

CHAPTER 99

SANITARY SEWER SYSTEM - PRETREATMENT REQUIREMENTS

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99.01 PRETREATMENT.

1. Users shall provide necessary wastewater treatment as required to comply with these Sanitary Sewer chapters and shall achieve compliance with all federal categorical pretreatment standards and schedules where applicable. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will, in no way, relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of these Sanitary Sewer chapters. Any subsequent changes in the industrial activity or pretreatment facilities or method of operation, which affects quality or quantity of discharge, shall be reported to and be acceptable to the City prior to the user's initiating such changes.
2. The City shall annually publish, in the largest daily newspaper published in the municipality, where the POTW is located, a list of users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:
 - A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount.
 - B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, 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.
3. All records relating to compliance with pretreatment standards shall be made available to officials of the IDNR or the EPA upon request.

99.02 FEDERAL CATEGORICAL PRETREATMENT STANDARDS. Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this Code of Ordinances for sources in that subcategory, shall immediately supersede the limitations imposed under this Code of Ordinances. The Director of Public Works shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

99.03 FEDERAL CATEGORICAL PRETREATMENT MODIFICATIONS. Where the City's wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the City may apply to the approval authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in ninety-five (95) percent of the samples taken when measured according to the procedures set forth in Section 403.7©(2) of Title 40 of the Code of Federal Regulations, "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to The Act. The City may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR Section 403.7 are fulfilled and prior approval from the approval authority is obtained.

99.04 SPECIFIC POLLUTANT LIMITS. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements.

99.05 CITY'S RIGHT TO REVISION. The City reserves the right to establish more stringent limitations or requirements on discharges to the POTW if deemed necessary.

99.06 MONITORING FACILITIES.

1. The City shall require to be provided and operated at the user's own expense monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the City may, when such a location would be impractical or cause undue hardship on the 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.
2. 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 user.
3. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed with ninety (90) days following written notification by the City.

99.07 INSPECTION AND SAMPLING.

1. The City shall inspect the facilities of any user to ascertain whether the purpose of these Sanitary Sewer chapters is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall

allow the City or its representative ready access at all times to all parts of the premises for the purposes of inspection, random sampling, records examination and copying or in the performance of any of their duties. The City shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would 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, personnel from the City will be permitted to enter, without delay, for the purpose of performing their specific responsibilities. The City has the right to randomly sample industry without notification of the sample taking.

2. While on the user's property, the authorized representatives of the City shall observe all reasonable safety rules applicable to the premises established by the user.
3. Inspections by state or federal representatives shall not relieve a user from inspection by City representatives nor shall inspection by City representatives relieve a user from compliance with inspection by state or federal representatives.

99.08 REPORTING REQUIREMENTS.

1. **Compliance Reports.** Within ninety (90) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirement shall submit to the Director of Public Works a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards for requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a qualified professional.
2. **Periodic Reports.** All industrial users required to have an individual permit shall submit to the Director of Public Works a report indicating all flows and the nature and concentration of pollutants in the discharge from the industrial user. The report shall also include a record of all daily flows and/or pollutant loadings that exceeded the daily flow or pollutant loadings allowed by the wastewater discharge permit. The Director of Public Works has the right to require reports as frequently as he deems necessary, but reports must be submitted at least twice annually on dates determined by the Director of Public Works. If a user is subject to mass limitations, the report shall also indicate the mass of regulated pollutants in the user's effluent.
3. **Other Reports.** The Director of Public Works may require other reports from industrial users as necessary, including, but not limited to, the reports required by 40 CFR 403.12.
4. **Record Keeping.** All industrial users required to have an individual permit subject to the reporting requirements shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by these Sanitary Sewer chapters and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include date, place, method, time of sampling, and the name of person taking the sample; the dates analyses were performed; who performed the analyses; the analytical method; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or where the user has been specifically notified of a longer retention period. Failure to maintain the records as

required by this section shall create a presumption in favor of the City in any disputes regarding information that would or should have been contained in the missing records.