

CHAPTER 95

GENERAL PROVISIONS

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95.01 PURPOSE. The purpose of the chapters of this Code of Ordinances pertaining to the Sanitary Sewer System is to provide for the optimum public use of the City's wastewater collection and treatment facilities through the regulation of sewer construction, sewer use and industrial wastewater discharges; to provide for distribution of the City's costs for ownership, operation and maintenance of the wastewater collection and treatment facilities necessary for protection of public health and environment; and to meet the applicable regulatory requirements that may be imposed on the City now or in the future.

95.02 SCOPE.

1. The Sanitary Sewer chapters shall be interpreted in accordance with the definitions set forth in Section 95.03
2. The provisions of the Sanitary Sewer chapters shall apply to direct and/or indirect wastewater discharge to the City's facilities. The chapters provide for regulation of sewer construction that will contribute to the City's facilities, quantity and quality of wastewater discharges, industrial wastewater pretreatment requirements, establishment of fees for the distribution of costs for ownership, operation and maintenance of the collection and treatment facilities, the approval of plans and/or specifications for sewer construction, issuance of permits for industrial wastewater discharge, miscellaneous permits, and establishment of appropriate enforcement actions for violations of the chapters.

95.03 DEFINITIONS. For use in these chapters, the following terms are defined:

1. "Act or The Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 *et seq.*
2. "Administrator" means the Public Works Director of the City or designated representative.
3. "Authorized Representative" means the individual designated by the City Council with authority to act of the City's behalf in regard to a specific issue.
4. "Average daily flow" means volume of flow compiled over a given period of time and converted to a daily average by dividing the total flow by the number of days represented in the time period for which data has been compiled. Where individual day's flow readings are recorded, the average shall be based on the number of days for which flows are recorded and not necessarily the total number of days in the time period. For computing average daily flow for industrial users, only production days shall be included in the computation. Weekends and/or holidays, shutdowns, etc., shall not generally be considered by the City in computing the average daily flow.
5. "Average daily loading" means the measure of a particular constituent generally BOD, TSS and/or TKN compiled over a period of time and converted to a daily average by dividing the cumulative concentration and/or volume of the constituent by the number of days represented in the time period for which data has been compiled. Where individual day's loadings are recorded, the average shall be based on the number of days for which loadings are recorded and not necessarily the total number of days in the time period. For computing average daily loadings for industrial users, only production

days shall be included in the computation. Weekends and/or holidays, shutdowns, etc., shall not generally be considered by the City in computing the average daily loading.

6. "Basic wastewater charge" means the monthly charge based on volume of flow by a contributor which is intended to recover the cost of operation and maintenance of the City's share of the POTW and associated programs.
7. "Billable flow" means the volume of wastewater generated by a user as measured by a water meter or other approved metering system.
8. "Biosolids/sludge" means the solids, semi-solids, residues and/or precipitates that result from the treatment of wastewater.
9. "BOD (Biochemical Oxygen Demand)" means the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory conditions in five days at 20 degrees C, usually expressed in milligrams per liter.
10. "Bypass" means the diversion of wastewater from or around any portion of the collection system and/or treatment facility.
11. "Categorical Pretreatment Standards" means the national pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Clean Water Act, which apply to specific categories of industrial users (40 CFR 403.6 and 405-571). Unless noted otherwise, Categorical Pretreatment Standards shall always refer to the latest approved limits.
12. "CBOD (Carbonaceous Biochemical Oxygen Demand)" means that portion of the BOD attributable to the biochemical oxidation of the carbonaceous organic matter. This is determined through standard laboratory analyses using a nitrification inhibitor in performing the BOD test. Generally expressed in mg/l.
13. "City Engineer" means the City Engineer of the City. Individual/company designated by the City Council with the authority to act on the City's behalf in specific issue(s).
14. "COD (Chemical Oxygen Demand)" means the quantity of oxygen used in the chemical decomposition of organic matter in wastewater as determined by the appropriate laboratory procedure, usually expressed in mg/l.
15. "Combined Sewer" means a sewer which receives both sanitary sewage and storm sewage.
16. "Composite sample" means the sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.
17. "Contributor/discharger/or user" means any person, firm, corporation or other entity or organization responsible for the production of domestic, commercial or industrial wastewater which is discharged to the wastewater collection and treatment system.
18. "Cross connection" means a connection between a storm drain system and a sanitary collection system, and/or a connection between two sections of a collection system to handle anticipated overloads of one system.
19. "Current license" means one which is current, valid, unsuspended and unrevoked.
20. "Debt service" means the funds necessary to recover annual principal and interest payments for bonds issued for the wastewater system.

21. "Demand charge" means the charge which recovers debt service costs associated with the wastewater treatment system.
22. "Director of Public Works" means, without further designation, the person who is performing the duties of the Director of Public Works of the City. The term shall include his/her authorized representative when not inconsistent with the context.
23. "Domestic User" means the discharge of wastewater originating in a residential facility or dwelling. In this use, it means the type and quantity of wastes are different from commercial and industrial or agricultural wastes.
24. "Domestic Wastewater" means household type wastes discharged from places of human habitation, including sanitary convenience, kitchen and laundry waste. Domestic strength wastewater is accepted as having the following characteristics:
 - BOD - 300 mg/l
 - TSS - 350 mg/l
 - TKN - 30 mg/l
 - NH3-N - 15 mg/l
 - FOG - 100 mg/l
25. "Effluent" means the discharge from a particular facility, unit, treatment process or system.
26. "Effluent Limits/Effluent Standards" means the numerical limits on pollutants in effluents generally reported in mg/l or lbs/day.
27. "Foundation Drain or Footing Drain" means the piping system around the foundation of a structure or building which is intended to carry groundwater away from the structure to relieve hydraulic pressure and help keep the structure walls dry. This may also refer to the sump pump used in the footing drain system, where applicable.
28. "Grab Sample" means the sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.
29. "Gravity Sewer" means a sewer that flows by the force of gravity, generally operates hydraulically as an open channel.
30. "Gravity Separation Interceptor" means a facility designed for removal of dangerous, deleterious or prohibited matter from the waste stream by differential gravity separation (i.e., grease traps and/or catch basins).
31. "Hazardous Waste" means a waste defined as hazardous by 40 CFR Part 261.
32. "House Service Connection/Building Sewer" means the sewer connecting the building plumbing system to a lateral or branch sewer. The building sewer may begin at the outside of the building's foundation wall. Also called a house connection or service connection.
33. "Industrial User" means a source of discharge of wastewater into a POTW from any source other than a domestic user.
34. "Industrial Wastewater" means wastewater and water-borne wastes of the community, excluding domestic wastewater and uncontaminated water and includes all wastewater from any production, manufacturing, processing, institutional, commercial, agricultural or other operation where the wastes discharged include significant quantities of wastes from non-domestic sources.

35. "Inspector" means an authorized representative of the Director of Public Works.
- 35A. "Integrated Rendering Plant" means a plant operated in conjunction with and located within the same building or complex of buildings as a slaughterhouse. The "Integrated Rendering Plant" building or complex must be contiguous to the slaughterhouse. There may not be a municipal street separating the "Integrated Rendering Plant" and the slaughterhouse. An "Integrated Rendering Plant" is a plant within which dead animals, dead fowl, fish, and inedible offal, meat scraps, bones, suet, feathers, unrendered animal fat, waste cooking greases, and similar animal matter is rendered, boiled, processed or otherwise prepared to obtain a product for commercial use or disposition other than as food for human consumption. An "Integrated Rendering Plant" must be a closed air plant, within which air is captured and burned to minimize odor.
36. "Interceptor Sewer" means a public sewer which generally collects wastewater from lateral sewers and transports it to another interceptor, pumping station or treatment facilities.
37. "Interference" means a discharge, alone or in conjunction with discharges from other sources, which:
- A. Inhibits or disrupts the POTW, its treatment process or operations, or its sludge process, use or disposal; and/or
 - B. Causes a violation of any requirement of the POTW's NPDES permit (including an increase in magnitude or duration of a violation) or prevents sewage sludge use or disposal in accordance with Section 405 of the ACT, or any criteria, guidelines or regulations of EPA or IDNR.
38. "Jurisdictional Limits" means all of the area within the corporate limits of the city and all of the territory outside the corporate limits of the city which is within one (1) mile of the corporate limits but exclusive of that part of such territory which lies within the corporate limits of another city, town or village.
39. "Lateral Sewer/Collector Sewer" means a public sewer, which generally collects wastewater from house sewers and/or industrial sewers and transports it to an interceptor sewer.
40. "Local Government" means the Mayor and Council of the City.
41. "Milligram Per Liter (mg/l)" means the measure of concentration of a substance in a liquid generally accepted to equal parts per million.
42. "New Source (as defined in 40 CFR 403.3(k))" means:
- 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 307C of the ACT which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

- (3) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is 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 subsection A (2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.
 - C. Construction of a new source as defined under this section has commenced if the owner or operator has:
 - (1) Begun, or caused to begin, as part of a continuous onsite construction program, any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
43. "NPDES Permit (National Pollutant Discharge Elimination System Permit)" means a permit issued pursuant to Section 402 of the Act.
44. "Pass Through" means a discharge which exits the POTW into a water of the state 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 of the requirements of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or other permit issued to the POTW by the IDNR or USEPA.
45. "pH" means the negative logarithm of the hydrogen ion activity. Generally refers to a measure of the acidity of a solution – pH is neutral, pH>7 is alkaline and pH<7 is acidic.
46. "Pretreatment" means the reduction of pollutants or conditioning of the waste stream to enhance treatability prior to discharge to the POTW for treatment.
47. "Public Sewer" means a sewer constructed for public use under the control of the City.
48. "Publicly Owned Treatment Works (POTW)" means the system of public sewers, pumping facilities and treatment facilities used to collect, convey and treat wastewater and manage wastewater sludges which is owned, managed and regulated by the City.
49. "POTW Treatment Plant" means the treatment works portion of the POTW.

50. "Processing" means any operation or combination of operations whereby dead animals, dead fowl, fish, inedible offal, meat scraps, bones, suet, feathers, unrendered animal fat, waste cooking greases, and similar animal matter is prepared for disposal at a rendering establishment, stored, or is treated for commercial use of disposition other than as a food for human consumption.
51. "Processing Area" means any area in which processing is conducted.
52. "Rendering Business" means the collection or rendering, or boiling, or refining or storing pending further processing or disposal at a rendering establishment of dead animals, dead fowls, fish, inedible offal, meat scraps, bones, suet, feathers, unrendered animal fat, waste cooking greases, and similar animal matter, or the transportation of such matter to and disposal at a rendering establishment, either as a separate business or in connection with any other established business. An "Integrated Rendering Plant" does not constitute a "Rendering Business".
53. "Rendering Establishment" means any establishment, plant or premises at or within which dead animals, dead fowls, fish, inedible offal, meat scraps, bones, suet, feathers, unrendered animal fat, waste cooking greases, and similar animal matter is rendered, boiled, processed or otherwise prepared to obtain a product for commercial use or disposition other than as food for human consumption. An "Integrated Rendering Plant" does not constitute a "Rendering Establishment."
54. "Sanitary Sewer" means a sewer which is intended to transport wastewater and to which storm sewage, surface water and groundwater are not intentionally connected.
55. "Sewer System" means a network of wastewater collection, conveyance, pumping, treatment and disposal facilities connected with sewers and owned and controlled by the City.
56. "Significant Industrial User" means an industrial user meeting any of the following criteria:
- A. Discharges more than 25,000 gallons per day of process wastewater.
 - B. Discharges a process wastewater which makes up 5 percent or more of the hydraulic or organic capacity of the POTW.
 - C. Is designated as significant by the Director of Public Works because the discharge may adversely affect the operation of the POTW or for violating any pretreatment requirement.
 - D. Any industrial user subject to Categorical Pretreatment Standards.
57. "Significant Noncompliance" means
- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
 - B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, Oil and Grease, and 1.2 for all other pollutants except pH);

- C. Any other discharge violation the Director of Public Works believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
 - D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director of Public Works exercising emergency authority to halt or prevent such a discharge;
 - E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
 - F. Failure to provide with thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - G. Failure to accurately report noncompliance; or
 - H. Any other violation(s) which the Director of Public Works determines will adversely affect the operation or implementation of the local pretreatment program.
58. "Sludge/Biosolids" means solids, semi-solids, residues and/or precipitates that result from the treatment of wastewater.
59. "Standard Industrial Classification (SIC)" means a classification of industrial facilities in accordance with the Standard Industrial Classification Manual issued by the Office of Management and Budget.
60. "Suspended Solids (SS)" means solids that float on the surface or are in suspension in wastewater which can be removed through standard laboratory filtering.
61. "Total Kjeldahl Nitrogen (TKN)" means the measure of nitrogen in wastewater determined in a laboratory by measuring ammonia after digesting organic nitrogen to convert it to ammonia nitrogen.
62. "Toxic Pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Environmental Protection Agency.
63. "User Charge" means rates, charges and fees charged to contributors for use of the POTW.
64. "Wastewater/Sewage" means a combination of water-borne wastes from residences, businesses, institutions and industrial facilities, along with the groundwater and surface runoff that may be present, which is discharged to the POTW.
65. "Wastewater Collection System" means the network of sewers and pumping stations which collect wastewater from individual building sewers and convey it to the treatment facilities.
66. "Wastewater Treatment Facilities/Water Pollution Control Facilities" means a system of unit processes which function to reduce pollutant loadings through physical, chemical and/or biological processes.

95.04 ABBREVIATIONS. The following abbreviations shall have the designated meanings:

BOD	Biochemical Oxygen Demand
CBOD	Carbonaceous Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CFS	Cubic Feet Per Second
COD	Chemical Oxygen Demand
EPA	Environmental Protection Agency
GPD	Gallons Per Day
GPM	Gallons Per Minute
IDNR	Iowa Department of Natural Resources
mg	Milligram
mg/l	Milligrams Per Liter
MGD	Million Gallons Per Day
NH3-N	Ammonia Nitrogen
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
PPM	Parts Per Million
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classification
SIU	Significant Industrial User
TKN	Total Kjeldahl Nitrogen
TSS	Total Suspended Solids
WPCF	Water Pollution Control Facilities
WWTF	Waste Water Treatment Facility