wastewater Discharge Permit, which action is being appealed by the Industrial User.
3. The appeal must state the specific provision(s) of a Wastewater Discharge Permit or the specific action(s) of the Authority which are being contested.
4. The appeal must state the reasons for the appeal of each provision or action.

5. The appeal may suggest alternate or revised provisions or actions to replace those appealed.
- C. An appeal of a Wastewater Discharge Permit may include a request to stay specific Permit conditions pending the outcome of the appeal. Any such request shall include all factual and legal justification for such a request.
- D. Provisions specifically mandated by federal or State regulations (e.g., compliance with Categorical Standards) shall not be appealed. Conditions which, in the opinion of the Authority, would constitute a hazard or pose a potential threat of Pollution, if stayed, shall not be stayed during an appeal. Grant of a stay of Permit conditions during an appeal shall be made at the sole discretion of the Authority.
- E. The appeal shall be reviewed by any designated representative of the Authority, appointed by the Board of the Authority ("Review Officer").
- F. Within 60 days of receipt, the Review Officer shall report in writing to the Authority Board, with a copy to the Executive Superintendent, the results of the review. The report shall contain, at a minimum:
 1. A summary of each item appealed, the appellant's reasons for appeal, and the appellant's proposed remedies, if any. A copy of the appeal itself may suffice to provide this information.
 2. The finding of merit for each point of appeal, and the reason(s) for so finding.
 3. For each point of appeal found to be with merit, a proposed remedy, and a finding that the proposed remedy is allowable under these Industrial Regulations, and federal, State and local rules, regulations and laws.
- G. The Authority Board will review the appeal and the report of the Review Officer and, render its final decision on the appeal within sixty (60) days of receipt of the report from the Review Officer, unless the Authority Board determines, in its sole discretion, that the Review Officer should take additional evidence and update his/her report accordingly. If the Authority Board directs the Review Officer to receive additional evidence, the Review Officer will do so and issue his/her updated report within sixty (60) days. Within forty-five (45) days after the Authority Board has received the updated report from the Review Officer, it will issue its determination, which will constitute the final administrative action on the matter.
- H. If the Authority Board or Review Officer shall have as a member any Person who has a financial, legal or other proprietary interest in the appellant, such Person shall recuse

himself from any vote which shall determine the decision of the body in regard to the appeal.

- I. Action of the Authority for which review had been available (e.g., adoption of a resolution or issuance, modification, suspension or revocation of a Wastewater Discharge Permit) shall not be subject to administrative or judicial review in any civil or criminal proceeding for enforcement.

14.0 Further Enforcement Remedies. If any User or other person discharges sewage, industrial wastes, or other wastes into the POTW contrary to these Industrial Regulations , Federal or State Pretreatment Requirements, BMP, any Order of the Authority, or violates any Pretreatment Standard, or Requirement, the Authority Solicitor may commence an action for appropriate legal and/or equitable relief in a court of competent jurisdiction. The actions may include, but shall not be limited to, the following and all the Authority's right to seek remedies shall be cumulative and not exclusive:

- A. Injunctive Relief. Whenever a User has violated or continues to violate these Industrial Regulations, the Wastewater Discharge Permit, any Order issued hereunder, or any violation of a Federal Pretreatment Standard, BMP or Requirement, the Authority Solicitor may petition the Court for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains or compels the activities on the part of the User..
- B. Criminal Prosecution. Any User or Permittee who willfully or negligently violates these Industrial Regulations, the Wastewater Discharge Permit, or Order issued hereunder may be prosecuted in accordance with law.
- C. Civil Action. The Authority shall be entitled to recover from any User, Permittee or person who or which has violated these Industrial Regulations all of the costs and expenses the Authority may have incurred to carry out and enforce these Industrial Regulations, which will include, but not be limited to, the following: administrative costs, reasonable professional and consultant fees, fines, costs and/or penalties, imposed on the Authority by any governmental regulatory agency, the Authority's costs to comply with any order or directive of a local, state or federal regulatory body, costs of hearings, administrative appeals, court costs, repair and/or remediation of any damage to, obstruction of or interference with the operation of the POTW.

15.0 SEVERABILITY

If any provision of these Industrial Regulations is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

