

ORDINANCE NO. O-2024-0020

AN ORDINANCE BY THE OREM CITY COUNCIL UPDATING
CHAPTER 11 – HEALTH AND SANITATION TO INCLUDE
PRETREATMENT LEGAL AUTHORITY AND LOCAL LIMITS
AND CHAPTER 20 – WATER RECLAMATION.

WHEREAS City Staff has recommended changes to Chapter 11 – Health and Sanitation and Chapter 20 – Water Reclamation to conduct some general housekeeping of the code, including updating definitions and standardizing on correct terminology; and

WHEREAS City Staff has recommended several specific changes including defining sewer requirements for accessory dwelling units (ADUs), prohibiting the discharge of “flushable wipes,” providing requirements for acceptance of a private sewer main to public ownership, and clarifying the Fats, Oils, and Grease (FOG) program that regulates the wastewater discharge of restaurants and auto shops; and

WHEREAS City Staff has recommended moving references to most pretreatment regulations from Chapter 20 – Water Reclamation to Chapter 11 Article 6 – Health and Sanitation; and

WHEREAS the recommended edits are so numerous, albeit relatively minor, City Staff has recommended the City Council repeal Chapter 20 – Water Reclamation in its current form and adopt new code as previously provided in draft form and as explained in previous work sessions; and

WHEREAS the City is required to update the Local Limits which defines the amount of certain pollutants allowed in wastewater discharged by certain industrial and commercial users as required by USEPA under 40 CFR Part 403.8; and

WHEREAS the Utah Division of Water Quality (DWQ) solicited public comment regarding the proposed modifications to the Orem Ordinance and Local Limits for implementing the Pretreatment Program; and

WHEREAS the proposed changes are considered a substantial modification of the City’s Pretreatment Program; and

WHEREAS DWQ reviewed the proposed changes and found that the changes met the requirements of R317-8-8 and 40 CFR 403.

WHEREAS DWQ public noticed the modification to the Orem Ordinance (Pretreatment Legal Authority) and Local Limits for implementing the Pretreatment Program associated with Utah Pollutant Discharge Elimination System (UPDES) Permit Number UT0020915 on the DWQ public notice webpage for forty-two days from March 13, 2024 to April 23, 2024; and.

WHEREAS the City sent an email to all permitted industries in the City informing them of the public notice and opportunity to comment; and

WHEREAS no public comments were received regarding the proposed changes to the Orem Ordinance and Local Limits; and

WHEREAS DWQ formally approved the City's Pretreatment Legal Authority and Local Limits for implementing the Pretreatment Program in a letter dated June 3, 2024 as shown in Exhibit "D"; and

WHEREAS the City Council considered the proposed updates and changes at a public meeting on May 28, 2024; and

WHEREAS the agenda of the City Council meeting at which the subject application was heard was posted at the Orem Public Library, on the Orem City webpage and at the City offices at 56 North State Street; and

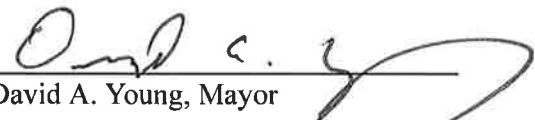
WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City; and the special conditions applicable to the request.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds the request to repeal Chapter 20 – Water Reclamation in its current form and adopt new code as previously provided in draft form and as explained in previous work sessions; and to move references to most pretreatment regulations from Chapter 20 – Water Reclamation to Chapter 11 Article 6 – Health and Sanitation which include Pretreatment Legal Authority and Local Limits as presented is in the best interest of the City.
2. The City Council hereby amends Chapter 20 – Water Reclamation to read as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.
3. The City Council hereby amends Chapter 11 – Health and Sanitation to include Article 6 of the Orem City Code to read as shown in Exhibit "B" which is attached hereto and incorporated herein by reference.

4. The City Council hereby approves the Pretreatment Legal Authority and Local Limits as presented and as shown in Exhibit "C" which is attached hereto and incorporated herein by reference.
5. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.
6. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
7. All other ordinances or policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 18th day of June, 2024.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder



COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor David A. Young	☒	☐	☐
Jeff Lambson	☒	☐	☐
Chris Killpack	☒	☐	☐
Tom Macdonald	☒	☐	☐
LaNae Millett	☒	☐	☐
Jennifer Gale	☒	☐	☐
David Spencer	☒	☐	☐

Exhibit A





CODE OF ORDINANCES

CHAPTER 20. WATER RECLAMATION

Contents:

- Article 20-1. General Provisions
- Article 20-2. Use of Public Sewers
- Article 20-3. Sanitary Sewer, Building Sewers and Connections
- Article 20-4. Powers and Authority of Inspectors
- Article 20-5. Construction, Connection and Repair Permits
- Article 20-6. Fats, Oils, and Grease
- Article 20-7. Fees and Charges
- Article 20-8. Administrative Enforcement Remedies
- Article 20-9. Judicial Enforcement Remedies

Article 20-1. General Provisions

Contents:

- 20-1-1. Purpose.
- 20-1-2. Definitions.
- 20-1-3. Abbreviations.

20-1-1. Purpose.

It is necessary for the health, safety and welfare of the residents of the City of Orem to regulate the collection and treatment of wastewater and to provide for maximum public benefit. The provisions of this Chapter set forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the City of Orem Publicly Owned Treatment Works (POTW), and enable the POTW to comply with all applicable local, state and federal laws.

The objectives of this Chapter are:

- A. To prevent the introduction into the POTW wastewater system of pollutants which will interfere with the operation of the system or contaminate the resulting biosolids;
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- B. To prevent the introduction into the POTW wastewater system of pollutants which will pass through the system, inadequately treated, into receiving waters or the atmosphere or which would be incompatible with the system;



(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

- C. To improve the opportunity to recycle and reclaim waste waters and biosolids from the system;
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- D. To provide for equitable distribution among Users of the cost of operating and maintaining the POTW wastewater system; and
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- E. To provide for and promote the general health, safety and welfare of the citizens residing within the POTW service area.

The provisions herein provide for the regulation of direct and indirect contributors to the POTW wastewater system through the issuance of permits and through enforcement of general requirements for all Users. They authorize monitoring and enforcement activities, require User reporting, assume that existing Users' capability will not be preempted, and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein.

The provisions herein shall apply to the POTW, Users of the POTW, and any person or entity otherwise regulated by this Chapter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

20-1-2. Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings hereinafter designated:

Accessory Dwelling Unit (ADU). As defined in Utah Code Annotated § 10-9A-103

Act or 'The Act'. The Federal Water Pollution Control Act, also known as The Clean Water Act, 33 U.S.C. §1251 *et seq.*, as amended.

Alkaline hydrolysis cremation. A form of cremation that uses water and chemicals to break down the human body to its bare minimum. Also known as water cremation, biocremation, and green cremation

Administrative Fine. A fine assessed by the Director against a User for violating one or more of the provisions of this Chapter.

Approval authority. The Director, or his/her designee in an NPDES state with an approved state pretreatment program and the Administrator, or his/her designee of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

A.S.T.M. The American Society for Testing and Materials.

Authorized representative of commercial user. An authorized representative of an industrial user may be: (a) A principal executive officer of at least the level of vice president, if the industrial user is a corporation; (b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.



Biochemical oxygen demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees centigrade (20°C), usually expressed in terms of weight and concentration (milligrams per liter (mg/L). Laboratory determinations shall be made in accordance with procedures set forth in standard methods.

Biosolid. A primarily organic solid product, produced by wastewater treatment processes, that can be beneficially recycled. (Previously referred to as "sludge".)

Building Sewer. See Sewer Lateral or Service Connection below.

Chemical Oxygen Demand (COD). The oxygen equivalent of that portion of organic matter in a wastewater sample that is susceptible to oxidation by a strong chemical oxidant.

City. The City of Orem

City Manager. The City Manager of the City of Orem, or his or her designee.

Chlorine demand. The amount of chlorine required to produce a free chlorine residual of 1.0 mg/L after a contact time of 15 minutes as measured by the DPD (N,N-diethyl-p-phenylenediamine) Method on a sample at a temperature of 20 degrees centigrade in conformance with standard methods.

Commercial User. All retail stores, restaurants, office buildings, laundries, and other private business and service establishments that discharge wastewater to the sewer system.

Compatible pollutant. Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria; plus any additional pollutants identified in the POTW's UPDES permit, where the POTW is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by its UPDES permit.

Construction standards. The general construction requirements adopted by the POTW for installation of wastewater facilities.

Contamination. An impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the environment and/or public health through poisoning or through the spread of disease, as described in Standard Methods.

Control authority. The City of Orem

Cooling water. The water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

Council. The City Council of the City of Orem, Utah.

Direct discharge. The discharge of treated or untreated wastewater directly into the waters of the State of Utah.

Director. The Director of Public Works of the City of Orem or his/her duly appointed deputy, agent or representative.

Discharger. Any person who discharges or causes the discharge of wastewater into a POTW sewer system.

Easement. An acquired legal right for the specific use of land owned by others.

Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

Flushable Wipes. A woven, premoistened, disposable wipe that is constructed from woven sheets and designed



and marketed for diapering, personal hygiene, or household hard surface cleaning purposes.

Floatable oil. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage or Food Waste. Every waste accumulation of animal, fruit or vegetable matter, or food, liquid or otherwise, that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fruit, vegetables, or edible materials that may be processed through a food waste disposal.

Grab sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

Holding tank sewage. Any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, sealed vaults, and vacuum-pump tank trucks.

Incompatible pollutant. All pollutants other than compatible pollutants as defined under compatible pollutant.

Indirect discharge. The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b), (c), or (d) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank sewage discharged into the system).

Inspector. An authorized inspector of the City.

Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the POTW UPDES Permit. The term includes prevention of sewage biosolid use or disposal by the POTW in accordance with Section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any State biosolid management plan prepared pursuant to Title IV of SWDA) applicable to the method of treatment and disposal or use employed by the POTW.

Manager. The POTW Manager or his designated representative.

Maximum Cap. The maximum cap designates when the User will be considered in violation of their permit.

National Categorical Pretreatment

Natural outlet. Any outlet, including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake or other body of surface or groundwater.

New source. Any building, structure, facility, or installation from which there is or may be a discharge of wastewater, provided that:

National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

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

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. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.



Pet waste. Pet Waste means feces from any household pet including, but not limited to, dogs, cats, and birds and also includes all material that has come into direct contact with the feces and all material contaminated with the feces.

pH. A measure of the acidity or alkalinity of a solution, numerically equal to 7 for neutral solutions, increasing with increasing alkalinity and decreasing with increasing acidity. The pH scale commonly in use ranges from 0 to 14.

Pollution or pollutant. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water, including, but not limited to, any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage biosolids, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharge into water.

Potential Heavy Metal Contributor ("PHMC"). Any User that may, through normal business operations, discharge heavy metals into the POTW. Examples of PHMC Users include, but are not limited to:

- A. Automotive repair shops, including auto body and transmission businesses
- B. Bus Depots
- C. Radiator repair shops
- D. Tire centers
- E. Battery Outlets
- F. Car and Truck washes
- G. Machine shops
- H. Equipment rental centers
- I. Small engine repair shops
- J. Recreational rental and/or repair centers
- K. Schools that teach mechanics or engine repair
- L. Any industry that has process flow with detectable metal concentrations.

Pretreatment or treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction of alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).

Private Sewer Main or Private Collection System. A private sewer system that conveys wastewater to the Public Sewer Main. This system is NOT maintained by the City.

Process Wastewater. Any wastewater discharge which during manufacturing or processing comes into direct contact with, or results from the production or use of, any raw material, intermediate product, finished product, byproduct, or waste product.

Process Wastewater Pollutants. Pollutants present in Process Wastewater.

Properly shredded garbage. The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.



Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of the Act, (33 U.S.C. 1291) which is owned by the City, having statutory authority to collect and treat wastewater. This definition includes the wastewater treatment plant, all lift stations, all equipment, machinery and appurtenances to the plant and the lift stations, and any wastewater lines and appurtenances used in the conveyance of wastewater to the treatment plant, except building or lateral sewer lines. For the purposes of this Chapter, POTW shall also include any wastewater lines that convey wastewater to the POTW from persons outside the POTW boundaries who are by contract or agreement with the POTW actual Users of the POTW.

Public Sewer Main or Public Collection System. A sewer that receives wastewater from the sewer lateral and conveys the wastewater to the POTW. This excludes the sewer lateral connection.

POTW Governing Authority. The term "POTW Governing Authority" shall refer to the Council.

Receiving water quality requirements. Requirements for the POTW's treatment plant effluent established by the POTW or by applicable State or Federal regulatory agencies for the protection of receiving water quality. Such requirements shall include effluent limitations, and waste discharge standards, requirements, limitations, or prohibitions which may be established or adopted from time to time by State or Federal laws or regulatory agencies.

Residential User. A User under 25,000 gallons per month which is free from industrial waste, and of such character as to permit satisfactory disposal without special treatment into the POTW wastewater system. Disposal flow of a residential User is based on the winter-time culinary water usage.

Sanitary sewer. The pipe or conduit system and appurtenances, for the collection, transportation, pumping, and treatment of wastewater. This definition shall also include the terms "public sewer", "sewer system", "POTW sewer", "collection system" and "sewer". Excludes "Sewer Lateral or Service Connection" as defined below.

Sewer. A pipe or conduit that carries wastewater or sewage.

Sewer Lateral or Service Connection. A sewer conveying the wastewater of a User from a residential building or other structure to a POTW sewer line, including direct connections to a POTW sewer where permitted by the POTW. A sewer lateral is a building sewer line. The sewer lateral extends from the outside wall of a building to a POTW sewer line including the connection to the POTW sewer line. All maintenance and repair/replacement of a sewer lateral is the responsibility of the property owner.

Sludge. Settleable solids separated from liquids during natural or manmade processes.

Slug discharge. A slug discharge is any discharge of non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch discharge (see 40 CFR 403.8(f)(2)(v)).

Standard methods. Procedures described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, or such other procedures as may be adopted by the POTW.

State. State of Utah.

Storm sewer. A sewer that carries only storm, surface and ground water drainage.

Storm water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

Surcharge mode. Surcharge mode designates when the User will begin being subject to surcharges.

Suspended solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering in accordance with procedures set forth in



Standard Methods.

Toxic pollutants. Any pollutant or combination of pollutants listed in EPA codified Table 1 at 40 CFR 401.15 as toxic or in regulations promulgated by the Administrator of the Environmental Protection Agency under Section 307(a) of the Act.

Unpolluted water. Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

UPDES permit. The Utah Pollutant Discharge Elimination System (UPDES) is the Utah version of the NPDES, which is the permit system mandated by Section 402 of the Clean Water Act to control pollutants in waters of the U.S., including storm water.

User. Any person who contributes, causes or permits the contribution of wastewater into the POTW.

Viscosity. The property of a fluid that resists internal flow by releasing counteracting forces.

Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, institutions, recreational vehicles and other human occupied premises. The term shall include the substance commonly referred to as sewage or sewerage.

Wastewater facilities. The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

Wastewater strength. The quality of wastewater discharged as measured by its elements, constituents and characteristics.

Wastewater treatment works. An arrangement of devices and structures for treating wastewater, industrial wastes, and biosolids. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant", "water pollution control plant", or "water resource recovery facilities".

Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

Waters of the State. All streams, lakes, ponds, marshes, water courses, 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.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0004, Amended, 03/02/93; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)



20-1-3. Abbreviations.

The following abbreviations shall have the designated meanings:

BOD	Biochemical Oxygen Demand
CIU	Categorical Industrial User
cp	Centipoise = 0.01 poise = c.g.s. unit of absolute viscosity gm sec x cm
COD	Chemical Oxygen Demand
CWA	Clean Water Act
EPA	United States Environmental Protection Agency or its successor
L	Liter
mg	milligrams
mg/L	milligrams per liter (parts per million)
ng/L	nanograms per liter (parts per trillion)
NPDES	National Pollutant Discharge Elimination System
O & G	Oil and Grease
O & M	Operation and Maintenance Costs
POTW	Publicly Owned Treatment Works
PPM	Parts Per Million
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 USC 6901, <i>et seq.</i>
TSS	Total Suspended Solids
µg/L	micrograms per liter (parts per billion)
UPDES	Utah Pollution Discharge Elimination System
USC	United States Code
WRF	Water Reclamation Facility

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)



Article 20-2. Use of Public Sewers

Contents:

- 20-2-1. Use of public sewer required.
- 20-2-2. Prohibited discharge.
- 20-2-3. Federal Categorical Pretreatment Standards. Repealed
- 20-2-4. Modification of Federal Categorical Pretreatment Standards. Repealed
- 20-2-5. Specific pollutant limitations.
- 20-2-6. State requirements.
- 20-2-7. POTW's right of revision.
- 20-2-8. Dilution prohibited.
- 20-2-9. Damaging sewer prohibited.
- 20-2-10. Manhole covers.
- 20-2-11. Special agreements and contracts.
- 20-2-12. Grease, oil and sand interceptors.
- 20-2-13. Prohibited connections.
- 20-2-14. Private sewage disposal.

20-2-1. Use of public sewer required.

- A. **Discharge into POTW System.** It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or similar objectionable waste.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- B. **Discharge of wastewater.** It shall be unlawful to discharge into any natural outlet within the City, or in any area serviced by the POTW, any wastewater or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- C. **Private disposal.** Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, leech field, or other facility intended or used for the disposal of wastewater.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- D. **Discharge from recreational vehicles.** Wastewater shall be discharged into the POTW from recreational vehicles only at locations designated by the Director.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)
- E. **Connection required.** Any owner or resident of a house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his own expense to install suitable toilet facilities on the property, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter, within ninety



(90) days from the time such resident or property owner is notified by registered mail, provided that the public sewer is reasonably available and is within three hundred (300) feet of the property line.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

- F. **Temporary or permanent above ground connection(s).** It is unlawful to construct or connect any above ground sewer connections into an existing or proposed sewer lateral unless approved by the Director. This includes RV connections or any other type of connection that conveys sewage above ground.
- G. **Enforcement.** In the event any resident or property owner should fail to connect to the public sewer after receiving notice of the availability thereof, or should fail to comply with the requirements of this Chapter, or should fail to pay for any fees or charges required by this Chapter, the City may cause the water to be shut off from such premises and shall not be required to turn it on again until the resident or property owner has connected to the public sewer at his own expense and all arrears for service furnished have been paid in full.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

20-2-2. Prohibited discharge.

- A. **Storm water.** No person shall discharge or cause to be discharged any waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, except storm water runoff from limited areas, which stormwater may be polluted at times and may be discharged to the sanitary sewer by permission of the Director and the Utah State Board of Health. Stormwater other than that exempted above and all other unpolluted drainage shall be discharged to a storm water system or to a natural outlet approved by the Director and other regulatory agencies.
- (Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0004, Amended, 03/02/93; Ord. No. O-06-0009, Amended 5/23/06)
- B. **General Prohibitions.** No User shall introduce or cause to be introduced into the POTW any pollutant, material (including flushable wipes), or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW, whether or not the Users are subject to categorical pretreatment standards or any other Federal, State, or local pretreatment standards or requirements.
- (Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0004, Amended, 03/02/93; Ord. No. O-06-0009, Amended 5/23/06)
- C. **Commercial garbage grinders.** Mechanically operated grinders or disposers for producing ground garbage are permitted in commercial establishments with the approval of the Director. Every such grinder or disposer shall be so designed and installed:
1. That it shall use a wet process pulping system, including a pulper and a dewater press, or other devices, which discharge at least 75% of the volume of pulp or solid wastes run through it into a garbage can or other container for transport to a proper and lawful garbage or waste disposal site approved by the Utah State Department of Health.
 2. That it shall utilize a closed loop or other design which provides for a minimum of 85% use of recirculated water.
 3. That the fluid discharged therefrom into the sewer shall flow readily through an approved trap or interceptor, drain line or soil line in a manner which prevents clogging or stoppage of the drain line.



4. That the entire installation shall comply with the applicable provisions of state and local plumbing and electrical codes.
5. That the grinders will be operated with only cold water flowing into the grinder while connected to the POTW sewer.

The final decision regarding the sufficiency of the grinder installation for the foregoing requirements rests solely with the Director.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0004, Amended, 03/02/93; Ord. No. O-06-0009, Amended 5/23/06)

20-2-3. Specific pollutant limitations. Repealed

20-2-5. Modification of Federal Categorical Pretreatment Standards. Repealed

20-2-5. Specific pollutant limitations.

No person shall discharge wastewater containing pollutants in excess of the limitations set forth in Controlled Limited and Controlled Admissible Pollutants, Schedules 1 and 2, and as established by other EPA regulations and the POTW.

Maximum Discharge per User

No User of the POTW shall discharge wastewater containing concentrations exceeding the following limits (in the case of pH, the discharge shall be within the designated parameters):

BOD	350 mg/L
COD	700 mg/L
TSS	350 mg/L
Oil and Grease	100 mg/L
pH	5.0 to 12.0

Surcharge Mode

Any User discharging more than the above listed concentrations of BOD, COD, TSS, and/or oil and grease in its wastewater shall be deemed to be in surcharge mode and shall pay a surcharge to the POTW. The amount of the surcharge shall be established by the POTW governing authority. Surcharge mode is an intermediate penalty for exceeding designated discharge limitations.

Maximum Cap

A User shall be in surcharge mode if the discharge exceeds the designated limit, but does not exceed the maximum cap set forth below. Any User exceeding the maximum cap shall be subject to surcharges, plus the administrative enforcement remedies set forth in Article 20-8.



SURCHARGE RANGE		
	LOWER	UPPER*
BOD	350 mg/L	10,000 mg/L
COD	700 mg/L	20,000 mg/L
TSS	350 mg/L	1,500 mg/L
Oil and Grease	100 mg/L	1,200 mg/L
*In no case shall any load be accepted which will cause interference in the collection system or POTW.		

20-2-6. 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 contained herein.

(Ord. No. 661, Revised, 04/10/90)

20-2-7. POTW's right of revision.

The POTW reserves the right to establish more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives present in Section 20-1-1 hereof.

(Ord. No. 661, Revised, 04/10/90)

20-2-8. Dilution prohibited.

No User shall ever increase the amount of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the POTW or State.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92)

20-2-9. Damaging sewer prohibited.

It shall be unlawful for any person to damage, break, deface, uncover or remove any part or portion of the POTW or any sewer lines connecting onto the POTW.

(Ord. No. 661, Revised, 04/10/90)

20-2-10. Manhole covers.

No person shall open any POTW sewer manhole or other sewer manhole located in the City without permission from the Director.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)



20-2-11. Special agreements and contracts.

- A. **Special User agreement.** No statement contained in this Section shall be construed as prohibiting special written agreements between the POTW and any other person allowing industrial waste or wastewater of unusual strength or character to be admitted to the POTW, provided said person compensates the POTW for any additional costs of treatment. Such agreement, however, may not violate any of the specific prohibitions provided herein.

(Ord. No. 661, Revised, 04/10/90)

- B. **Contracts with other governmental agencies.** Whenever the existing sewage treatment capacity is adequate therefor, the POTW may contract with any other organized and established governmental agency, for the discharge into the POTW from any part or parts of such governmental agencies outside the boundaries of the POTW, upon such terms and conditions and for such periods of time as may be deemed reasonable.

(Ord. No. 661, Revised, 04/10/90)

20-2-12. Grease, oil and sand interceptors.

- A. See Section 20-6, Fats, Oils, and Grease (FOG) for information on grease, oil and sand interceptors.

20-2-13. Prohibited connections.

No person, either in person or through an agent, employee, or contractor, shall make, allow or cause to be made any sewer connection to the POTW for service, or for the purpose of servicing property outside the boundaries of the POTW, except upon recommendation of the Director. Such connection to the POTW shall be made by a person who is either a bonded, state-licensed sewer contractor or a plumber who has obtained the necessary permits.

(Ord. No. 661, Revised, 04/10/90)

20-2-14. Private sewage disposal.

- A. **Provision.** Where a public sanitary sewer is not available under the provisions of Section 20-2-1(E) the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article.

(Ord. No. 661, Revised, 04/10/90; Ord. No. 0-06-0009, Amended 5/23/06)



- B. **Construction.** Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the County Health Department of Utah County. The applications for such permit shall be made on a form furnished by the County Health Department, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the County Health Department.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

- C. **Design.** The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Utah Department of Health.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

- D. **Discharge.** It shall be unlawful for any person to discharge the waste material collected and gathered in cleaning cesspools or septic tanks at any place in the City except at a specified location designated by the Director. The Director shall have the authority to change the site of such dumping from time to time as in his/her judgment shall not overload the City sewer system at any one time. It shall be unlawful for any person to discharge the waste material collected from any source except where such persons have a permit from the City for the discharging of such material into the City sewer system.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

- E. **Mandatory connection.** At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 20-2-1(E), a direct connection shall be made to the public sewer within ninety (90) days from notification of the availability of the public sewer, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of biosolids and filled with suitable material.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

- F. **Maintenance.** The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City. The owner shall be responsible for any and all costs associated with environmental remediation of a failed private wastewater disposal facility including and fines or legal fees.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

- G. **Other requirements.** No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the County Health Department of Utah County.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)



Article 20-3. Sanitary Sewer, Building Sewers and Connections

Contents:

- 20-3-1. Permit required.**
- 20-3-2. Permit classifications.**
- 20-3-3. Cost of connection.**
- 20-3-4. Maintenance.**
- 20-3-5. Separate connections required.**
- 20-3-6. Connections**
- 20-3-7. Old building sewers.**
- 20-3-8. Design and construction.**
- 20-3-9. Connection to POTW system.**
- 20-3-10. Inspection.**
- 20-3-11. Separation from other utilities.**
- 20-3-12. Connection on unlike pipe.**
- 20-3-13. Sewer specifications.**
- 20-3-14. Earth cover required.**
- 20-3-15. Abandonment of existing sewer connections**
- 20-3-16. Conversion from private to public sewer collection system**

20-3-1. Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof, or any portion of the POTW, without first obtaining a written permit from the Department of Development Services, and must be exhibited to any City Inspector demanding to see it.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92)

20-3-2. Permit classifications.

There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the inspection office.

(Ord. No. 661, Revised, 04/10/90)

20-3-3. Cost of connection.

All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner of the property to be served. The owner and the contractor taking out the permit shall indemnify and hold the City harmless from any loss or damage that may directly or indirectly be caused by the installation of the building sewer.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92)



20-3-4. Maintenance.

The duty and cost of maintenance and keeping open of the building sewer line from the private property owner's premises to the point where the sewer line is connected onto the POTW sewer line shall be borne by the property owner.

(Ord. No. 661, Revised, 04/10/90)

20-3-5. Separate connections required.

A separate and independent building sewer shall be provided for every building and for every unit in buildings having more than one unit, except that multiple family buildings may perform a fixture count analysis to justify multiple dwelling connections on a single lateral. The analysis will be approved by the Director before the lateral is installed. Where one building (ADU) stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection. If the parcel is subdivided at any point, the shared building sewer shall be disconnected and a separate building sewer installed.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-97-0027, Amended, 05/13/97; Ord. No. O-06-0009, Amended 5/23/06; Ord. No. O-2015-0009, Amended 02/24/2015)

20-3-6. Connections.

Direct connection of a steam exhaust, blowoff or drip pipe shall not be made with the building sewer system. Wastewater when discharged into the building sewer system shall be at a temperature not higher than 140° F. When higher temperatures exist, approved cooling methods shall be provided.

20-3-7. Old building sewers.

Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the City inspector, to meet all the requirements of this Chapter.

(Ord. No. 661, Revised, 04/10/90)

20-3-8. Design and construction.

The size, slope, alignment, materials of construction of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code, City of Orem Development Services Construction Standards and Specifications – Detail Drawing Index, or other applicable rules and regulations of the City. Once a building sewer lateral leaves a building, the sewer lateral cannot reenter a building again.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)



20-3-9. Connection to POTW system.

The connection of the building sewer into the POTW sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. All such connections shall be made gas tight and watertight and verified by proper testing. The connection may not protrude into the POTW sewer. Any deviation from the prescribed procedures and materials must be approved by the City inspector before installation. No lateral shall connect to the POTW sewer in a manhole without the Director's approval.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

20-3-10. Inspection.

The applicant for the building sewer permit shall notify the Department of Development Services when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the City inspector.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-06-0009, Amended 5/23/06)

20-3-11. Separation from other utilities.

All utility lines or conduits shall be separated from the building sewer as required by State law or code.

(Ord. No. 661, Revised, 04/10/90)

20-3-12. Connection on unlike pipe.

Any connection of pipes of unlike materials shall comply with the International Plumbing Code and shall conform to the current specifications of the City.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

20-3-13. Sewer specifications.

The size of building sewers, type of pipe allowed, bed and grade of pipe, changes in direction of pipe cleanouts and construction details shall conform to the current specifications of the City.

(Ord. No. 661, Revised, 04/10/90)

20-3-14. Earth cover required.

No sewer line shall have less than three (3) feet of earth cover at finished grade.

(Ord. No. 661, Revised, 04/10/90)



20-3-15. Abandonment of existing sewer connections.

When an existing sewer connection is abandoned, the connection shall be exposed and permanently capped at the property line. It shall be backfilled per City standards. The locations shall be surveyed and data given to the POTW's GIS program. Metadata shall include the following for each abandoned connection; size, material, and depth of cover. The cost of abandonment shall be the responsibility of the building or property owner.

20-3-16. Acceptance of a private sewer main to public ownership

- A. The City may accept ownership of a private sewer main if the following criteria is met:
 - 1. The sewer main is at least eight inches in diameter
 - 2. There is a manhole or cleanout at all sewer main connections within the private sewer system
 - 3. There is a manhole for the sewer main where it connects to the City sewer system
 - 4. The sewer main meets current City standards
 - 5. All property owners served by the sewer have signed and notarized transfer-of-ownership agreements relinquishing ownership of the sewer
 - 6. The sewer main has been cleaned and its condition verified with a closed-circuit video or other City approved inspection method within the previous six months and the video or other inspection method of the sewer main has been reviewed by the City and found in good condition
- B. If the private sewer main does not meet the aforementioned criteria, the City will not accept ownership of the private sewer main and will not allow any additional sewer main connections outside of the original ownership of the private sewer main.
- C. The City and the private owner shall determine the remaining life of the private sewer system based on industry standards and shall compensate the City for service life used.



Article 20-4. Powers and Authority of Inspectors

Contents:

20-4-1. Access.

20-4-2. Information.

20-4-3. Liability--personnel.

20-4-4. Easements.

20-4-1. Access.

The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge into the POTW system in accordance with the provisions of this Chapter.

(Ord. No. 661, Revised, 04/10/90)

20-4-2. Information.

The Director is authorized to obtain information concerning processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The User may not withhold information from the POTW concerning processes which have direct bearing on the discharge to the POTW. If the User is able to demonstrate to the satisfaction of the Director that the release of this information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law, the information shall be kept confidential. Any such request shall be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing the report that such information should be held confidential, the portions of the 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 UPDES permit or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and other "effluent data" will not be recognized as confidential information and will be available to the public in accordance with the Government Records Access Management Act (GRAMA).

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

20-4-3. Liability--personnel.

While performing the necessary work on private properties referred to in Section 20-4-1 above, the Director or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees, and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for the personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 20-6-11.

(Ord. No. 661, Revised, 04/10/90)



20-4-4. Easements.

The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds an easement for the purposes of inspection, observation, measurement, sampling, repair, maintenance of any portion of the wastewater facilities lying within the easement, or the performance of any other duties pertinent to the operation of the POTW. All entry and subsequent work, if any, on an easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

(Ord. No. 661, Revised, 04/10/90)



Article 20-5. Construction, Connection and Repair Permits

Contents:

- 20-5-1. Permit required.**
- 20-5-2. Application for permit.**
- 20-5-3. Denial of permit.**
- 20-5-4. Inspection fees.**
- 20-5-5. Permits must be procured before starting work.**
- 20-5-6. Sewer engineering.**
- 20-5-7. Failure to remedy defective work.**
- 20-5-8. Permit not transferable.**
- 20-5-9. Work must be completed within thirty days.**
- 20-5-10. Revocation of permit.**
- 20-5-11. Inspection required.**
- 20-5-12. Reinspection - additional fee.**
- 20-5-13. Permit not to be issued until special sewer assessment is paid.**

20-5-1. Permit required.

No person shall commence or carry on the work of laying, repairing, altering, or connecting any building sewer, directly or indirectly, to the POTW sewer, without first having received a permit from the Department of Development Services as required herein.

(Ord. No. 661, Revised, 04/10/90)

20-5-2. Application for permit.

Application for permits for sewer connections must be made in writing by a contractor licensed to do work on sewer systems, on an application blank furnished by the City. Any permit issued shall be subject to the rules and regulations of the City.

(Ord. No. 661, Revised, 04/10/90)

20-5-3. Denial of permit.

The City may deny a permit to perform work on any portion of the POTW or sewer system in cases where the applicant has a history of violations of the regulations or specifications of the City with respect to the type of work for which the permit application is made.

(Ord. No. 661, Revised, 04/10/90)

20-5-4. Inspection fees.

The installation, repair or replacement of any sewer line shall be tested and inspected in accordance with standards set by the City. A fee in an amount established by resolution of the City Council shall be collected by the City for each inspection.



(Ord. No. 661, Revised, 04/10/90)

20-5-5. Permits must be procured before starting work.

It shall be unlawful to commence any work requiring a permit without first obtaining a permit therefore. In the event that any person begins work without a permit, the Director may immediately issue a stop work order until the proper permits are obtained, and an offender shall be required to pay an additional fee in an amount established by resolution of the City Council.

(Ord. No. 661, Revised, 04/10/90)

20-5-6. Sewer engineering.

Any engineering necessary to determine the feasibility of connecting to the POTW sewer shall be the responsibility of the building or property owner.

(Ord. No. 661, Revised, 04/10/90)

20-5-7. Failure to remedy defective work.

No further permits shall be issued to any licensed sewer contractor who has failed to remedy defective work to the satisfaction of the Director after he has been notified in writing. The City shall have the right to correct the defective work and back charge the contractor if the work is not completed in a timely manner or if the repair is deemed an emergency.

(Ord. No. 661, Revised, 04/10/90)

20-5-8. Permit not transferable.

No sewer contractor shall use or allow his license to be used in any way for the purpose of procuring a permit for any person other than himself, or his duly authorized representative. The duly licensed sewer contractor shall be responsible for any and all work done pursuant to the issuance of any permit specified hereunder, regardless of whether the work is actually done by the contractor or his duly authorized representative.

(Ord. No. 661, Revised, 04/10/90)

20-5-9. Work must be completed within thirty days.

The work authorized by a permit shall be done with all possible speed and in accordance with City rules and regulations. If the work is not completed within thirty (30) days (unless a special extension is granted in writing by the City) the permit shall be void. No refund shall be made for a voided permit, and a new permit must be obtained to finish the work.

(Ord. No. 661, Revised, 04/10/90)



20-5-10. Revocation of permit.

The Director may, at any time, revoke a permit because of defective work which has not been corrected after written notice and within the time specified in the notice by the Director.

(Ord. No. 661, Revised, 04/10/90)

20-5-11. Inspection required.

The inspection of sewer lines between the POTW sewer main and a building foundation shall be under the direction of the Director or by his duly authorized inspectors. The City shall be notified on a regular working day at least four (4) hours in advance of the time the permittee wants the inspection done. The entire length of the sewer lateral, including the junction at the POTW sewer shall be fully exposed. Any portion of the work not done in accordance with these requirements, the instructions of the City or its inspectors and the specifications of the City, shall be corrected promptly. There shall be no backfilling until the inspection is made and the work accepted. Work covered prior to inspection shall be uncovered to permit inspection.

(Ord. No. 661, Revised, 04/10/90)

20-5-12. Reinspection - additional fee.

In the event that the City inspector finds the installation not to be in conformity with the City's specifications or if changes are necessary, a second inspection shall be made with no additional charge. After two inspections, a fee in an amount established by resolution of the City Council and payable in advance shall be charged for each additional inspection required.

(Ord. No. 661, Revised, 04/10/90)

20-5-13. Permit not to be issued until special sewer assessment is paid.

No permit for a sewer connection shall be issued until the City has been paid all fees, charges and assessments required pursuant to Section 20-7-1.

(Ord. No. 661, Revised, 04/10/90)



Article 20-6. Fats, Oils, and Grease (FOG)

Contents:

- 20-6-1. Affected Property.**
- 20-6-2. FOG/Sand Control Device Requirements.**
- 20-6-3. Records**
- 20-6-4. Change of Ownership**
- 20-6-5. Fines and Penalties**

20-6-1. Affected Property.

- A. Any User licensed to perform work that may discharge wastewater containing fats, oils, or grease (FOG) into the sewer system shall be classified as an affected property. Affected properties shall be required to install and thereafter maintain and replace adequate FOG control devices on all fixtures from which there is the potential for discharge of fats, oils, or grease in order to prevent these wastes from being introduced to the public sanitary sewer system at unacceptable levels. Without limitation, such FOG control devices will be required for all affected properties described below:
1. Properties on which the preparation and/or sale of food to the general public occurs, including restaurants, fast food outlets, pizza shops, sandwich shops, delicatessens, cafes, and any other food service establishments in which any food preparation or the washing of dishes, utensils, or any other cooking apparatus takes place on the premises, whether the establishment is located in a stand-alone building or in a structure that is occupied by other businesses;
 2. schools, boarding houses, churches, hospitals, nursing homes, commercial day care centers, grocery stores, catering services, banquet halls, hotels, prisons, factories, or office buildings with cafeterias, or any other such establishments that have kitchens and engage in the preparation of food; and
 3. properties on which vehicle parking/storage or automotive service/repair occurs, including service stations, truck stops, gas stations, car care centers, auto body shops, automotive dealerships, car washes, motorcycle shops, machine shops, welding shops, tractor/farm dealerships, truck/bus dealerships, bus barns, salvage yards, or any other establishments that generate sand, grit, or petroleum byproduct waste that would discharge into the public sanitary sewer system.

20-6-2. FOG/Sand Control Device Requirement.

20-6-2-1. Design

The Owner's licensed engineer shall design and size the required FOG/sand control device in accordance with the current edition of the Uniform Plumbing Code (UPC) as utilized by the City and these rules and regulations and shall be designed, sized, installed, maintained, and operated so as to accomplish its intended purpose of intercepting the fats, oils, and grease or sand and grit from the customer's wastewater and preventing the discharge of such materials to the sewer system. FOG control devices shall be designed and located to be readily accessible for cleaning, inspection, servicing, and maintaining in proper working condition. The use of ladders or the removal of bulky equipment in order to inspect or service them shall constitute a violation of



accessibility. Where feasible, and on all new construction, all FOG control devices shall be located outside of the facility served. FOG control devices shall be designed so that they will not become air bound if closed covers are used, and shall be vented if necessary. The design of each FOG control device shall be approved by the Director in accordance with these rules and regulations. One set of plans shall be signed, sealed, and submitted to the Director for approval prior to construction and shall include the size, type, and location of each FOG control device and complete mechanical and plumbing sections. Approval by the Director shall not exempt the User from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority after the date of approval. Such approval shall not be construed as or act as a guarantee or assurance that any discharge is or will be in compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such facilities shall not be made without due notice to and prior approval of the Director. The smallest grease trap or interceptor in any application will be no smaller than 20 gallons (40 pound) capacity. All outside grease traps shall be at least 750 gallon capacity. All outside hydromechanical grease interceptors shall have a minimum capacity of 1000 pounds of grease.

20-6-2-2. Installation

The installation of FOG control devices shall be in accordance with the current edition of the UPC as utilized by the City and these rules and regulations, and shall be accomplished in a workmanlike manner in compliance with the design and sizing requirements set forth herein.

20-6-2-3. Use

Except where otherwise specifically permitted, no wastes other than those requiring separation shall be discharged into any FOG control device. All wastes requiring separation shall enter the FOG control device through the inlet pipe only. Wastes in excess of 140°F shall not be discharged into a FOG control device, and liquid discharged from it shall not exceed 104°F.

20-6-2-4. Maintenance

FOG control devices shall be maintained by regularly scheduled removal of the accumulated fats, oils, and grease, so that they will properly operate as intended to intercept these substances from the customer's wastewater and prevent the discharge of these substances to the sewer system. Maintenance of FOG control devices shall be done only by a business or professional normally engaged in the servicing of such plumbing fixtures. An individual property owner will not be permitted to accomplish maintenance specified by these rules and regulations.

20-6-2-4-1. Cleaning Frequency

Maintenance shall be performed in a workmanlike manner before the retention capacity of the FOG control device is exceeded. Grease traps shall be serviced at a maximum interval of 15 days if located inside a structure and at a maximum interval of 30 days if located outside a structure. Oil/water and sand separators shall be serviced at an interval that ensures compliance with these rules and regulations. The Director, or his/her designee may inspect a FOG control device and require more frequent servicing and maintenance if it is deemed necessary. All Users shall comply with the Director's determination of the required frequency of servicing and maintenance. An alternate cleaning frequency schedule may be approved by the Director if the following



requirements are met:

- A. The owner of the affected property must schedule a facility inspection with the Director.
- B. At the time of inspection, the owner must show maintenance records for all FOG control devices. Lack of such records would constitute a violation of these rules and regulations.
- C. The owner must provide a plumbing schematic of all fixtures and drains within the building.
- D. In the presence of the inspector, the owner must have a dye test performed on all fixtures and drains in the building to determine which ones discharge to a FOG control device and which ones do not.
- E. The owner must schedule a cleaning of the FOG control devices, at which time the inspector will be able to view the inside of the FOG control devices to determine the condition and the presence or absence of all necessary appurtenances.
- F. The owner must arrange a cleaning and a closed circuit TV inspection of the facility's lateral in the presence of the inspector.
- G. The owner must make any repairs or replace FOG control devices and/or make any changes to plumbing arrangements necessary to comply with these rules and regulations.
- H. The owner must certify that all applicable enforceable BMPs are being followed by having an authorized representative of the facility sign a BMP Compliance Form on a quarterly basis.
- I. The owner must notify the Director any time a change in general management of the facility takes place and schedule a visit by the Director to discuss FOG control with the new manager.
- J. The facility must pass all FOG inspections. Any violations will be cause for the Authority to revoke approval of an alternate cleaning schedule.

20-6-2-4-2. Disposal

The disposal of the accumulated fats, oils, and grease from any FOG control device shall be effected through duly licensed haulers and facilities approved by the Department of Environmental Protection. Any other means of disposal shall be presumptively deemed to be illegal.

20-6-2-4-3. Biological Treatment

Biological treatment shall not be a substitute for the servicing of FOG control devices at the frequency determined by the Director. Emulsification of fats, oils, and grease with enzyme treatments only delays physical separation. A FOG control device using biological treatment requires continuous monitoring, maintenance, and inoculation of the bacterial cultures.

20-6-3. Records

Detailed and accurate records of maintenance shall be maintained on site and shall be provided to the Director upon request. Such maintenance records shall be on an approved form. All Users shall maintain written records of maintenance performed for a minimum of three years. The records shall include detailed information relating to the amount of fats, oils, and grease removed, the dates and times of removal, and the identity of the person or entity that accomplished the removal.



20-6-4. Change of Ownership

Upon change of ownership of any existing facility that would be required to have a FOG control device under these rules and regulations, the applicant for sanitary sewer service shall demonstrate that a properly sized and functioning FOG control device is installed in accordance with all requirements set forth herein. If an existing FOG control device does not meet the design and sizing criteria as set forth, the FOG control device shall be replaced with a properly designed and sized FOG control device at the expense of the owner. Property owners and lessees shall be jointly and severally responsible for installing FOG control devices, maintaining the FOG control devices in an efficient operating condition at all times, and otherwise complying with the provisions of these rules and regulations.

20-6-5. Fines and Penalties

The Director reserves the right to pursue fines and penalties as well as to seek damages against the owner of any affected property that does not conform to the rules and regulations relating to FOG. Enforcement actions will be taken in accordance with the City's FOG Enforcement Response Plan. In addition to any responsibility to the City, the owner of an affected property may be liable for any damages to surrounding businesses and/or homeowners resulting from any noncompliance with these rules and regulations. Any extraordinary cost incurred by the City due to interference, damage, or special processing necessary in the collection, transportation, and treatment systems shall be paid by the owners/lessees. The direct cost of all labor, equipment, and materials incurred in rectifying the interference or damage shall be billed directly to the owners/lessees by the City. This shall also include the costs of any analytical testing of effluent discharge from the site.



Article 20-7. Fees and Charges

Contents:

20-7-1. Fees and charges.

20-7-1. Fees and charges.

- A. **Purpose.** It is the purpose of this Chapter to provide for payment by the Users of all the POTW capital costs, debt service, and the costs of maintenance and operation. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund. The charges will be based upon the quality and quantity of the Users' wastewater, and also upon the POTW's capital and operating costs to intercept, treat, and dispose of wastewater and biosolids. The applicable charges shall be set forth to assure that sufficient funds will be collected from the system to adequately operate and maintain the POTW in a schedule of rates adopted annually during the budget approval process.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)
- B. **Classification of Users.** The Users of the POTW may be divided into various classifications, including but not limited to: single dwelling units, duplexes, multiple dwelling units and non-residential. Further, classifications may be established by the City Council for each non-residential User class.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)
- C. **Surcharges.** Users may be subject to a surcharge for exceeding any City pretreatment limitation, exceeding any pretreatment permit, exceeding the surcharge mode for any BOD, suspended solids, COD, oil and grease, or other parameters, and for service outside the POTW boundaries as provided for in the resolution establishing the schedule of rates and charges.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)
- D. **Fees.** The following fees shall be charged as established by resolution of the City Council:
1. Fees for all POTW costs, including debt service, maintenance, and operation.
 2. Fees for reimbursement of costs of setting up and operating the POTW's Pretreatment and FOG Programs.
 3. Fees for monitoring, inspections, and surveillance procedures, to include but not be limited to laboratory analysis.
 4. Fees for reviewing accidental discharge procedures and construction.
 5. Fees for permit applications.
 6. Fees for filing appeals.
 7. Fees for consistent removal (by the POTW) of the pollutants otherwise subject to Federal Pretreatment Standards.
 8. Fees for connection.



9. Fees for repairs, disconnection and restoring services.
 10. Fees for inspections and surveys.
 11. Fees for development and expansion.
 12. Other fees as the POTW may deem necessary to carry out the requirements contained herein.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)
- E. **Charges for discontinuing or restoring services.** In the event POTW service to any building or premises in the service area of the POTW is shut off, a fee to be set by resolution of the City Council shall be charged for restoring sewer service.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)
- F. **Damage to facilities.** When a User's discharge causes an obstruction or damage, or because the nature of the discharge increases the costs for managing the effluent or the biosolids of the POTW, the User shall pay for the damages and the associated costs.
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-93-0026, Amended, 10/26/93; Ord. No. O-94-0011, Amended, 05/03/94; Ord. No. O-06-0009, Amended 5/23/06)



Article 20-8. Administrative Enforcement Remedies

Contents:

- 20-8-1. Enforcement authority.**
- 20-8-2. Notification of violation.**
- 20-8-3. Methods of notification.**
- 20-8-4. Consent Orders.**
- 20-8-5. Compliance Orders.**
- 20-8-6. Cease and Desist Orders.**
- 20-8-7. Administrative Fines.**
- 20-8-8. Emergency Suspensions.**
- 20-8-9. Termination of Discharge.**
- 20-8-10. Civil liability for expenses.**
- 20-8-11. Civil fine pass through.**
- 20-8-12. Show Cause Hearing.**
- 20-8-13. Appeal procedure.**

20-8-1. Enforcement authority.

The POTW may adopt procedures and rules for the implementation and administration of this Chapter and to provide for the enforcement of the provisions contained herein.

(Ord. No. 661, Revised, 04/10/90)

20-8-2. Notification of violation.

When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, or an order issued hereunder, or any other Sewer Standard or Requirement, the Director may serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Director. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

20-8-3. Methods of notification.

Any notification required herein shall be served either personally or by registered or certified mail.

(Ord. No. 661, Revised, 04/10/90)

20-8-4. Consent Orders.

The Director may enter into Consent Orders, assurances of compliance, or other similar documents establishing an



agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 20-8-5 and 20-8-6 of this ordinance and shall be judicially enforceable

20-8-5. Compliance Orders.

When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, or an order issued hereunder, or any other Sewer Standard or Requirement, the Director may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order does not relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

20-8-6. Cease and Desist Orders.

When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, or order issued hereunder, or any other sewer standard or requirement, or that the User's past violations are likely to recur, the Director may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-8)

- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-8)

20-8-7. Administrative Fines.

- A. When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may fine such User in an amount not to exceed \$10,000. Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Rep,&ReEn, 10/27/92)

- B. Unpaid charges, fines, and penalties shall, after sixty (60) calendar days, be assessed an additional penalty of one point eight percent (1.8%) of the unpaid balance, and interest shall accrue thereafter at a rate of one point



eight percent (1.8%) per month. A lien against the User's property may be sought for unpaid charges, fines, and penalties.

- C. Users desiring to dispute such fines must file a written request for the Director to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the Director may convene a hearing on the matter. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Rep,&ReEn, 10/27/92)

20-8-8. Emergency Suspensions.

The Director may immediately suspend a User's discharge, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a User's discharge that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment. If time and circumstances permit, the Director shall attempt to give the User notice of the suspension and an opportunity to be heard before the suspension takes effect.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 20-8-10 of this ordinance are initiated against the User.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-4)

- B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director prior to the date of any show cause or termination hearing under Sections 20-8-13 or 20-8-10 of this ordinance.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-4)

20-8-9. Termination of Discharge.

Any User who violates the terms of this ordinance is subject to discharge termination. Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 20-8-13 of this ordinance why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a prerequisite for, taking any other action against the User.



20-8-10. Civil liability for expenses.

Any person violating the provisions herein shall be liable for any expense, loss, or damage caused the POTW by reason of such violation, including the increased costs, if any, for managing effluent or biosolids, when such increases are the result of the User's discharge of toxic pollutants. The Director shall add such charge to the discharger's treatment charge.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Renumber, 10/27/92, 20-8-7; Ord. No. O-06-0009, Amended 5/23/06)

20-8-11. Civil fine pass through.

In the event that a User discharges such pollutants which cause the POTW to violate any condition of its UPDES Permit and the POTW is fined by EPA or the State for such violation, then such User shall be fully liable for the total amount of the fine assessed against the POTW by EPA or by the State.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Renumber, 10/27/92, 20-8-13)

20-8-12. Show Cause Hearing.

The Director may order a User which has violated, or continues to violate, any provision of this ordinance, or order issued hereunder, or any other sewer standard or requirement, to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least five (5) days prior to the hearing. Such notice may be served on any authorized representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-92-023, Amended, 10/27/92; Ord. No. O-06-0009, Amended 5/23/06)

20-8-13. Appeal procedure.

Any User may appeal an administrative enforcement penalty if it files a written notice of appeal within fourteen (14) days of the User's receipt of notice of the enforcement penalty. The notice of appeal shall be delivered to the Director. Upon receipt of the notice of appeal, the Director shall provide the User notice of a hearing and then hold a hearing that provides the User with an opportunity to be heard regarding the proposed administrative enforcement penalty. The hearing may be held informally, without following technical or procedural rules regarding the presentation of evidence or witnesses. After the hearing, the Director shall issue findings of fact and conclusions regarding the proposed enforcement penalty. Either the User or the City may appeal the Director's decision to the Fourth District Court, which shall uphold the Director's decision unless it finds the decision was arbitrary and capricious or otherwise illegal.



Article 20-9. Judicial Enforcement Remedies

Contents:

- 20-9-1. Injunctive Relief.**
- 20-9-2. Civil Penalties.**
- 20-9-3. Criminal Prosecution.**
- 20-9-4. Referral to State.**
- 20-9-5. City standards.**
- 20-9-6. Remedies Nonexclusive.**

20-9-1. Injunctive Relief.

When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, or an order issued hereunder, or any other Sewer Standard or Requirement, the Director may petition the Fourth District Court or other court of competent jurisdiction through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of this section, or other requirement imposed by this ordinance on activities of the User. The Director may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

20-9-2. Civil Penalties.

- A. A User who has violated, or continues to violate, any provision of this ordinance, or order issued hereunder or any other sewer standard or requirement shall be liable to the City for a maximum civil penalty of Ten Thousand Dollars (\$10,000.00) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

Ord. No. O-92-023, Enacted, 10/27/92)

- B. The Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

Ord. No. O-92-023, Enacted, 10/27/92)

- C. In determining the amount of civil liability the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

Ord. No. O-92-023, Enacted, 10/27/92)

- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for taking, any other action against a User.

(Ord. No. O-92-023, Enacted, 10/27/92)





20-9-3. Criminal Prosecution.

- A. A User who willfully or negligently violates any provision of this ordinance, or order issued hereunder, or any other sewer standard or requirement shall, upon conviction, be guilty of a Class B Misdemeanor, punishable by a fine of not more than One Thousand Dollars (\$1,000.00) per violation, per day, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. Each day a violation continues shall be deemed a separate offense.

(Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-11)

- B. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a Class B Misdemeanor. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

(Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-11)

- C. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be guilty of a Class B Misdemeanor.

(Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-11)

- D. In the event of a second conviction, a User shall be punished by a fine of not more than \$50,000 per violation, per day, and/or imprisonment for not more than five (5) years, or both.

20-9-4. Referral to State.

The City may refer violations of pretreatment standards, Federal law, State law, and this Chapter to the State of Utah to supplement or take the place of enforcement by the POTW.

(Ord. No. O-92-023, Ren,&Amd, 10/27/92, 20-8-8)

20-9-5. City standards.

In compliance with Public Laws 84-660 and 92-500 of the Water Pollution Control Act and amendments hereto, these regulations adopt and use as a guide the national pretreatment standards and the Environmental Protection Agency's (EPA) pretreatment guidelines. The City recognizes that in some cases these pretreatment standards may not be sufficient to protect the operation of its treatment works, or to allow it to comply with the terms of its UPDES Permit. In such cases, the City reserves the right to impose more stringent standards than those specified in the EPA regulations.

(Ord. No. O-92-023, Renumber, 10/27/92, 20-8-16)



20-9-6. Remedies Nonexclusive.

The remedies provided for in this Chapter are not exclusive. The Director may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Director may take other action against any User when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any non-compliant User.

(Ord. No. O-92-023, Enacted, 10/27/92)

Exhibit B

11-6-1. GENERAL PROVISIONS

A. Purpose and Policy.

1. This ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works (POTW) for the City of Orem (the City) and enables the City 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 and Utah Administrative Code (UAC) R317-8-8). The objectives of this ordinance are:

- a. To prevent the introduction of pollutants into the POTW that will interfere or potentially interfere with its operation or contaminate the resulting sludge
- b. To prevent the introduction of pollutants into the POTW that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- c. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- d. To promote reuse and recycling of wastewater and sludge from the POTW;
- e. To enable the City to comply with its Utah Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, Type 1 water reuse standards and any other Federal or State laws to which the POTW is subject.

2. This ordinance shall apply to all Users of the POTW. The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires User reporting

B. Administration.

Except as otherwise provided herein, the Director shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the Director may be delegated by the Director to his duly appointed deputy, agent or representative.

C. Abbreviations.

The following abbreviations, when used in this ordinance, shall have the designated meanings

BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – *Code of Federal Regulations*
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
FOG – Fats, Oils, & Grease
gpd – gallons per day

IU – Industrial User
mg/l – milligrams per liter
UPDES – Utah Pollutant Discharge Elimination System
MGD – Million Gallons Per Day
POTW – Publicly Owned Treatment Works
ppm – Parts Per Million
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code

D. Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

1. Act or “the Act.” The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.
2. Approval Authority. The State of Utah Department of Environmental Quality Division of Water Quality or its successor agency.
3. Authorized or Duly Authorized Representative of the User
 - a. If the User is a corporation:
 - i. 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
 - ii. 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. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - c. If the User is a limited liability company: the managing member or other person or entity who performs similar policy or decision-making functions for the limited liability company.

- d. If the User is a Federal, State, or Local Governmental facility: A director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - e. The individuals described in paragraphs (a) through (d), above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to Director.
4. Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 11-6-2(A)(1) and (2) of this ordinance. BMPs may also include but are not limited to treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
5. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l). Laboratory determinations shall be made in accordance with approved EPA methods (reference 40 C.F.R. Part 136).
6. Categorical Industrial User. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.
7. Categorical Pretreatment Standard or Categorical Standard. Is any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
8. City. The City of Orem.
9. Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time. The method should be in accordance with 40 CFR Part 403 Appendix E Subpart I – Composite Method.
10. Chemical Oxygen Demand or COD. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
11. Control Authority. The City of Orem
12. Daily Maximum. (Daily Max.) The maximum value allowable in any single sample or instantaneous measurement.
13. 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.

14. Director. The director of Public Works of the City of Orem or his duly appointed deputy, agent or representative.
15. 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.
16. Existing Source. Any source of discharge that is not a "New Source."
17. 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.
18. Hazardous Waste. Any solid, liquid, or gaseous waste material that, if improperly managed or disposed of may pose substantial hazards to human health and the environment. The definition of hazardous waste in 40 CFR § 261.3 is by this reference incorporated herein and made a part hereof.
19. Indirect Discharge or Discharge. Means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act. An indirect discharge is the introduction of pollutants into the POTW from any nondomestic source.
20. Instantaneous Limit. The maximum or minimum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any grab or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
21. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, both:
 - a. inhibits or dis-inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and
 - b. therefore, is a cause of a violation of the City's UPDES 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.
22. Local Limit. Specific discharge limits developed to protect the POTW in accordance with 40 CFR 403.5 and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in Section 11-6-2(A)(1) and (2). The technical based local limits and the development documents are kept on file at the POTW and can be reviewed if requested.
23. Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

24. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

25. Monthly Average Limit. The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

26. 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:

i. The building, structure, facility, or installation is constructed at a site at which no other source is located; or

ii. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or

iii. 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 11-6-1(D)(26)(a)(ii) or (iii) 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:

i. Begun, or caused to begin, as part of a continuous onsite construction program

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

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

ii. Entered into a binding contractual obligation for the purchase of facilities or equipment which is 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.

27. **Noncontact Cooling Water.** Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
28. **Pass Through.** A discharge which exits the POTW into Waters 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 requirement of the City's UPDES permit, including an increase in the magnitude or duration of a violation.
29. **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.
30. **pH.** A measure of the acidity or basicity of a solution, expressed in standard units.
31. **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, metals, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
32. **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.
33. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
34. **Pretreatment Standards or Standards.** Pretreatment Standards shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to Industrial Users, which includes but is not limited to prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
35. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 11-6-2 of this ordinance.
36. **Publicly Owned Treatment Works (POTW).** A treatment works, as defined by Section 212 of the Act (33 U.S.C. section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant. It also includes sewers, pipes, lift stations and other conveyances if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.
37. **Section Manager.** The person designated by the City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance. The term also means a Duly Authorized Representative of the Public Works Director.

38. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, and septic tanks excluding non-commercial recreational vehicles.
39. Sewage. Human excrement and gray water (household showers, dishwashing operations, campers, camping trailers, etc.).
40. Significant Industrial User (SIU). a Significant Industrial User is:
- a. An Industrial User subject to Categorical Pretreatment Standards; or
 - b. An Industrial User that:
 - i. Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - ii. Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - iii. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
41. 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 11-6-2 of this ordinance. 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.
42. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
43. 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.
44. User or Industrial User. A source of indirect discharge.
45. 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
46. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and compatible industrial waste.
47. Waters of the State. All streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, except that bodies of water confined to

and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be "waters of the state" as defined in Section 19-5-102 of Utah State Code.

11-6-2. GENERAL SEWER USE REQUIREMENTS

A. Prohibited Discharge Standards

1. 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 prohibitions (listed in Section 11-6-2(A)(2)) 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.
2. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - a. Pollutants which may 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;
 - b. Pollutants which will cause corrosive structural damage to the POTW, but in no case Discharges with pH lower than 5.0 or greater than 12.0;
 - c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference;
 - d. Any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW;
 - e. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40 degrees C (104 degrees F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits;
 - f. Petroleum oil, non biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
 - g. Pollutants which result in the presence of toxic gasses, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - h. Trucked or hauled industrial pollutants; see Section 11-6-3(D) of this ordinance;
 - i. Noxious or malodorous liquids, gasses, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - j. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's UPDES permit;
 - k. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;

- l. Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the Director;
 - m. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - n. Medical Wastes, except as specifically authorized by the Director in an individual wastewater discharge permit;
 - o. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity testing;
 - p. Detergents, surface-active agents, or other substances that might cause excessive foaming in the POTW;
 3. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

B. National Categorical Pretreatment Standards

1. National Categorical Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories have been established by EPA in 40 CFR Chapter I, Subchapter N, Parts 405-471 and are hereby incorporated.
2. Users subject to categorical standards must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471
3. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Director shall impose an alternate limit in accordance with 40 CFR 403.6(e)

C. State Pretreatment Standards

Users must comply with State Pretreatment Standards codified at Utah State Code Section R317-8-8.

D. Local Limits

1. The Director is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
2. Local Limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The development documents for Local Limits are kept at POTW and can be reviewed if requested.
3. Refer to the Local Limits Documents for Limits for individual contaminants.
4. No User shall discharge wastewater containing pollutants in excess of the specific local limits as established by the City from time to time. The local limits are developed and implemented per the requirements of 40 CFR 403. The development documents can be found at the water reclamation facility

E. City's Right of Revision

The City reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this ordinance. The Director is authorized to temporarily or permanently revoke or suspend issuance of any type of permit at any time in order to protect the POTW from Pass Through or Interference in order to maintain compliance with any UPDES permit requirement or pretreatment program requirement. The Director shall also have the right to deny new or increased contributions or to set additional conditions on such contributions to protect the POTW, including limits that may be more stringent than the limits developed in the Local Limits development document.

F. Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Director may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

11-6-3. PRETREATMENT OF WASTEWATER

A. Pretreatment Facilities

1. Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 11-6-2(A) of this ordinance within the time limitations specified by EPA, the State, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance.

B. Additional Pretreatment Measures

1. Whenever deemed necessary, the Director may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.

2. The Director may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.

3. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interceptor units shall be of a type and capacity approved by the Director and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and maintained by the User at their expense.

4. All interception units and sampling manholes shall be of a type and capacity approved by the Director and shall be so located to be easily accessible for cleaning and inspection. The interceptor units and sampling manholes shall be inspected, cleaned, and repaired by the User at their expense.

5. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

6. Sampling manholes shall be located in an area to allow for ease of cleaning, sampling and inspection by the User and the City.

C. Accidental Discharge/Slug Discharge Control Plans

1. The Director shall evaluate whether each SIU needs an Accidental Discharge/Slug Discharge Control Plan or other action to control Slug Discharges. The Director 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:

- a. Description of discharge practices, including non-routine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the Director of any Accidental or Slug Discharge, as required by Section 11-6-6(F) of this ordinance; and
- d. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to,
 - i. Inspection and maintenance of storage areas,
 - ii. Handling and transfer of materials,
 - iii. Loading and unloading operations,
 - iv. Control of plant site runoff,
 - v. Worker training,
 - vi. Building of containment structures or equipment,
 - vii. Measures for containing toxic organic pollutants, including solvents, and/or
 - viii. Measures and equipment for emergency

D. Hauled Wastewater

1. Septic tank waste from privately owned recreational vehicles may be introduced into the POTW only at locations designated by the Director, and at such times as are established by the Director. Such waste shall not violate Section 11-6-2 of this ordinance or any other requirements established by the City.

11-6-4. INDIVIDUAL WASTEWATER DISCHARGE PERMITS

A. Wastewater Analysis

1. When requested by the Director, a User must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The Director is authorized to prepare a form for this purpose and may periodically require Users to update this information. If the User changes or adds a process the User is required to update the information provided to the Director forty-five (45) days prior to the process being changed or added.

B. Individual Wastewater Discharge Permit Requirements

1. No Significant Industrial User shall discharge wastewater into the POTW without first, obtaining an individual wastewater discharge permit from the Director, except that a Significant Industrial User that has filed a timely application pursuant to Section 11-6-4(C) of this ordinance may continue to discharge for the time period specified therein.

2. The Director may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this ordinance.

3. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 11-6-10 through 11-6-12 of this ordinance. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

C. Individual Wastewater Discharge: Existing Connections

1. Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within sixty (60) days after said date, apply to the Director for an individual wastewater discharge permit or in accordance with Section 11-6-4(E) of this ordinance, and shall not cause or allow discharges to the POTW to continue after ninety (90) days of the effective date of this ordinance except in accordance with an individual wastewater discharge permit issued by the Director.

D. Individual Wastewater Discharge: New Connections

1. Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit, in accordance with Section 11-6-4(E) of this ordinance, must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

E. Individual Wastewater Discharge Permit Application Contents

1. All Users required to obtain an individual wastewater discharge permit must submit a permit application. All permittees that will be continuing to discharge are required to complete an

application ninety (90) days prior to the permit expiring. The Director may require Users to submit all or some of the following information as part of a permit application:

- a. Identifying Information.
 - i. The name and address of the facility, including the name of the operator and owner.
 - ii. Contact information for names given in Section 11-6-4(E)(1)(a)(i) as of this ordinance, description of activities, facilities, and plant production processes on the premises;
- b. Environmental Permits. A list of any environmental control permits held by or for the facility.
- c. Description of Operations.
 - i. 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.
 - ii. 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;
 - iii. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - iv. Type and amount of raw materials processed (average and maximum per day);
 - v. 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;
- d. Time and duration of discharges;
- e. The location for monitoring all wastes covered by the permit;
- f. 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 Section 11-6-2(B)(3) of this ordinance.
- g. Measurement of Pollutants.
 - i. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

- ii. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Director, of regulated pollutants in the discharge from each regulated process.
 - iii. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - iv. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 11-6-6(J) of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Director or the applicable Standards to determine compliance with the Standard.
 - v. Sampling must be performed in accordance with procedures set out in Section 11-6-6(K) of this ordinance.
 - h. Any other information as deemed necessary by the Director to evaluate the permit application.
2. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.
3. Based on information provided by the permittee, in Section 11-6-4(E)(1)(a)(i) of this ordinance, the City will determine within thirty (30) days if;
- a. Additional information is needed,
 - b. A permit is not necessary, or
 - c. If a permit will be required to be issued before the IU discharge is allowed to the POTW.
4. Should any of the information requested or supplied be considered by the User to be of a confidential nature, the User should request confidential status in accordance with Section 11-6-8 of this ordinance. Information regarding sampling and analysis of the discharge is not considered confidential information.

F. Application Signatories and Certifications

- 1. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 11-6-6(N)(1) of this ordinance
- 2. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Director prior to or together with any reports to be signed by an Authorized Representative.

G. Individual Wastewater Discharge Permit Decisions

1. The Director will evaluate the data furnished by the User and may require additional information. Within thirty (30) days of receipt of a complete permit application, the Director will determine whether to issue an individual wastewater discharge permit. The Director may deny or conditionally approve any application for an individual wastewater discharge permit.

11-6-5. INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

A. Individual Wastewater Discharge Permit Duration

1. An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Director. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

B. Individual Wastewater Discharge Permit Contents

1. An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.
2. Individual wastewater discharge permits must contain:
 - a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
 - b. A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 11-6-5(D) of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
 - d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or Best Management Practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
 - e. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
 - f. Requirements to control Slug Discharge, if determined by the Director to be necessary.
 - g. Requirements to report immediately to the Director any slug discharge or any changes at its facility affecting potential for a slug discharge.
 - h. Requirements to notify the Director of changes to the industrial users discharge thirty (30) days prior to the change. The Director may deny or conditional approve the change prior to the user making the change at the facility that may impact the discharge at the facility to the POTW.

- i. The Director may revoke the Discharge Permit upon violation of the terms and conditions of the permit as stated in this Pretreatment Ordinance.
 - j. The Discharge Permit shall grant the right of entry to the Director and/or his designees, including but not limited to Wastewater Section Manager, Pretreatment Coordinator and Pretreatment Inspector(s) into all industrial user properties, facilities, buildings, etc, when wastewater is known or expect to be generated and/or discharged.
3. Individual wastewater discharge permits may contain, but may not be limited to, the following conditions:
 - a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
 - c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - e. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
 - f. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 - g. A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and
 - h. Other conditions as deemed appropriate by the Director to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

C. Permit Modification

1. The Director may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 - a. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
 - b. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;

- c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, the treatment and disposal of sludge, or the receiving waters;
- e. Violation of any terms or conditions of the individual wastewater discharge permit;
- f. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- g. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
- h. To correct typographical or other errors in the individual wastewater discharge permit; or
- i. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 11-6-5(D) of this ordinance.

D. Individual Wastewater Discharge Permit Transfer

1. Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the Director and the Director approves the individual wastewater discharge permit coverage transfer. The notice to the Director must include a written certification by the new owner or operator which:

- a. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- b. Identifies the specific date on which the transfer is to occur;
- c. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit; and
- d. The conditions of the permit will not change; and
- e. A copy of the new permit will be provided to the new owner or operator.

2. Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

E. Individual Wastewater Discharge Permit Revocation

1. The Director may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. Failure to notify the Director of significant changes to the wastewater prior to the changed discharge;

- b. Failure to provide prior notification to the Director of changed conditions pursuant to Section 11-6-6(D) of this ordinance;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports;
- e. Falsifying certification statements;
- f. Tampering with monitoring equipment;
- g. Refusing to allow the Director timely access to the facility premises or records;
- h. Failure to meet effluent limitations;
- i. Failure to pay fines;
- j. Failure to pay sewer charges;
- k. Failure to meet compliance schedules;
- l. Failure to complete a wastewater survey or the wastewater discharge permit application or reapplication;
- m. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- n. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this ordinance.

2. Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

F. Individual Wastewater Discharge Permit Reissuance

1. A User with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 11-6-4(B) of this ordinance, a minimum of ninety (90) days prior to the expiration of the User's existing individual wastewater discharge permit.

G. Regulation of Waste Received from Other Jurisdictions

1. If another municipality, or User located within another municipality, contributes wastewater to the POTW, the Director shall enter into an interlocal agreement with the contributing municipality.

2. Prior to entering into an agreement required by paragraph (1), above, the Director shall request the following information from the contributing municipality:

- a. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - b. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - c. Such other information as the Director may deem necessary.
3. An interlocal agreement, as required by Section 11-6-5(G)(1) of this ordinance, shall contain the following conditions:
- a. A requirement for the contributing municipality to adopt the City's sewer use ordinance which is at least as stringent as this ordinance and the City's Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 11-6-2(D) of this ordinance of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's ordinance or Local Limits;
 - b. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis; new business licenses monthly and water usage at least annually;
 - c. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Director; and which of these activities will be conducted jointly by the contributing municipality and the Director;
 - d. A requirement for the contributing municipality to provide the Director with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - e. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 - f. Requirements for monitoring the contributing municipality's discharge;
 - g. A provision ensuring the Director access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Director; and
 - h. A provision specifying remedies available for breach of the terms of the interlocal agreement.

11-6-6. REPORTING REQUIREMENTS

A. Baseline Monitoring Reports (BMR)

1. BMR Requirements

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 Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in paragraph (ii), below.

b. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Director a report which contains the information listed in paragraph (ii), below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

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

a. All information required in Section 11-6-4(E)(a)(i), Section 11-6-4(E)(b), Section 11-6-4(E)(c), and Section 11-6-4(E)(f) of this ordinance.

b. Measurement of pollutants.

i. The User shall provide the information required in Section 11-6-4(E)(g)(i) through (v) of this ordinance.

ii. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

iii. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

iv. Sampling and analysis shall be performed in accordance with Section 11-6-6(J) and 11-6-6(K) of this ordinance;

v. The Director may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures; and

vi. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

c. Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 11-6-1(D)(3) of this ordinance 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.

d. Compliance Schedule. If additional pretreatment and/or O&M will be required for the User to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 11-6-6(B) of this ordinance.

e. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 11-6-6(N)(1) of this ordinance and signed by an Authorized Representative as defined in Section 11-6-1(D)(3) of this ordinance.

B. Compliance Schedule Progress Reports

1. The following conditions shall apply to the compliance schedule required by Section 11-6-6(A)(d) of this ordinance:
2. 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, commencing and completing construction, and beginning and conducting routine operation);
3. No increment referred to above shall exceed nine (9) months;
4. The User shall submit a progress report to the Director no later than fourteen (14) days following each date in the schedule and the final 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 being taken by the User to return to the established schedule; and
5. In no event shall more than nine (9) months elapse between such progress reports to the Director.

C. Reports on Compliance with Categorical Pretreatment Standard Deadline

1. 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 Director a report containing the information described in Section 11-6-4(E(1))(f) and (g) and 11-6-6(A)(b) of this ordinance. For 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 11-6-6(N)(1) of this ordinance. All sampling will be done in conformance with Section 11-6-6(K) of this ordinance.

D. Periodic Compliance Reports

1. All permitted Significant Industrial Users must, at a frequency determined by the Director submit no less than twice per year (June and December or on dates specified) reports indicating the nature, 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. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Director or the Pretreatment Standard necessary to determine the compliance status of the User.
2. All periodic compliance reports must be signed and certified in accordance with Section 11-6-6(N)(1) of this ordinance.
3. 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.
4. If a User subject to the reporting requirement in this Section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Director, using the procedures prescribed in Section 11-6-6(K) of this ordinance, the results of this monitoring shall be included in the report.

E. Reports of Changed Conditions

1. Each User must notify the Director of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change, including changes that may affect the potential for slug discharges or slug discharges to the POTW.
 - a. The Director may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 11-6-4(B) of this ordinance.
 - b. The Director may reissue an individual wastewater discharge permit under Section 11-6-5(F) of this ordinance or modify an existing wastewater discharge permit under Section 11-6-5(C) of this ordinance in response to changed conditions or anticipated changed conditions.
2. Director may approve, deny or conditionally approve the change based on the effects the change may have on the POTW and/or the Pretreatment Program.

F. Reports of Potential Problems

1. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the POTW of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
2. Within five (5) days following such discharge, the User shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
3. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
4. Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

G. Reports from Unpermitted Users

1. All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Director as the Director may require.

H. Notice of Violation/Repeat Sampling and Reporting

1. If sampling performed by a User indicates a violation, the User must notify the Director within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User. If the City performs the sampling and analysis and a violation occurs, in lieu of the User performing the sampling and analysis, then the City will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis.

I. Notification of the Discharge of Hazardous Waste

1. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of

such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User:

- a. An identification of the hazardous constituents contained in the wastes,
 - b. An estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and
 - c. An estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months.
2. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph needs to be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 11-6-6(E) of this ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 11-6-6(A), 11-6-6(C), and 11-6-6(D) of this ordinance.
3. Dischargers are exempt from the requirements of paragraph (1), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
4. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify Director, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
5. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
6. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

J. Analytical Requirements

1. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling

and analytical procedures, including procedures suggested by the Director or other parties approved by EPA.

2. All laboratory samples collected for this ordinance shall be analyzed by a laboratory that is either certified by the Utah Bureau of Laboratory Improvements and/or National Environmental Laboratory Accreditation Program (NELAP), unless the analysis is completed by the permittee and meets the requirements in 40 CFR 136

K. Sample Collection

1. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period

a. Except as indicated in Section 11-6-6(K)(1)(b) and (c) of this ordinance, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Director. Where time-proportional composite sampling or grab sampling is authorized by the Director, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, 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. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Director, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 11-6-6(A) and 11-6-6(C) of this ordinance, a minimum of four (4) grab samples must 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 Director may authorize a lower minimum. For the reports required by paragraphs Section 11-6-6(D) of this ordinance, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

L. Date of Receipt of Reports

1. Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

M. Recordkeeping

1. Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying;

- a. All records of information obtained pursuant to any monitoring activities required by this ordinance,
 - b. Any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and
 - c. Documentation associated with Best Management Practices established as Pretreatment Standards.
2. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.
3. 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 the City, or where the User has been specifically notified of a longer retention period by the Director.

N. Certification Statements

1. Certification of Permit Applications and User Reports – The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 11-6-4 (F) of this ordinance; Users submitting baseline monitoring reports under Section 11-6-6(A)(2)(e) of this ordinance; and Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 11-6-6(C) of this ordinance. Users submitting periodic compliance reports required by Section 11-6-6(D)(1) through (4). The following certification statement must be signed by an Authorized Representative as defined in Section 11-6-1(D)(3) of this ordinance:

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

11-6-7. COMPLIANCE MONITORING

A. Right of Entry: Inspection and Sampling

1. The Director shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any individual wastewater discharge permit or an order issued hereunder. Users shall allow the Director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and/or the performance of any additional duties. Monitoring and inspections shall be conducted at a frequency as determined by the City and may be announced or unannounced.

a. 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 Director shall be permitted to enter without delay for the purposes of performing specific responsibilities.

b. The Director 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.

c. The Director 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 according to manufacturer's specifications but no longer than annually.

d. 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 Director and shall not be replaced. The costs of clearing such access shall be borne by the User.

e. Unreasonable delays in allowing the Director access to the User's premises shall be a violation of this ordinance.

f. The City may use a camera to photograph areas of the facility as necessary for carrying out the duties of the Industrial Pretreatment Program including, but not limited to, documentation of the User's compliance status and for reinforcement of written reports. The User shall be allowed to review copies of the photographs for confidentiality claims.

B. Search Warrants

1. If the Director has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of this Ordinance designed to verify compliance with this ordinance or any permit or an order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Director may seek issuance of a search warrant from the Fourth District Court of the State of Utah, or other Court with appropriate jurisdiction.

11-6-8. CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the Director'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 Director, 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 UPDES 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. Notwithstanding anything herein to the contrary, all records will be subject to the requirements of Utah's Government Records Access and Management Act (GRAMA).

11-6-9. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

1. The Director shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates Section 11-6-9(1)(c), (d) or (h) of this ordinance) and shall mean:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits, as defined in Section 11-6-2 of this ordinance;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a six- (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement, including Instantaneous Limits, as defined by Section 11-6-2 of this ordinance multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oils and grease, and TRC=1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by Section 11-6-2 of this ordinance (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Director determines 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 a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide within forty-five (45) 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 may include a violation of Best Management Practices, which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

11-6-10. ADMINISTRATIVE ENFORCEMENT REMEDIES

A. Notification of Violation

1. When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Director. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

B. Consent Orders

1. The Director may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 11-6-10(D) and 11-6-10(E) of this ordinance and shall be judicially enforceable.

C. Show Cause Hearing

1. The Director may order a User which has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least thirty (30) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 11-6-1(D)(3) of this ordinance and required by Section 11-6-4(F)(1) of this ordinance. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

D. Compliance Orders

1. When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may

not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

E. Cease and Desist Orders

1. When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Director may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- a. Immediately comply with all requirements; and
- b. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

2. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

F. Administrative Fines

1. When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may fine such User in an amount not to exceed \$10,000. Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

2. Unpaid charges, fines, and penalties shall, after sixty (60) calendar days, be assessed an additional penalty of one point eight percent (1.8%) of the unpaid balance, and interest shall accrue thereafter at a rate of one point eight percent (1.8%) per month. A lien against the User's property may be sought for unpaid charges, fines, and penalties.

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

4. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

G. Emergency Suspensions

1. The Director may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which

reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

a. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 11-6-10(H) of this ordinance are initiated against the User.

b. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director prior to the date of any show cause or termination hearing under Sections 11-6-10(C) or 11-6-10(H) of this ordinance.

2. Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

H. Termination of Discharge

1. In addition to the provisions in Section 11-6-5(E) of this ordinance, any User who violates the following conditions is subject to discharge termination:

- a. Violation of individual wastewater discharge permit conditions;
- b. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- c. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- d. Refusal of access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- e. Significant violation of the Pretreatment Standards in Section 11-6-2 of this Ordinance.

2. Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 11-6-10(C) of this ordinance why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a prerequisite for, taking any other action against the User.

I. Appeals

1. Any User may appeal an administrative enforcement penalty if it files a written notice of appeal within fourteen (14) days of the User's receipt of notice of the enforcement penalty. The notice of appeal shall be delivered to the Director. Upon receipt of the notice of appeal, the Director shall provide the User notice of a hearing and then hold a hearing that provides the User with an opportunity to be heard regarding the proposed administrative enforcement penalty. The hearing may be held informally, without following technical or procedural rules regarding the presentation of evidence or witnesses. After the hearing, the Director shall issue findings of fact and conclusions regarding the proposed enforcement penalty. Either the User or the City may appeal the Director's decision to the Fourth District Court, which shall uphold the Director's decision unless it finds the decision was arbitrary and capricious or otherwise illegal.

11-6-11. JUDICIAL ENFORCEMENT REMEDIES

A. Injunctive Relief

1. When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may petition the Fourth District Court or other court of competent jurisdiction through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the User. The Director may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

B. Civil Penalties

1. A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty of \$10,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

2. The Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

3. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

4. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

C. Criminal Prosecution

1. A User who willfully or negligently violates any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a Class B misdemeanor, punishable by a fine of not more than \$1,000 per violation, per day, or imprisonment for not more than six (6) months, or both fine and imprisonment.

2. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a Class B misdemeanor. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

3. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, individual wastewater discharge permit, or an order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall be guilty of a Class B misdemeanor

4. In the event of a second conviction, a User shall be punished by a fine of not more than \$50,000 per violation, per day, and/or imprisonment for not more than five (5) years, or both.

D. Remedies Nonexclusive

1. The remedies provided for in this ordinance are not exclusive. The Director may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Director may take other action against any User when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any noncompliant User.

E. Referral

1. The City may refer any violation and/or criminal violation of any pretreatment standard, requirement or permit condition to the appropriate authorities and assist in the prosecution.

11-6-12. SUPPLEMENTAL ENFORCEMENT ACTION

A. Penalties for Late Reports

1. A penalty of \$50.00 shall be assessed to any User for each day that a report required by this ordinance, a permit or an order issued hereunder is late, beginning five days after the date the report is due. Actions taken by the Director to collect late reporting penalties shall not limit the Director's authority to initiate other enforcement actions that may include penalties for late reporting violations.

B. Performance Bonds

1. The Director may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to comply with any provision of this ordinance, a previous individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Director to be necessary to achieve consistent compliance.

C. Payment of Outstanding Fees and Penalties

1. The Director may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this ordinance, a previous individual wastewater discharge permit, or an order issued hereunder.

D. Water Supply Severance

1. Whenever a User has violated or continues to violate any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed as provided in the City's water ordinance.

E. Public Nuisances

1. A violation of any provision of this ordinance, an individual wastewater discharge permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance pursuant to Orem City Code Section 11-1-3(B)(26) and may be corrected or abated as provided in the Orem City's nuisance ordinance.

F. Appeals

1. Any User may appeal a supplemental enforcement action if it files a written notice of appeal within fourteen (14) days of the User's receipt of notice of the supplemental enforcement action. The notice of appeal shall be delivered to the Director. Upon receipt of the notice of appeal, the Director shall provide the User notice of a hearing and then hold a hearing that provides the User with an opportunity to be heard regarding the proposed supplemental enforcement action. The hearing may be held informally, without following technical or procedural rules regarding the presentation of evidence or witnesses. After the hearing, the Director shall issue findings of fact and conclusions regarding the proposed supplemental enforcement action. Either the User or the

City may appeal the Director's decision to the Fourth District Court, which shall uphold the Director's decision unless it finds the decision was arbitrary and capricious or otherwise illegal.

11-6-13. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

A. Upset

1. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (3), below, are met.
3. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and the User can identify the cause(s) of the upset;
 - b. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - c. The User has submitted the following information to the Director within twenty-four (24) hours of becoming aware of the upset. A written submission shall also be provided within five (5) working days of the time the User becomes aware of the upset:
 - i. A description of the indirect discharge and cause of noncompliance;
 - ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - iii. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
4. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.
5. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.
6. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

B. Prohibited Discharge Standards

1. A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 11-6-2(A)(1) of this ordinance or the specific prohibitions in Sections 11-6-2(A)(2) (c) through (g) and (j) through (p) of this ordinance if it

can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

- a. A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- b. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the City was regularly in compliance with its UPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

C. Bypass

1. For the purposes of this Section,

- a. Bypass means the intentional diversion of waste streams from any portion of a User's treatment facility.
- b. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

2. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (3) and (4) of this Section.

3. Bypass Notifications

- a. If a User knows in advance of the need for a bypass, it shall submit prior notice to the Director, at least ten (10) days before the date of the bypass, if possible.
- b. A User shall submit oral notice to the Director of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

4. Bypass

- a. Bypass is prohibited, and the Director may take an enforcement action against a User for a bypass, unless
 - i. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - iii. The User submitted notices as required under paragraph (3) of this Section.
- b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in paragraph (4)(a) of this Section.

11-6-14. MISCELLANEOUS PROVISIONS

A. Pretreatment Charges and Fees

1. The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's Pretreatment Program, which may include:
 - a. Fees for wastewater discharge permit applications including the cost of processing such applications;
 - b. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statements submitted by Users;
 - c. Fees for reviewing and responding to accidental discharge procedures and construction;
 - d. Fees for filing appeals;
 - e. Fees to recover administrative and legal costs (not included in Section 11-6-14(1)(b) of this ordinance) associated with the enforcement activity taken by the Director to address IU noncompliance; and
 - f. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the City.

B. Severability

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

11-6-15. EFFECTIVE DATE

This ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

Exhibit C

Orem City WRF
Pretreatment Program
Local Limit
Development Document

Prepared by: AQUA Engineering

Date the Local Limits were prepared: January, 2022

The following information can be found in this section:

Introduction

Legal Authority

Development Background

Water Quality Standard

Sludge Disposal Criteria

UPDES Permit Limits

Treatment Plant Removal Efficiencies and Sampling Criteria

Sampling Plan

Removal Efficiency

Pollutants of Concern

Local Limits Determination

Metals

Non-Petroleum Oil and Grease Limitation

Conventional Pollutants

Local Limits

Local Limits – Effect on Industrial Users

Local Limits – Effect on City

Information Regarding Public Noticing of Local Limits

Attachments

Appendix A - Local Limit Calculations

Appendix B – Organization Chart

Appendix C – Summary of Sampling Data

Appendix D – Maps of Sampling Locations

Appendix E – Waste Load Analysis

Appendix F – Pollutant of Concern Sampling

INTRODUCTION

The Orem City WRF UPDES permit requires local limits to be evaluated. The primary pollutant data used for this evaluation was gathered between April of 2012 and July of 2013. The data for conventional pollutants were based on data gathered between February and July of 2012. The WRF currently treats average flow of 8 Million Gallons per Day (MGD), of which approximately 500,000 gallons a day, 0.5 MGD, is combined flow of Significant Industrial Users (SIU) and Industrial Users (IU). The concentration based Local Limit developed in this report will be calculated for 600,000 gallons per day, which includes additional 100,000 gallons for the future growth of the industry to the existing 500,000 gallons per day. The design capacity of the Orem City WRF is 13.5 MGD for average daily flow with peak hour flow of 21.6 MGD. The City is required to maintain a pretreatment program because of 40 CFR 403.8. The regulation requires all WRF with a design flow above 5 MGD to implement a pretreatment program. This document establishes the local limits that can be allocated by the WRF for the future industrial users.

LEGAL AUTHORITY

United States Code of Federal Regulations 40 CFR 403.5.
City of Orem chapter 20 Ordinance No. O-06-0009.
City of Orem UPDES UT0020915, UTL020915

OREM CITY WRF ORGANIZATION

The Orem Water Reclamation Facility, originally constructed in 1958, was last upgraded in 2014. The facility serves the City of Orem, the city of Lindon, and a portion of the Town of Vineyard. The facility is permitted to discharge average daily flow of 13.5 MGD, with a design population equivalent of 135,000. The facility consists of three mechanical bar screens and two aerated grit chambers, followed by a division between the four primary clarifiers. The overflow from all four primary clarifiers goes to a system of biological nutrient removal basins. After treatment in these basins the overflow goes to final clarifiers for separation of return activated sludge or waste activated sludge or cleaned water for final disinfection at an ultraviolet disinfection system with effluent discharged to Powell Slough prior to receiving water being Utah Lake. The solids are sent to three anaerobic digesters. The three digesters include one thermophilic digester and two mesophilic digesters. The mesophilic digesters consist of one fixed lid primary and one floating lid secondary. All of the waste activated sludge is sent to the anaerobic digester system for final treatment and consistently produces class B biosolids. All biosolids are tested and land applied to farmland in south Utah County. The facility is located at 1797 West 1000 South in Orem City, Utah County, UT, with Latitude 40°16'39" and longitude 111°44'19" with STORET Number 499525.

ACRONYMs and DEFINITIONS

CFR: Code of Federal Regulation
DEQ: Department of Environmental Quality
DWQ: Department of Water Quality
EPA: Environmental Protection Agency
IU: Industrial Users
MAHL: Maximum Allowable Headworks Load
MGD: Million Gallons per Day
MH: Manhole
MRE: Maximum Removable Efficiency
PPM: Parts per Million
SIU: Significant Industrial Users
UPDES: Utah Pollutant Discharge Elimination System
WRF: Water Reclamation Facility

DRAFT

DEVELOPMENT BACKGROUND

Water Quality Standard

Table 1 below summarizes the Orem City's current Waste Load Analysis (UPDES UT00290915). Full document can be found in Appendix E. The permit is issued for the flow of 13.5 MGD. These values refer to the most stringent value of the acute and chronic limitations to be conservative with the local limit development.

	Statement of Basis End of Pipe Standard (mg/L) (Waste-Load Analysis)
ALUMINUM	0.8556
ARSENIC	0.1717
CADMIUM	0.00059
CHROMIUM (VI)	0.0115
CHROMIUM (III)	0.2048
COPPER	0.0222
LEAD	0.011
MERCURY	0.000013
MOLYBDENUM	N/A
NICKEL	0.1267
SELENIUM	0.0052
SILVER	0.0200
ZINC	0.2852
CYANIDE	0.0054
PHENOLS	0.01

Table 1 WLA – Effluent Standard

Sludge Disposal Criteria

The Orem City WRF produces 19,300 lbs/day biosolids on average at a solids concentration of 17.4 % (Personal Communication, April, 2014). The bio-solid from the Orem City WRF is classified as Class B and currently land applied. The pollutant concentration requirement for both Class A and B are the same and can be found in Table 2.

	Sludge Pollutant Concentration (ppm, mg/kg) (40 CFR 503.13, Table 3)
ALUMINUM	N/A
ARSENIC	41
CADMIUM	39
CHROMIUM	N/A
COPPER	1500
LEAD	300
MERCURY	17
MOLYBDENUM	75 (Table 1 - 40 CFR 503.13)
NICKEL	420
SELENIUM	100
SILVER	N/A
ZINC	2800
CYANIDE	N/A
PHENOLS	N/A

Table 2 Sludge Pollutant Concentration

Treatment Plant Removal Efficiencies and Sampling Criteria

The samples of influent, effluent, and biosolids were collected from April of 2012 and July of 2013 and used to develop the local limit. The spreadsheet developed by Utah DEQ was used for the analysis and is attached to this document. Several of the sample values for the POCs including Arsenic, Cadmium, Mercury, Cyanide and Phenols were below detection limit on influent and/or effluent samples which complicated the mass balance calculations used to determine removal efficiencies.

Sampling Plan

The samples that were taken at the treatment plant include influent, effluent and sludge. Influent samples were taken from headworks. The effluent samples were taken at outfall pipe located at Powell Slough, and the sludge samples were taken from belt press. The sample location within the plant is indicated on the general plan view of the facility attached to this document. Sampling schedule used in this facility is summarized in Table 3.

Samples	Sampling Location	Frequency
BOD, TSS	Influent/Effluent	3 times/week
Ammonia	Effluent	3 times/week
Total Phosphorus	Influent/Effluent	Monthly
Oil & Grease	Effluent	Monthly
Metals (Liquid)	Influent/Effluent	Quarterly
Metals (Sludge)	Belt Press	Bi-Monthly

Table 3 Sampling Schedule

The water samples from Industrial users were taken from individual sampling location designated for each IUs and SIUs. Discharging Significant Industrial Users are currently using the total volume of 213,783 gpd. The City also regulates several other IUs. It is determined that the total water discharge for the IUs is 269,611 gpd. It was determined that the local limit will be implemented for both SIUs and IUs. Currently the average combined flow from SIUs and IUs is 483,500 gallons a day but for the concentration based local limit calculation, 600,000 gallons a day of average flow was used to include the future growth for the industry. The quality of the wastewater from IUs and SIUs are tested at least once a year.

The domestic samples were taken from 5 manholes within the city (MH #30184, 220072, 320039, 350071, 30213) for this local limit evaluation. A map with the locations of those manholes is attached on the end of this document.

Removal Efficiencies

Removal efficiencies were calculated based on the sampling results collected between April 2012 and July 2013. Removal efficiency was not obtained from the sampling for Arsenic, Cadmium, Cyanide and Phenols due to sampling limitations on the minimum detection limit. Where removal efficiencies could not be calculated, literature values of removal efficiencies were used. The literature removal efficiencies can be found in "EPA Local Limits Development Guidance Appendices." The removal efficiency on the metals is summarized as Table 4.

	Removal Efficiency %	Source Obtained from
ALUMINUM	87.3	Average MRE and ADRE
ARSENIC	33.9	Average MRE and ADRE
CADMIUM	50.0	Literature Value
CHROMIUM	50.4	Average MRE and ADRE
COPPER	63.0	Average MRE and ADRE
LEAD	48.9	Average MRE and ADRE
MERCURY	97.5	Average MRE and ADRE
MOLYBDENUM	45.9	Average MRE and ADRE
NICKEL	62.4	Average MRE and ADRE
SELENIUM	36.9	Average MRE and ADRE
SILVER	65.3	Average MRE and ADRE
ZINC	55.8	Average MRE and ADRE
CYANIDE	66.0	Literature Value
PHENOLS	8.0	Literature Value

Table 4 Removal Efficiencies

Flow

The flow of 13.5 MGD was used in the spreadsheet calculation to determine the maximum allocation headworks loading (MAHL) for the Orem City WRF as stated in wasteload analysis published by the State. The WRF is currently receiving total of 8 MGD, where approximately 0.48 MGD is industrial influent.

Analytical Methods

All wastewater samples were collected, preserved, and analyzed using methods approved by UPDES permit as well as under 40 CFR Part 136 and 40 CFR Part 403. Sludge sampling and analyses were performed in accordance with UPDES permit for the City, as per 40 CFR 503.8. List of the analytical method used for each pollutant can be found in Appendix C.

Sample Types

Orem City WRF influent and effluent, and biosolids samples were collected as required by the UPDES permit as well as 40 CFR 403 and 503.

POLLUTANTS OF CONCERN

The purpose of developing local limits is to prevent interference of WWTF treatment operations, protect worker health and safety, prevent pass-through of conventional and toxic pollutants, prevent adverse impacts a sludge quality, and maintain discharge permit and regulatory compliance. This is accomplished by identifying which pollutants of concern (POCs) need to be controlled to meet these goals and to meet Federal, State, and local requirements. The EPA has identified 15 pollutants that it considers potential POCs. In addition to the EPA's list of national pollutants, additional potential POCs were identified that may adversary impact compliance with effluent limitations, environmental standards and regulatory requirements, protections of WRF, collection system and workers. Additional POCs, Aluminum and Total Phosphorus, have been included due to the effluent limitations set forth in the Orem City WRF's permit which are based on water quality effects on the Powell Slough.

Aluminum	Mercury	5- Day BOD
Arsenic	Molybdenum	TSS
Cadmium	Nickel	Ammonia
Chromium	Selenium	pH
Copper	Silver	Lead
Cyanide	Zinc	Phosphorus

During this Local Limits evaluation, influent and effluent analytical data from April of 2012 and July of 2013, as well as biosolid data from February to July of 2013 were used to determine the local limits. The spreadsheet developed by Utah DWQ was utilized to determine the removal efficiency and the headwork loads allocation.

Several of the influent sample values were below detection limits which complicated the mass balance calculations used to determine removal efficiencies. Where removal efficiencies could not be calculated based on the detection limit of the influent and effluent literature values of removal efficiencies were used.

Values found in Table 5 are the pollutants and their maximum allowable headwork load (MAHL). MAHL for BOD, and TSS were calculated based on the design loading for the facility, 350 mg/L for both BOD and TSS as well as the design loading of Ammonia, 40 mg/L with the maximum plant capacity of 13.5 MGD. Phosphorus loading was calculated based on their current treatment capacity; the City currently receives total phosphorus up to 7 mg/L, and discharges 2.0 mg/L. The City will be installing a tertiary filtration system within next 420 days, and is expected to meet the new phosphorus limit without changing the capacity of the facility. All the metals were calculated based on the Waste Load Analysis and its permitted flow of 13.5 MGD. Detailed information on the development can be found in the supporting documents.

Pollutant of Concern	Governing MAHL	Source (Water Quality, Biosolids)
	lbs/day	
BOD ₅	39,407	Plant Capacity
TSS	39,407	Plant Capacity
Ammonia-N	4,504	Plant Capacity
Phosphorus	788	Plant Capacity
Aluminum	758.5	Water Quality
Arsenic	2.33	Biosolids
Cadmium	0.13	Water Quality
Total Chromium	49.3	Water Quality
Copper	6.76	Water Quality
Lead	2.49	Water Quality
Mercury	0.059	Water Quality
Molybdenum	3.15	Biosolids
Nickel	12.99	Biosolids
Selenium	0.93	Water Quality
Silver	6.49	Water Quality
Zinc	72.65	Water Quality
Cyanide	1.79	Water Quality
Phenol	489.5	Inhibition (Nitrification)

Table 5 MAHL Summary

The MAHLs above are to be protective of the WRF. The MAHL were derived using spreadsheets developed by Utah DWQ.

PRIORITY POLLUTANTS

City of Orem has reviewed additional 111 trace metals and organics that they submit to DWQ annually, but it was determined that none of those should be included in the local limit as they are mostly non-detect or very close to detection limits. Please note that phenol is included in the local limit due to its toxicity.

LOCAL LIMITS DETERMINATION

Metals

To determine the local limit, a safety 10% safety factor and 10% growth factor was utilized. The current flow rate of about 0.5 MGD is from the current SIU's and IU's, and additional 100,000 gallons was included in the local limits calculation for future connections.

For Chromium, none of the SIUs or IUs had issues with chromium limit, and thus, the City of Orem is going to keep the total chromium limit. Phenol is non-detect in the influent and effluent. And to protect the Orem City POTW, local limit has been developed using WLA and removal rate from literature value.

Where removal efficiencies could not be calculated based on the detection limit of the influent and effluent, including Arsenic, Cadmium, Mercury and Cyanide, literature values of removal efficiencies were used for the calculation.

Conventional Pollutants

To determine the local limit, safety factor of 10% and 10 % growth factor. The monthly average BOD₅, TSS, and Ammonia loads to the plant from February and July of 2012 were 14,165 lbs/day, 11,669 lbs/day, 2,179 lbs/day, respectively. Loading of total phosphorus between January of 2019 and November of 2021 was 390 lbs/day. However, the conventional pollutants will use the plant design concentrations for permitting purposes.

Non-Petroleum Oil and Grease Limitation

Petroleum based oil and grease are prohibited in accordance with 40 CFR 403.5(b)(6). The typical wastewater treatment plant treating most domestic wastewater, as Orem City WRF, will reliably remove at least 90 % of all oil and grease entering the system.

The UPDES permit for the City allows a maximum oil and grease discharge of 10 mg/L. The Orem City POTW has been treating FOG with average removal efficiency of 92%. As such, maximum concentration allowed at the Industrial User discharge point will be 100 mg/L.

pH

In accordance with 40 CFR 403.5, minimum pH is 5.0 to protect pipes from corrosive damage. Consequently, the pH range determined for the City of Orem is between 5.0 to 12.0 be protective.

LOCAL LIMITS

DETERMINATION OF LOCAL LIMITS

The general methodology used to calculate updated local limits is that described in the EPA Local Limits Development Guidance document, July 2004. Actual local limits calculations were made using an excel spread sheet, copies of which are presented in Appendix A. The approach includes two basic steps:

1. Determination of Allowable Headworks Load from all outside sources for each POC based on the process removal efficiencies for site specific process and applicable effluent quality, and sludge quality.
2. Allocation of the Allowable Headworks Load across all process influent load sources.

The specific local limits for POCs were calculated as below:

1. Maximum Allowable Headworks Loading is calculated based on Waste Load Analysis data for a constituent for both Acute and Chronic limit

2. Domestic Concentration data is subtracted from the MAHL to calculate Maximum Allowable Industrial Loading for both Acute and Chronic Condition
3. Biosolids Maximum Allowable Headworks Loading is calculated for both Table 1 (Ceiling Concentration) of Title 40 CFR 503.13 and Table 3 (Monthly Average Concentrations) of Title 40 CFR 503.13.
4. Domestic Concentration data is converted to loading by using the facility's design flow and subtracted from the Biosolid MAHL calculated in step 3.
5. Allocatable Industrial Load based on the water quality is then calculated using 10 % growth factor and 10 % safety factor for daily (acute) and monthly (chronic)
6. Allocatable Industrial Load based on the biosolids is calculated with 10 % growth factor and 10 % safety factor, daily (ceiling concentration) and monthly (monthly average concentration)
7. The lowest allowable loading among the four numbers calculated in the step 5 and 6; water quality based AIL Daily, water quality based AIL monthly, biosolid based AIL daily, biosolid based AIL monthly, is chosen for the constituents to be the local limit.

Local Limit for Phenol was determined using the calculation for inhibition. Inhibition for nitrification is 4 mg/L and inhibition for activated sludge is 50 mg/L per EPA's Local Limit Development Guidance. Removal rate of phenol is 8 % was used per EPA's Local Limit Development Guidance also. Nitrification Inhibition is more stringent than the activated sludge, and the Maximum allowable Headworks load was calculated as inhibition threshold multiplied by the flow in MGD, then 8.34 divided by 1-removal rate. Since residential concentration of the phenol was non-detect, it would then become Maximum Allowable Industrial Loading Limit.

LOCAL LIMITS – EFFECT ON INDUSTRY

This local limit is developed for the IUs and SIUs and will be implemented when the local limits are approved by the Director of Water Quality. The existing users will renew their local limit permit as will be discussed with DEQ and Orem City. This will also affect future IUs and SIUs.

LOCAL LIMITS – EFFECT ON CITY

There is no update requirement on permits for the Orem City WRF due to this local limit development.

INFORMATION REGARDING PUBLIC NOTICING OF LOCAL LIMITS

Refer to the City of Orem Pretreatment Ordinance, currently being updated, for the method of public noticing.

POLLUTANTS TO BE EVALUATED FURTHER

There are no pollutants that need to be evaluated further.

SUMMARY OF LOCAL LIMITS

Table 6 summarizes the weight based Allowable Industrial Load of each constituent for future users. The MAIL was calculated based on the plant design capacity of 13.5 MGD with 0.6 MGD usage for the industrial flow, and 10 % safety factor and 10 % growth factor. The values found in Table 6 is the most stringent of the daily and the monthly allocatable loadings in lbs/day to be the most conservative to protect the POTW. As long as the allocatable industrial loading stays within the most stringent limit, the MAIL will not violate the established standard for any constituent that is listed.

<i>Constituent</i>	<i>Allowable Industrial Load (lbs/day)</i>
Aluminum	548.73
Arsenic	1.74
Cadmium	0.09
Total Chromium	38.49
Copper	0.33
Lead	1.86
Mercury	0.040
Molybdenum	1.77
Nickel	10.09
Selenium	0.56
Silver	5.17
Zinc	44.82
Cyanide	1.22
Phenol	489 (Inhibition)
BOD	17,360
TSS	19,856
Ammonia-N	1,423
Phosphorus	390
Oil & Grease	6,755
pH	5.0 < pH < 12.0

Table 6 Allowable Industrial Load

Based on the allowable loading calculated on Table 6 above, the allowable industrial concentration values were calculated for future IUs and SIUs at a rate of 600,000 gallons per day in Table 7 below. As previously discussed, these values are based on the most stringent of the daily and the monthly allocatable loadings, therefore, when the industries stay within the concentration limit at any given day, it would protect the POTW.

<i>Constituent</i>	<i>Allowable Industrial Concentration (mg/L)</i>
Aluminum	109.7
Arsenic	0.35
Cadmium	0.018
Total Chromium	7.69
Copper	0.07
Lead	0.37
Mercury	0.008
Molybdenum	0.35
Nickel	2.02
Selenium	0.11
Silver	1.03
Zinc	8.96
Cyanide	0.24
Phenol	97.8

Table 7 Allowable Industrial Concentration

While metal concentration for the IUs and SIUs is limited as shown on Table 7, it is determined that the local limit for conventional pollutants such as BOD, TSS, Ammonia-N, Total Phosphorus, Oil and Grease, and pH, shall be limited as stringent as the limit for plant's design criteria. The Maximum allocatable industrial load for the conventional pollutants is listed as below.

<i>Constituent</i>	<i>Maximum Allocatable Concentration (mg/L)</i>
BOD	350
TSS	350
Ammonia-N	40
Total Phosphorus	7
Oil & Grease	100
pH	5.0 < pH < 12.0

Table 8 Conventional Pollutants MAIL

APPENDIX A
LOCAL LIMIT CALCULATIONS

Facility Name:	Orem	WQ MAHL Daily:	788.52	WQ Local Limits for: Aluminum	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	#VALUE!	AIL Daily, #/day:	548.73
Domestic Flow:	12.9	WQ MAIL Daily:	685.91	AIL Monthly, #/day:	NA
Domestic Max Concentration:	0.6749	WQ MAIL Monthly:	NA	AIL Daily, Concentration:	109.66
Domestic Ave Concentration:	0.6749	Biosolids MAHL Daily:	NA	AIL Monthly, Concentration:	NA
Industrial Flow:	0.6	Biosolids MAHL Monthly:	NA	Biosolids Local Limits for: Aluminum	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	NA	AIL Daily, #/day:	NA
Metal:	Aluminum	Biosolids MAIL Monthly:	NA	AIL Monthly, #/day:	NA
% removal in decimal:	0.873			AIL Daily, Concentration:	NA
Safety Factor:	0.1			AIL Monthly, Concentration:	NA
Growth Factor:	0.1			Local Limits for: Aluminum	
WQ Acute Permit Limit, mg/L:	0.8556			AIL Daily, #/day:	548.73
WQ Chronic Permit Limit, mg/L:	NA			AIL Monthly, #/day:	NA
Biosolids Table 1:	NA			AIL Daily, Concentration:	109.66
Biosolids Table 3:	NA			AIL Monthly, Concentration:	NA

Facility Name:	Orem	WQ MAHL Daily:	66.31	WQ Local Limits for: Arsenic	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	29.25	AIL Daily, #/day:	52.92
Domestic Flow:	12.9	WQ MAIL Daily:	66.15	AIL Monthly, #/day:	23.27
Domestic Max Concentration:	0.00151	WQ MAIL Monthly:	29.08	AIL Daily, Concentration:	10.58
Domestic Ave Concentration:	0.00151	Biosolids MAHL Daily:	4.27	AIL Monthly, Concentration:	4.65
Industrial Flow:	0.6	Biosolids MAHL Monthly:	2.33	Biosolids Local Limits for: Arsenic	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	4.11	AIL Daily, #/day:	3.29
Metal:	Arsenic	Biosolids MAIL Monthly:	2.17	AIL Monthly, #/day:	1.74
% removal in decimal:	0.339			AIL Daily, Concentration:	0.66
Safety Factor:	0.1			AIL Monthly, Concentration:	0.35
Growth Factor:	0.1			Local Limits for: Arsenic	
WQ Acute Permit Limit, mg/L:	0.3893			AIL Daily, #/day:	3.29
WQ Chronic Permit Limit, mg/L:	0.1717			AIL Monthly, #/day:	1.74
Biosolids Table 1:	75			AIL Daily, Concentration:	0.66
Biosolids Table 3:	41			AIL Monthly, Concentration:	0.35

Facility Name:	Orem	WQ MAHL Daily:	1.351	WQ Local Limits for: Cadmium	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	0.133	AIL Daily, #/day:	1.06
Domestic Flow:	12.9	WQ MAIL Daily:	1.331	AIL Monthly, #/day:	0.09
Domestic Max Concentration:	0.000186	WQ MAIL Monthly:	0.113	AIL Daily, Concentration:	0.21
Domestic Ave Concentration:	0.000186	Biosolids MAHL Daily:	3.28	AIL Monthly, Concentration:	0.02
Industrial Flow:	0.6	Biosolids MAHL Monthly:	1.51	Biosolids Local Limits for: Cadmium	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	3.26	AIL Daily, #/day:	2.61
Metal:	Cadmium	Biosolids MAIL Monthly:	1.49	AIL Monthly, #/day:	1.19
% removal in decimal:	0.5			AIL Daily, Concentration:	0.52
Safety Factor:	0.1			AIL Monthly, Concentration:	0.24
Growth Factor:	0.1			Local Limits for: Cadmium	
WQ Acute Permit Limit, mg/L:	0.006			AIL Daily, #/day:	1.0649
WQ Chronic Permit Limit, mg/L:	0.00059			AIL Monthly, #/day:	0.0903
Biosolids Table 1:	85			AIL Daily, Concentration:	0.2128
Biosolids Table 3:	39			AIL Monthly, Concentration:	0.0180

Facility Name:	Orem	WQ MAHL Daily:	3.93	WQ Local Limits for Chromium (6)	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	2.61	AIL Daily, #/day:	2.75
Domestic Flow:	12.9	WQ MAIL Daily:	3.43	AIL Monthly, #/day:	1.69
Domestic Max Concentration:	0.0046	WQ MAIL Monthly:	2.12	AIL Daily, Concentration:	0.55
Domestic Ave Concentration:	0.0046	Biosolids MAHL Daily:	NA	AIL Monthly, Concentration:	0.34
Industrial Flow:	0.6	Biosolids MAHL Monthly:	NA	Biosolids Local Limits for Chromium (6)	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	NA	AIL Daily, #/day:	NA
Metal:	Chromium (6)	Biosolids MAIL Monthly:	NA	AIL Monthly, #/day:	NA
% removal in decimal:	0.504			AIL Daily, Concentration:	NA
Safety Factor:	0.1			AIL Monthly, Concentration:	NA
Growth Factor:	0.1			Local Limits for Chromium (6)	
WQ Acute Permit Limit, mg/L:	0.0173			AIL Daily, #/day:	2.75
WQ Chronic Permit Limit, mg/L:	0.0115			AIL Monthly, #/day:	1.69
Biosolids Table 1:	NA			AIL Daily, Concentration:	0.55
Biosolids Table 3:	NA			AIL Monthly, Concentration:	0.34

Facility Name:	Orem	WQ MAHL Daily:	973.40	WQ Local Limits for Chromium (3)	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	46.49	AIL Daily, #/day:	778.33
Domestic Flow:	12.9	WQ MAIL Daily:	972.91	AIL Monthly, #/day:	36.80
Domestic Max Concentration:	0.0046	WQ MAIL Monthly:	45.99	AIL Daily, Concentration:	155.54
Domestic Ave Concentration:	0.0046	Biosolids MAHL Daily:	NA	AIL Monthly, Concentration:	7.35
Industrial Flow:	0.6	Biosolids MAHL Monthly:	NA	Biosolids Local Limits for Chromium (3)	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	NA	AIL Daily, #/day:	NA
Metal:	Chromium (3)	Biosolids MAIL Monthly:	NA	AIL Monthly, #/day:	NA
% removal in decimal:	0.504			AIL Daily, Concentration:	NA
Safety Factor:	0.1			AIL Monthly, Concentration:	NA
Growth Factor:	0.1			Local Limits for Chromium (3)	
WQ Acute Permit Limit, mg/L:	4.2882			AIL Daily, #/day:	778.33
WQ Chronic Permit Limit, mg/L:	0.2048			AIL Monthly, #/day:	36.80
Boisolds Table 1:	NA			AIL Daily, Concentration:	155.54
Biosolids Table 3:	NA			AIL Monthly, Concentration:	7.35

Facility Name:	Orem	WQ MAHL Daily:	11.11	WQ Local Limits for Copper	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	6.76	AIL Daily, #/day:	3.81
Domestic Flow:	12.9	WQ MAIL Daily:	4.76	AIL Monthly, #/day:	0.33
Domestic Max Concentration:	0.059	WQ MAIL Monthly:	0.41	AIL Daily, Concentration:	0.76
Domestic Ave Concentration:	0.059	Biosolids MAHL Daily:	131.73	AIL Monthly, Concentration:	0.07
Industrial Flow:	0.6	Biosolids MAHL Monthly:	45.95	Biosolids Local Limits for Copper	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	125.38	AIL Daily, #/day:	100.31
Metal:	Copper	Biosolids MAIL Monthly:	39.60	AIL Monthly, #/day:	31.68
% removal in decimal:	0.63			AIL Daily, Concentration:	20.05
Safety Factor:	0.1			AIL Monthly, Concentration:	6.33
Growth Factor:	0.1			Local Limits for Copper	
WQ Acute Permit Limit, mg/L:	0.0365			AIL Daily, #/day:	3.81
WQ Chronic Permit Limit, mg/L:	0.0222			AIL Monthly, #/day:	0.33
Biosolids Table 1:	4300			AIL Daily, Concentration:	0.76
Biosolids Table 3:	1500			AIL Monthly, Concentration:	0.07

Facility Name:	Orem	WQ MAHL Daily: 8.18	WQ Local Limits for Cyanide
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly: 1.79	AIL Daily, #/day: 6.33
Domestic Flow:	12.9	WQ MAIL Daily: 7.91	AIL Monthly, #/day: 1.22
Domestic Max Concentration:	0.0025	WQ MAIL Monthly: 1.52	AIL Daily, Concentration: 1.26
Domestic Ave Concentration:	0.0025	Biosolids MAHL Daily: NA	AIL Monthly, Concentration: 0.24
Industrial Flow:	0.6	Biosolids MAHL Monthly: NA	Biosolids Local Limits for Cyanide
Biosolids Flow in #/day:	19300	Biosolids MAIL Daily: NA	AIL Daily, #/day: NA
Metal:	Cyanide	Biosolids MAIL Monthly: NA	AIL Monthly, #/day: NA
% removal in decimal:	0.66		AIL Daily, Concentration: NA
Safety Factor:	0.1		AIL Monthly, Concentration: NA
Growth Factor:	0.1		Local Limits for Cyanide
WQ Acute Permit Limit, mg/L:	0.0247		AIL Daily, #/day: 6.33
WQ Chronic Permit Limit, mg/L:	0.0054		AIL Monthly, #/day: 1.22
Biosolids Table 1:	NA		AIL Daily, Concentration: 1.26
Biosolids Table 3:	NA		AIL Monthly, Concentration: 0.24

Facility Name:	Orem	WQ MAHL Daily: 64.14	WQ Local Limits for Lead
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly: 2.49	AIL Daily, #/day: 51.18
Domestic Flow:	12.9	WQ MAIL Daily: 63.98	AIL Monthly, #/day: 1.86
Domestic Max Concentration:	0.0015	WQ MAIL Monthly: 2.33	AIL Daily, Concentration: 10.23
Domestic Ave Concentration:	0.0015	Biosolids MAHL Daily: 33.15	AIL Monthly, Concentration: 0.37
Industrial Flow:	0.6	Biosolids MAHL Monthly: 11.84	Biosolids Local Limits for Lead
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily: 32.99	AIL Daily, #/day: 26.39
Metal:	Lead	Biosolids MAIL Monthly: 11.68	AIL Monthly, #/day: 9.34
% removal in decimal:	0.489		AIL Daily, Concentration: 5.27
Safety Factor:	0.1		AIL Monthly, Concentration: 1.87
Growth Factor:	0.1		Local Limits for Lead
WQ Acute Permit Limit, mg/L:	0.2911		AIL Daily, #/day: 26.39
WQ Chronic Permit Limit, mg/L:	0.0113		AIL Monthly, #/day: 1.86
Biosolids Table 1:	840		AIL Daily, Concentration: 5.27
Biosolids Table 3:	300		AIL Monthly, Concentration: 0.37

Facility Name:	Orem	WQ MAHL Daily: 12.160	WQ Local Limits for Mercury
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly: 0.059	AIL Daily, #/day: 9.72
Domestic Flow:	12.9	WQ MAIL Daily: 12.151	AIL Monthly, #/day: 0.04
Domestic Max Concentration:	0.0000781	WQ MAIL Monthly: 0.050	AIL Daily, Concentration: 1.94
Domestic Ave Concentration:	0.0000781	Biosolids MAHL Daily: 1.13	AIL Monthly, Concentration: 0.01
Industrial Flow:	0.6	Biosolids MAHL Monthly: 0.34	Biosolids Local Limits for Mercury
Biosolids Flow in #/day:	19300	Biosolids MAIL Daily: 1.12	AIL Daily, #/day: 0.90
Metal:	Mercury	Biosolids MAIL Monthly: 0.33	AIL Monthly, #/day: 0.26
% removal in decimal:	0.975		AIL Daily, Concentration: 0.18
Safety Factor:	0.1		AIL Monthly, Concentration: 0.05
Growth Factor:	0.1		Local Limits for Mercury
WQ Acute Permit Limit, mg/L:	0.0027		AIL Daily, #/day: 0.90
WQ Chronic Permit Limit, mg/L:	0.000013		AIL Monthly, #/day: 0.0401
Biosolids Table 1:	57		AIL Daily, Concentration: 0.18
Biosolids Table 3:	17		AIL Monthly, Concentration: 0.01

Facility Name:	Orem	WQ MAHL Daily:	NA	WQ Local Limits for Molybdenum	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	NA	AIL Daily, #/day:	NA
Domestic Flow:	12.9	WQ MAIL Daily:	NA	AIL Monthly, #/day:	NA
Domestic Max Concentration:	0.0087	WQ MAIL Monthly:	NA	AIL Daily, Concentration:	NA
Domestic Ave Concentration:	0.0087	Biosolids MAHL Daily:	3.15	AIL Monthly, Concentration:	NA
Industrial Flow:	0.6	Biosolids MAHL Monthly:	NA	Biosolids Local Limits for Molybdenum	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	2.22	AIL Daily, #/day:	1.77
Metal:	Molybdenum	Biosolids MAIL Monthly:	NA	AIL Monthly, #/day:	NA
% removal in decimal:	0.459			AIL Daily, Concentration:	0.35
Safety Factor:	0.1			AIL Monthly, Concentration:	NA
Growth Factor:	0.1			Local Limits for Molybdenum	
WQ Acute Permit Limit, mg/L:	NA			AIL Daily, #/day:	1.77
WQ Chronic Permit Limit, mg/L:	NA			AIL Monthly, #/day:	NA
Biosolids Table 1:	75			AIL Daily, Concentration:	0.35
Biosolids Table 3:	NA			AIL Monthly, Concentration:	NA

Facility Name:	Orem	WQ MAHL Daily:	342.17	WQ Local Limits for Nickel	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	37.94	AIL Daily, #/day:	276.72
Domestic Flow:	12.9	WQ MAIL Daily:	307.47	AIL Monthly, #/day:	30.30
Domestic Max Concentration:	0.005	WQ MAIL Monthly:	33.66	AIL Daily, Concentration:	55.30
Domestic Ave Concentration:	0.005	Biosolids MAHL Daily:	12.99	AIL Monthly, Concentration:	6.05
Industrial Flow:	0.6	Biosolids MAHL Monthly:	12.99	Biosolids Local Limits for Nickel	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	11.21	AIL Daily, #/day:	10.09
Metal:	Nickel	Biosolids MAIL Monthly:	11.21	AIL Monthly, #/day:	10.09
% removal in decimal:	0.624			AIL Daily, Concentration:	2.02
Safety Factor:	0.1			AIL Monthly, Concentration:	2.02
Growth Factor:	0.1			Local Limits for Nickel	
WQ Acute Permit Limit, mg/L:	1.1427			AIL Daily, #/day:	10.09
WQ Chronic Permit Limit, mg/L:	0.1267			AIL Monthly, #/day:	10.09
Biosolids Table 1:	420			AIL Daily, Concentration:	2.02
Biosolids Table 3:	420			AIL Monthly, Concentration:	2.02

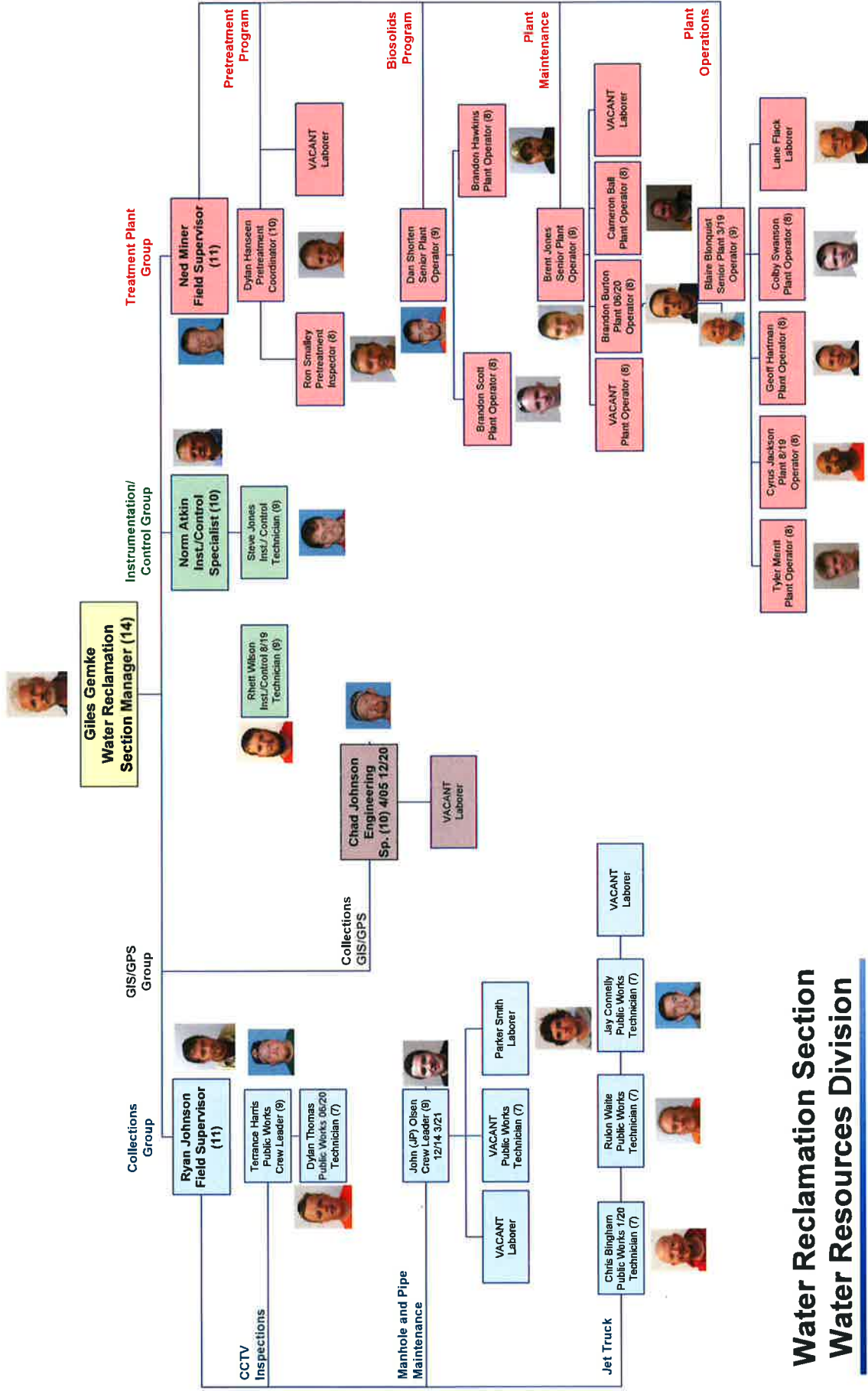
Facility Name:	Orem	WQ MAHL Daily:	3.75	WQ Local Limits for Selenium:	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	0.93	AIL Daily, #/day:	2.82
Domestic Flow:	12.9	WQ MAIL Daily:	3.52	AIL Monthly, #/day:	0.56
Domestic Max Concentration:	0.0021	WQ MAIL Monthly:	0.70	AIL Daily, Concentration:	0.56
Domestic Ave Concentration:	0.0021	Biosolids MAHL Daily:	5.23	AIL Monthly, Concentration:	0.11
Industrial Flow:	0.6	Biosolids MAHL Monthly:	5.23	Biosolids Local Limits for Selenium:	
Biosolids Flow in #/day:	19300	Biosolids MAIL Daily:	5.00	AIL Daily, #/day:	4.00
Metal:	Selenium	Biosolids MAIL Monthly:	5.00	AIL Monthly, #/day:	4.00
% removal in decimal:	0.369			AIL Daily, Concentration:	0.80
Safety Factor:	0.1			AIL Monthly, Concentration:	0.80
Growth Factor:	0.1			Local Limits for Selenium	
WQ Acute Permit Limit, mg/L:	0.021			AIL Daily, #/day:	2.82
WQ Chronic Permit Limit, mg/L:	0.0052			AIL Monthly, #/day:	0.56
Biosolids Table 1:	100			AIL Daily, Concentration:	0.56
Biosolids Table 3:	100			AIL Monthly, Concentration:	0.11

Facility Name:	Orem	WQ MAHL Daily:	6.49	WQ Local Limits for:	Silver
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	NA	AIL Daily, #/day:	5.17
Domestic Flow:	12.9	WQ MAIL Daily:	6.47	AIL Monthly, #/day:	NA
Domestic Max Concentration:	0.0002	WQ MAIL Monthly:	NA	AIL Daily, Concentration:	1.03
Domestic Ave Concentration:	0.0002	Biosolids MAHL Daily:	NA	AIL Monthly, Concentration:	NA
Industrial Flow:	0.6	Biosolids MAHL Monthly:	NA	Biosolids Local Limits for:	Silver
Biosolids Flow in #/day:	19300	Biosolids MAIL Daily:	NA	AIL Daily, #/day:	NA
Metal:	Silver	Biosolids MAIL Monthly:	NA	AIL Monthly, #/day:	NA
% removal in decimal:	0.653			AIL Daily, Concentration:	NA
Safety Factor:	0.1			AIL Monthly, Concentration:	NA
Growth Factor:	0.1			Local Limits for:	Silver
WQ Acute Permit Limit, mg/L:	0.02			AIL Daily, #/day:	5.17
WQ Chronic Permit Limit, mg/L:	NA			AIL Monthly, #/day:	NA
Biosolids Table 1:	NA			AIL Daily, Concentration:	1.03
Biosolids Table 3:	NA			AIL Monthly, Concentration:	NA

Facility Name:	Orem	WQ MAHL Daily:	72.65	WQ Local Limits for: Zinc	
POTW WLA Flow in MGD:	13.5	WQ MAHL Monthly:	72.65	AIL Daily, #/day:	44.82
Domestic Flow:	12.9	WQ MAIL Daily:	56.03	AIL Monthly, #/day:	44.82
Domestic Max Concentration:	0.1545	WQ MAIL Monthly:	56.03	AIL Daily, Concentration:	8.96
Domestic Ave Concentration:	0.1545	Biosolids MAHL Daily:	259.41	AIL Monthly, Concentration:	8.96
Industrial Flow:	0.6	Biosolids MAHL Monthly:	96.85	Biosolids Local Limits for: Zinc	
Biosolids Flow in #/day:	19,300	Biosolids MAIL Daily:	242.79	AIL Daily, #/day:	194.23
Metal:	Zinc	Biosolids MAIL Monthly:	80.22	AIL Monthly, #/day:	64.18
% removal in decimal:	0.558			AIL Daily, Concentration:	38.81
Safety Factor:	0.1			AIL Monthly, Concentration:	12.83
Growth Factor:	0.1			Local Limits for: Zinc	
WQ Acute Permit Limit, mg/L:	0.2852			AIL Daily, #/day:	44.82
WQ Chronic Permit Limit, mg/L:	0.2852			AIL Monthly, #/day:	44.82
Biosolids Table 1:	7500			AIL Daily, Concentration:	8.96
Biosolids Table 3:	2800			AIL Monthly, Concentration:	8.96

Parameter	Plant Design mg/L	Flow Design MGD	Plant Loading #/Day	Safety and Growth Allowance	Loading #/Day	Local Limit #/Day
BOD	350	13.5	39406.5	31525.2	14165	17360.2
TSS	350	13.5	39406.5	31525.2	11669	19856.2
Ammonia	40	13.5	4503.6	3602.88	2179	1423.88

APPENDIX B
ORGANIZATION CHART



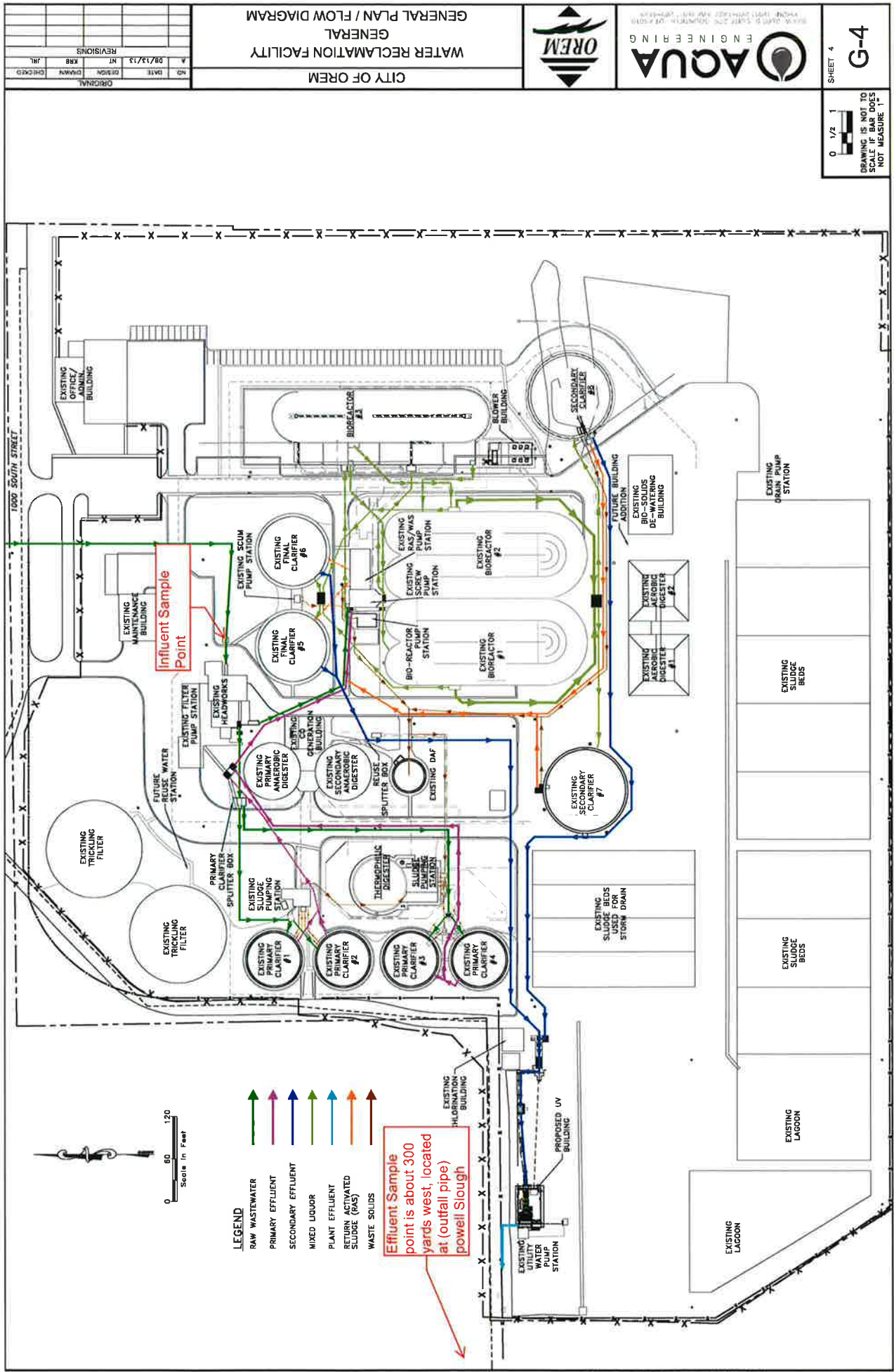
Water Reclamation Section Water Resources Division

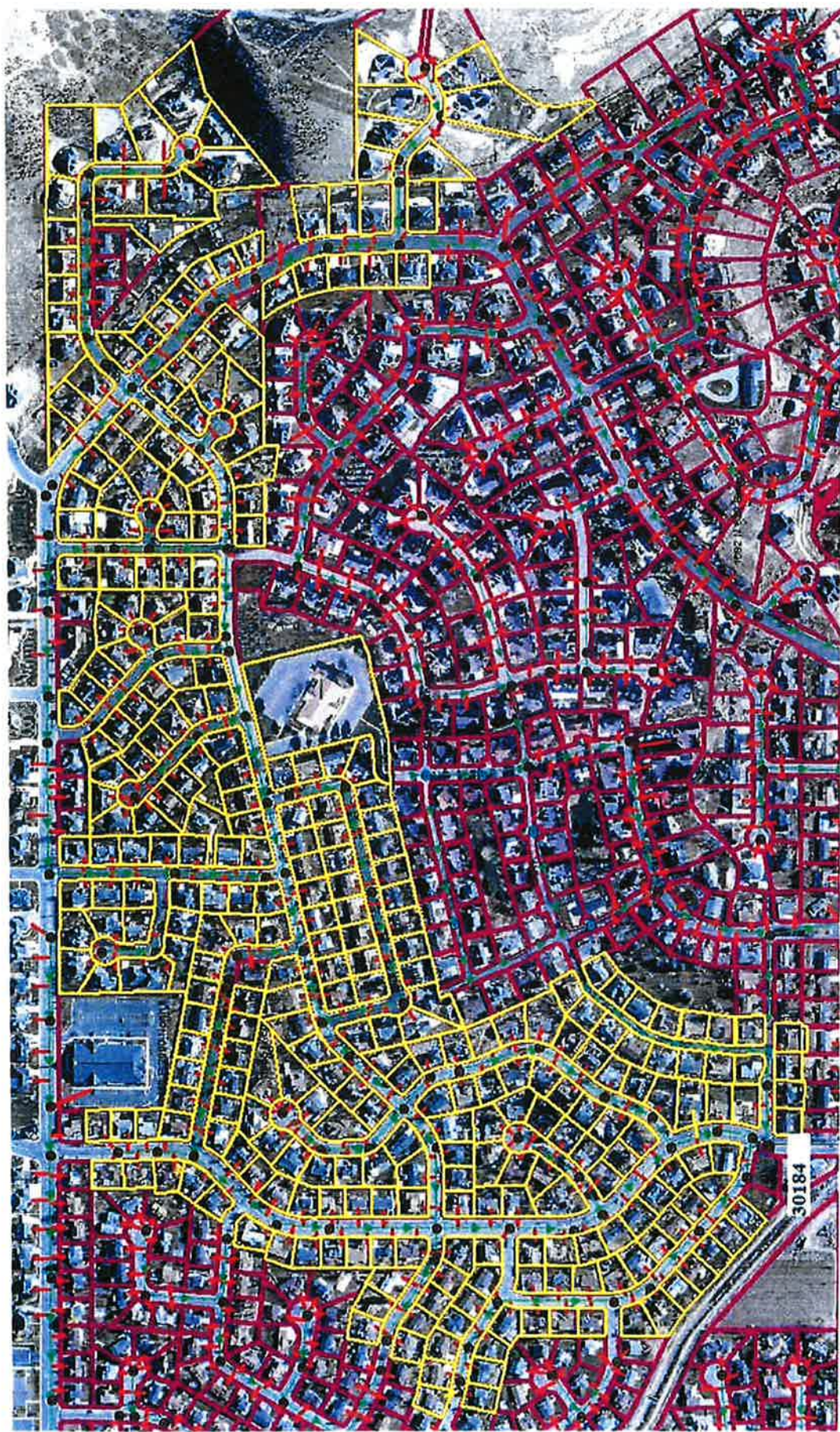
Updated March 2021

APPENDIX C
SUMMARY OF SAMPLING DATA

	Liquid (mg/L)					
	Influent	Effluent	Domestic	Test Method	Solid (mg/kg)	Test Method
ALUMINUM	0.479	0.0582	0.674	E200.7	10391.7	SW6010C
ARSENIC	0.001696	0.001255	0.00151	E200.8	6.8	SW6020A
CADMIUM	0.000215	0.0002697	0.000186	E200.8	2.3	SW6020A
CHROMIUM	0.003728	0.0022	<0.005	E200.7	35.5	SW6010C
COPPER	0.05488	0.022441	0.059	E200.8	550.5	SW6020A
LEAD	0.0014481	0.00092	0.0014	E200.8	23.1	SW6010C
MERCURY	0.00008498	0.000075	7.81E-05	E245.1	1.6	SW7471B
MOLYBDENUM	0.006374	0.003848	0.0087	E200.7	11.5	SW6020C
NICKEL	0.00322	0.001109	0.005	E200.8	48.5	SW6020A
SELENIUM	0.001518	0.001158	0.0021	E200.8	12.0	SW6020A
SILVER	0.0024343	0.00092	<0.0002	E200.8	38.2	SW6020A
ZINC	0.1364	0.05849	0.154	E200.8	955.0	SW6020A
CYANIDE	0.0025	0.00403	<0.0025	E200.8	2.3	SW9012B
BOD-5	218.5	12.75	276.0	SM5210B		
TSS	180	7.5	220.0	SM2540D		
OIL & GREASE	22.1	1.7	34.8	E1664A		
AMMONIA	33.6	5.1	29.6	E350.1		

APPENDIX D
MAP of SAMPLING LOCATIONS

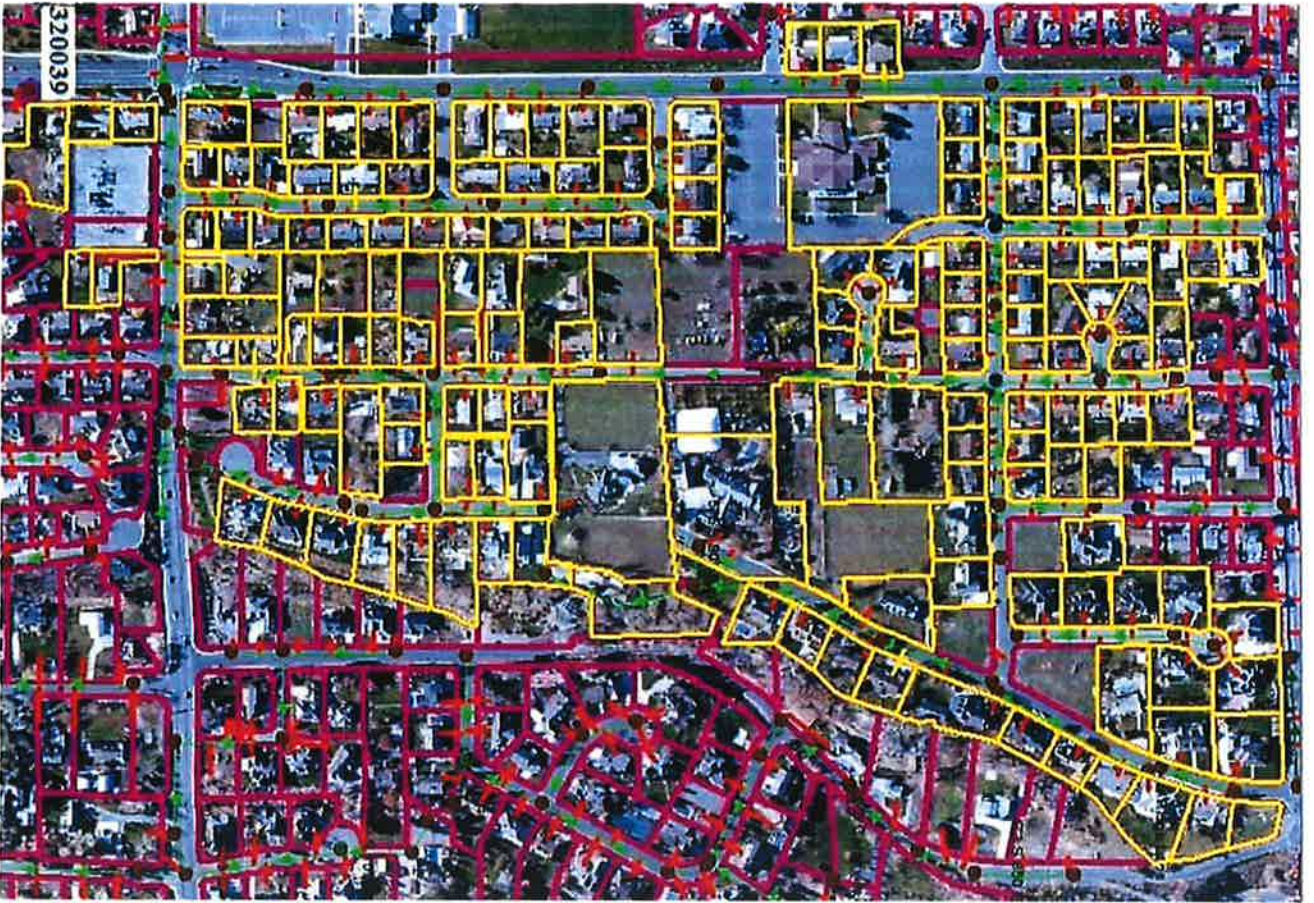




1645 N 400 E MH #30184



855 E 200 S M1H #220072



859 S 800 E MH # 320039



1665 S 1030 East MH #350071



Orem MH #30213, 1050 E 200 S, Lindon Sub.

APPENDIX E
WASTELOAD ANALYSIS

**Utah Division of Water Quality
Statement of Basis
ADDENDUM
Wasteload Analysis and Antidegradation Level I Review - FINAL**

Date: December 21, 2020

Facility: Orem City Water Reclamation Facility
Orem, UT
UPDES No. UT0020915

Receiving water: Powell Slough (2B, 3C, 3D)

This addendum summarizes the wasteload analysis that was performed to determine water quality based effluent limits (WQBEL) for this discharge. Wasteload analyses are performed to determine point source effluent limitations necessary to maintain designated beneficial uses by evaluating projected effects of discharge concentrations on in-stream water quality. The wasteload analysis also takes into account downstream designated uses (UAC R317-2-8). Projected concentrations are compared to numeric water quality standards to determine acceptability. The numeric criteria in this wasteload analysis may be modified by narrative criteria and other conditions determined by staff of the Division of Water Quality.

Discharge

Outfall 001: Powell Slough → Utah Lake → Jordan River → Great Salt Lake

The maximum daily discharge is not projected to exceed 13.5 MGD during this permit cycle and the maximum monthly design discharge for the facility is 13.5 MGD. The Orem City Water Reclamation Facility plans to install a 5.00 MGD reuse facility that will be operational by early 2023. At that time, an additional wasteload analysis will need to be performed with the updated information.

Receiving Water

The receiving water for Outfall 001 is Powell Slough Waterfowl Management Area, which is a tributary to Utah Lake.

Per UAC R317-2-13.11, the designated beneficial uses for Powell Slough Waterfowl Management Area are 2B, 3C, and 3D.

- *Class 2B - Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but are not limited to, wading, hunting, and fishing.*
- *Class 3C - Protected for nongame fish and other aquatic life, including the necessary aquatic organisms in their food chain*
- *Class 3D - Protected for waterfowl, shore birds and other water-oriented wildlife not included in Classes 3A, 3B, or 3C, including the necessary aquatic organisms in their food chain.*

Utah Division of Water Quality
Wasteload Analysis
Orem City Water Reclamation Facility
UPDES No. UT0020915

Typically, the critical flow for the wasteload analysis is considered the lowest stream flow for seven consecutive days with a ten year return frequency (7Q10). Due to a lack of flow records for Powell Slough, the 20th percentile of flow measurements was calculated to estimate annual critical flow. Previously, the critical flow was calculated from sampling station 4995260 Powell Slough above Orem WWTP at Golden Pond Outfall. However, measurements have not been collected since 2013 and therefore, Clegg's Pond Outfall sampling station 499252 was used (Table 1). In addition, Orem WRF collected flow measurements in September 2014 of the groundwater outfall for the plant's underdrain system, which were used in this analysis.

Table 1: Seasonal critical low flow

Season	Flow (cfs)		
	Clegg's Pond Outfall	GW Outfall	Combined
Summer	2.24	0.8	3.04
Fall	2.60	0.8	3.40
Winter	1.05	0.8	1.85
Spring	3.84	0.8	4.64
Annual Average	3.38		

Total Maximum Daily Load (TMDL)

According to the Utah's 2016 303(d) Water Quality Assessment Report dated December 7, 2016, the receiving water for the discharge, Powell Slough (UT16020201-010_00) was listed as "Not Supporting" for dissolved oxygen in beneficial use 3D. The Provo Bay portion of Utah Lake (UT-L-16020201-004_02) is "Not Supporting" for PCB in Fish Tissue, pH, Total Ammonia, and Total Phosphorous. The Utah Lake other than Provo Bay portion (UT-L-16020201-004_01) is "Not Supporting" for Harmful Algal Blooms, PCB in Fish Tissue, Total Dissolved Solids, and Total Phosphorous.

Mixing Zone

The maximum allowable mixing zone is 15 minutes of travel time for acute conditions, not to exceed 50% of stream width, and 2,500 feet for chronic conditions, per UAC R317-2-5. Water quality standards must be met at the end of the mixing zone.

Since the receiving water low flow is equal to or less than twice the flow of a point source discharge, the combined flows are considered to be totally mixed. Acute limits were calculated using 100% of the seasonal critical low flow. Therefore, no mixing zone is allowed per UAC R317-2-5.

Parameters of Concern

The potential parameters of concern identified for the discharge/receiving water were total suspended solids (TSS), dissolved oxygen (DO), BOD₅, total phosphorus (TP), total nitrogen (TN), total ammonia (TAN), E. coli, and pH as determined in consultation with the UPDES Permit Writer.

**Utah Division of Water Quality
Wasteload Analysis
Orem City Water Reclamation Facility
UPDES No. UT0020915**

Water Quality Modeling

A QUAL2Kw model of the receiving water was built and calibrated to synoptic survey data collected in September of 2014 by DWQ staff using standard operating procedures (DWQ 2012). The model of Powell Slough extends 2.1 kilometers downstream from the treatment facility outfall to the outlet at Utah Lake. Calibration of the model parameters and rates is described in detail in the updated 2020 Calibration Report.

Receiving water quality data were obtained from monitoring site 4995252 Clegg's Pond Outfall. Previous wasteload analysis calculated the average seasonal value for each constituent with available data in the receiving water from monitoring sites 4995260 Powell Slough above Orem WWTP and 4995251 Orem WRF GW Outfall. However, monitoring sites 4995260 and 4995251 did not have any data collected after 2013. Effluent parameters were characterized using data from monitoring site 4995250 Orem WWTP.

The QUAL2Kw model was used for determining the WQBELs for parameters related to eutrophication and in-stream DO criteria, as well as ammonia toxicity. Effluent concentrations were adjusted so that water quality standards were not exceeded in the receiving water. Where WQBELs exceeded secondary standards or technology based effluent limits (TBEL), the concentration in the model was set at the secondary standard or TBEL.

The QUAL2Kw model was also used to determine the limits for ammonia. The water quality standard for chronic ammonia toxicity is dependent on temperature and pH, and the water quality standard for acute ammonia toxicity is dependent on pH.

A mass balance mixing analysis was conducted for conservative constituents such as dissolved metals.

QUAL2Kw rates, input and output for DO and eutrophication related constituents are summarized in Appendix A. The WQBELs for conservative constituents are summarized in Appendix B.

The calibration and wasteload models are available for review by request.

Whole Effluent Toxicity (WET) Limits

The percent of effluent in the receiving water in a fully mixed condition, and acute and chronic dilution in a not fully mixed condition are calculated in the WLA in order to generate WET limits. The LC₅₀ (lethal concentration, 50%) percent effluent for acute toxicity and the IC₂₅ (inhibition concentration, 25%) percent effluent for chronic toxicity, as determined by the WET test, needs to be below the WET limits, as determined by the WLA. The WET limit for LC₅₀ is typically 100% effluent and does not need to be determined by the WLA.

Utah Division of Water Quality
Wasteload Analysis
Orem City Water Reclamation Facility
UPDES No. UT0020915

Table 2: WET Limits for IC₂₅

Season	Percent Effluent
Summer	87%
Fall	86%
Winter	92%
Spring	82%

Effluent Limits

The effect of the effluent on the DO in the receiving water was evaluated using the QUAL2Kw model. A DO sag downstream resulting from the plant discharge was predicted by the model in Powell Slough. However, the DO remained above the minimum criteria and limits more stringent than secondary standards are not required for BOD₅ (Table 3).

Table 3: Water Quality Based Effluent Limits Summary

Effluent Constituent	Acute			Chronic		
	Standard	Limit	Averaging Period	Standard	Limit	Averaging Period
Flow (MGD)	N/A	13.5	1 day	N/A	13.5	30 days
Ammonia (mg/L)	Varies		1 hour	Varies		30 days
Summer (Jul-Sep)		11.0			3.0	
Fall (Oct-Dec)		15.0			4.0	
Winter (Jan-Mar)		19.0			5.0	
Spring (Apr-Jun)		14.0			4.0	
Min. Dissolved Oxygen (mg/L)	3.0	5.5	Instantaneous	5.0	5.5	30 days
BOD ₅ (mg/L)	N/A	35	7 days	N/A	25	30 days

Antidegradation Level I Review

The objective of the Level I ADR is to ensure the protection of existing uses, defined as the beneficial uses attained in the receiving water on or after November 28, 1975. No evidence is known that the existing uses deviate from the designated beneficial uses for the receiving water. Therefore, the beneficial uses will be protected if the discharge remains below the WQBELs presented in this wasteload.

A Level II Antidegradation Review (ADR) is not required for this discharge since the pollutant concentration and load is not increasing under this permit renewal.

Prepared by: Christopher L. Shope, PhD
Standards and Technical Services Section

Documents:

WLA Document: *orem_potw_q2kw_wla_2020.docx*
QUAL2Kw Calibration Model: *orem_potw_q2kw_cal_2015.xlsm*
QUAL2Kw Wasteload Model: *orem_potw_q2kw_wla_2020.xlsm*
QUAL2Kw Calibration Report: *PowellSloughQ2KwCalibrationReport.docx*

**Utah Division of Water Quality
Wasteload Analysis
Orem City Water Reclamation Facility
UPDES No. UT0020915**

References:

Utah Wasteload Analysis Procedures Version 1.0. 2012. Utah Division of Water Quality.

Field Data Collection for QUAL2Kw Model Build and Calibration Standard Operating Procedures Version 1.0. 2012. Utah Division of Water Quality.

Using QUAL2K Modeling to Support Nutrient Criteria Development and Wasteload Analyses in Utah. 2012. Neilson, B.T., A.J. Hobson, N. von Stackelberg, M. Shupryt, and J.D. Ostermiller.

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WASTELOAD ANALYSIS [WLA]

Date: 12/22/2020

Appendix A: QUAL2Kw Analysis for Eutrophication

Discharging Facility: Orem WRF
 UPDES No: UT-0020915
 Permit Flow [MGD]: 13.50 Maximum Monthly Flow
 13.50 Maximum Daily Flow

Receiving Water: Powell Slough
 Stream Classification: 2B, 3C, 3D AUID: UT 16020201-010_00
 Stream Flows [cfs]: 2.2 Summer (July-Sept) Critical Low Flow
 2.6 Fall (Oct-Dec)
 1.1 Winter (Jan-Mar)
 3.8 Spring (Apr-June)

Fully Mixed: YES
 Acute River Width: 100%
 Chronic River Width: 100%

Modeling Information

A QUAL2Kw model was used to determine these effluent limits.

Model Inputs

The following is upstream and discharge information that was utilized as inputs for the analysis.
 Dry washes are considered to have an upstream flow equal to the flow of the discharge.

Headwater/Upstream Information	Summer	Fall	Winter	Spring
Golden Pond Outfall Flow (cfs)	2.2	2.6	1.1	3.8
Groundwater Outfall Flow (cfs)	0.8	0.8	0.8	0.8
Temperature (deg C)	21.0	10.3	10.0	18.2
Specific Conductance (µmhos)	670	682	720	710
Inorganic Suspended Solids (mg/L)	14.0	8.1	10.1	14.4
Dissolved Oxygen (mg/L)	7.7	10.7	11.5	9.9
CBOD ₅ (mg/L)	3.7	6.0	3.0	3.5
Organic Nitrogen (mg/L)	0.468	0.200	0.323	0.305
NH ₄ -Nitrogen (mg/L)	0.048	0.019	0.025	0.025
NO ₃ -Nitrogen (mg/L)	0.083	0.440	0.471	0.286
Organic Phosphorus (mg/L)	0.013	-0.044	0.000	0.009
Inorganic Ortho-Phosphorus (mg/L)	0.024	0.196	0.138	0.023
Phytoplankton (µg/L)	0.0	0.0	0.0	0.0
Detritus [POM] (mg/L)	6.0	3.5	4.3	6.2
Alkalinity (mg/L)	260	260	260	260
pH	7.9	8.0	7.9	7.9

Discharge Information

	Chronic	Summer	Fall	Winter	Spring
Flow (MGD)		13.5	13.5	13.5	13.5
Temperature (deg C)		23.0	17.0	13.2	20.0
Specific Conductance (µmhos)		1045	1042	1006	1077
Inorganic Suspended Solids (mg/L)		4.8	4.7	5.3	5.5
Dissolved Oxygen (mg/L)		5.5	5.5	5.5	5.5
CBOD ₅ (mg/L)		25.0	25.0	25.0	25.0
Organic Nitrogen (mg/L)		4.373	3.016	3.450	2.869
NH ₄ -Nitrogen (mg/L)		3.000	4.000	5.000	4.000
NO ₃ -Nitrogen (mg/L)		12.484	16.717	12.850	16.548
Organic Phosphorus (mg/L)		1.000	1.000	1.000	1.000
Inorganic Ortho-Phosphorus (mg/L)		0.200	0.200	0.200	0.200
Phytoplankton (µg/L)		0.0	0.0	0.0	0.0
Detritus [POM] (mg/L)		0.0	0.0	0.0	0.0
Alkalinity (mg/L)		188	154	168	160
pH		7.9	7.5	7.5	7.6

Utah Division of Water Quality

	Acute	Summer	Fall	Winter	Spring
Flow (MGD)		13.5	13.5	13.5	13.5
Temperature (deg C)		23.0	17.0	13.2	20.0
Specific Conductance (µmhos)		1045	1042	1006	1077
Inorganic Suspended Solids (mg/L)		4.8	4.7	5.3	5.5
Dissolved Oxygen (mg/L)		5.5	5.5	5.5	5.5
CBOD ₅ (mg/L)		35.0	35.0	35.0	35.0
Organic Nitrogen (mg/L)		4.373	3.016	3.450	2.869
NH ₄ -Nitrogen (mg/L)		11.000	15.000	19.000	14.000
NO ₃ -Nitrogen (mg/L)		12.484	16.717	12.850	16.548
Organic Phosphorus (mg/L)		0.200	0.200	0.200	0.200
Inorganic Ortho-Phosphorus (mg/L)		0.800	0.800	0.800	0.800
Phytoplankton (µg/L)		0.0	0.0	0.0	0.0
Detritus [POM] (mg/L)		0.0	0.0	0.0	0.0
Alkalinity (mg/L)		188	154	168	160
pH		7.8	7.8	7.8	7.8

All model numerical inputs, intermediate calculations, outputs and graphs are available for discussion, inspection and copy at the Division of Water Quality.

Effluent Limitations

Current State water quality standards are required to be met under a variety of conditions including in-stream flows targeted to the 7-day, 10-year low flow (R317-2-9).

Other conditions used in the modeling effort reflect the environmental conditions expected at low stream flows.

Effluent Limitations based upon Water Quality Standards for DO

In-stream criteria of downstream segments for Dissolved Oxygen will be met with an effluent limitation as follows:

Constituent	Standard	Summer	Fall	Winter	Spring
Flow [Maximum Daily] (MGD)	N/A	13.5	13.5	13.5	13.5
Flow [Monthly Average] (MGD)	N/A	13.5	13.5	13.5	13.5
BOD ₅ [7-day Average] (mg/L)	N/A	35.0	35.0	35.0	35.0
BOD ₅ [30-day Average] (mg/L)	N/A	25.0	25.0	25.0	25.0
Dissolved Oxygen [30-day Average] (mg/L)	5.0	5.5	5.5	5.5	5.5
Dissolved Oxygen [Minimum] (mg/L)	3.0	5.5	5.5	5.5	5.5
NH ₄ -Nitrogen (mg/L)	N/A	3.0	4.0	5.0	4.0

Effluent Limitations based upon Water Quality Standards for Ammonia

In-stream criteria of downstream segments for Ammonia will be met with an effluent limitation as follows:

NH ₄ -Nitrogen (mg/L)	Standard	Summer	Fall	Winter	Spring
Acute [1-hour Average]	Varies	11.0	15.0	19.0	14.0
Chronic [30-day Average]	Varies	3.0	4.0	5.0	4.0

Summary Comments

The mathematical modeling and best professional judgement indicate that violations of receiving water beneficial uses with their associated water quality standards, including important downstream segments, will not occur for the evaluated parameters of concern as discussed above if the effluent limitations indicated above are met.

Utah Division of Water Quality

Coefficients and Other Model Information

Parameter	Value	Units
Stoichiometry:		
Carbon	40	gC
Nitrogen	7.2	gN
Phosphorus	1	gP
Dry weight	100	gD
Chlorophyll	1	gA
Inorganic suspended solids:		
Settling velocity	0.001	m/d
Oxygen:		
Reaeration model	Thackston-Dawson	
Temp correction	1.024	
Reaeration wind effect	None	
O2 for carbon oxidation	2.69	gO2/gC
O2 for NH4 nitrification	4.57	gO2/gN
Oxygen inhib model CBOD oxidation	Exponential	
Oxygen inhib parameter CBOD oxidation	0.60	L/mgO2
Oxygen inhib model nitrification	Exponential	
Oxygen inhib parameter nitrification	0.60	L/mgO2
Oxygen enhance model denitrification	Exponential	
Oxygen enhance parameter denitrification	0.60	L/mgO2
Oxygen inhib model phyto resp	Exponential	
Oxygen inhib parameter phyto resp	0.60	L/mgO2
Oxygen enhance model bot alg resp	Exponential	
Oxygen enhance parameter bot alg resp	0.60	L/mgO2
Slow CBOD:		
Hydrolysis rate	0	/d
Temp correction	1.047	
Oxidation rate	0.103	/d
Temp correction	1.047	
Fast CBOD:		
Oxidation rate	10	/d
Temp correction	1.047	
Organic N:		
Hydrolysis	0.84524491	/d
Temp correction	1.07	
Settling velocity	0.056128	m/d
Ammonium:		
Nitrification	0.1761337	/d
Temp correction	1.07	
Nitrate:		
Denitrification	0.66745388	/d
Temp correction	1.07	
Sed denitrification transfer coeff	0.045495	m/d
Temp correction	1.07	
Organic P:		
Hydrolysis	0.32642425	/d
Temp correction	1.07	
Settling velocity	0.086465	m/d
Inorganic P:		
Settling velocity	0.015655	m/d
Sed P oxygen attenuation half sat constant	0.28717	mgO2/L

Utah Division of Water Quality

Phytoplankton:

Max Growth rate	2.8944	/d
Temp correction	1.07	
Respiration rate	0.480803	/d
Temp correction	1.07	
Death rate	0.86518	/d
Temp correction	1	
Nitrogen half sat constant	15	ugN/L
Phosphorus half sat constant	2	ugP/L
Inorganic carbon half sat constant	1.30E-05	moles/L
Phytoplankton use HCO3- as substrate	Yes	
Light model	Smith	
Light constant	57.6	langleys/d
Ammonia preference	25.4151	ugN/L
Settling velocity	0.468545	m/d

Bottom Plants:

Growth model	Zero-order	
Max Growth rate	15.15954	gD/m2/d or /d
Temp correction	1.07	
First-order model carrying capacity	100	gD/m2
Basal respiration rate	0.6500528	/d
Photo-respiration rate parameter	0.01	unitless
Temp correction	1.07	
Excretion rate	0.192404	/d
Temp correction	1.07	
Death rate	0.168976	/d
Temp correction	1.07	
External nitrogen half sat constant	609.3926	ugN/L
External phosphorus half sat constant	166.1311	ugP/L
Inorganic carbon half sat constant	1.00E-04	moles/L
Bottom algae use HCO3- as substrate	Yes	
Light model	Smith	
Light constant	77.733	mgO ² /L
Ammonia preference	17.54875	ugN/L
Subsistence quota for nitrogen	5.1638	mgN/gD
Subsistence quota for phosphorus	3.7292	mgP/gD
Maximum uptake rate for nitrogen	80.134	mgN/gD/d
Maximum uptake rate for phosphorus	72.3308	mgP/gD/d
Internal nitrogen half sat ratio	2.531408	
Internal phosphorus half sat ratio	1.7292025	
Nitrogen uptake water column fraction	1	
Phosphorus uptake water column fraction	1	

Detritus (POM):

Dissolution rate	2.7941785	/d
Temp correction	1.07	
Settling velocity	0.38251	m/d

pH:

Partial pressure of carbon dioxide	370	ppm
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Atmospheric Inputs:

	Summer	Fall	Winter	Spring
Min. Air Temperature, F	61.6	31.4	24.5	48.4
Max. Air Temperature, F	89.5	49.4	42.5	74.1
Dew Point, Temp., F	58.6	35.0	30.3	48.5
Wind, ft./sec. @ 21 ft.	6.6	5.2	6.0	7.4
Cloud Cover, %	10%	10%	10%	10%

Other Inputs:

Bottom Algae Coverage	100%
Bottom SOD Coverage	100%
Prescribed SOD, gO ₂ /m ² /day	0 to 1.5
Prescribed NH ₄ Flux, ugN/m ² /day	0 to 600
Prescribed PO ₄ Flux, ugP/m ² /day	0 to 300

WASTELOAD ANALYSIS [WLA]

Date: 1/11/2021

Appendix B: Mass Balance Mixing Analysis for Conservative Constituents

Discharging Facility:	2B, 3C, 3D	
UPDES No:	UT-0020915	
Permit Flow [MGD]:	13.50	Maximum Daily Flow
	13.50	Maximum Monthly Flow
Receiving Water:	Powell Slough	
Stream Classification:	2B, 3C, 3D	
Stream Flows [cfs]:	3.04	Summer (July-Sept) Critical Low Flow
	3.40	Fall (Oct-Dec)
	1.85	Winter (Jan-Mar)
	4.64	Spring (Apr-June)
Fully Mixed:	YES	
Acute River Width:	100%	
Chronic River Width:	100%	

Modeling Information

A simple mixing analysis was used to determine these effluent limits.

Model Inputs

The following is upstream and discharge information that was utilized as inputs for the analysis.

Headwater/Upstream Information

	Flow
	cfs
Summer	3.0
Fall	3.4
Winter	1.9
Spring	4.6

Discharge Information

	Flow
	MGD
Maximum Daily	13.5
Maximum Monthly	13.5

All model numerical inputs, intermediate calculations, outputs and graphs are available for discussion, inspection and copy at the Division of Water Quality.

Effluent Limitations

Current State water quality standards are required to be met under a variety of conditions including in-stream flows targeted to the 7-day, 10-year low flow (R317-2-9).

Other conditions used in the modeling effort reflect the environmental conditions expected at low stream flows.

Effluent Limitations for Protection of Recreation (Class 2B Waters)

Physical	
Parameter	Maximum Concentration
pH Minimum	6.5
pH Maximum	9.0
Bacteriological	
E. coli (30 Day Geometric Mean)	206 (#/100 mL)

Utah Division of Water Quality

E. coli (Maximum) 668 (#/100 mL)

Effluent Limitations for Protection of Aquatic Wildlife (Class 3C Waters)

Physical

Parameter	Maximum Concentration
Temperature (deg C)	27
Temperature Change (deg C)	4

Inorganics

Parameter	Chronic Standard (4 Day Average) Standard	Acute Standard (1 Hour Average) Standard
Phenol (mg/L)		0.010
Hydrogen Sulfide (Undissociated) [mg/L]		0.002

Total Recoverable Metals

Parameter	Chronic Standard (4 Day Average) ¹			Acute Standard (1 Hour Average) ¹		
	Standard	Background ²	Limit	Standard	Background ²	Limit
Aluminum (µg/L)	87.0	24.3	N/A	750.0	24.3	855.6
Arsenic (µg/L)	150.0	1.1	171.7	340.0	1.1	389.3
Cadmium (µg/L)	0.52	0.05	0.59	5.3	0.1	6.0
Chromium VI (µg/L) ³	11.0	7.4	11.5	16.0	7.4	17.3
Chromium III (µg/L) ³	178.9	1.4	204.8	3743.5	1.4	4288.2
Copper (µg/L)	20.0	4.5	22.2	32.4	4.5	36.5
Cyanide (µg/L) ³	5.2	3.5	5.4	22.0	3.5	24.7
Iron (µg/L)		46.4		1000.0	17.7	1143.0
Lead (µg/L)	9.9	0.3	11.3	254.1	0.3	291.1
Mercury (µg/L) ³	0.012	0.008	0.013	2.4	0.0	2.7
Molybdenum (ug/L)		2.5			2.5	
Nickel (µg/L)	110.9	2.5	126.7	997.9	2.5	1142.7
Selenium (µg/L)	4.6	0.7	5.2	18.4	0.7	21.0
Silver (µg/L)		0.3		17.6	0.6	20.0
Tributyltin (µg/L) ³	0.072	0.048	0.075	0.46	0.05	0.52
Zinc (µg/L)	255.1	48.4	285.2	255.1	48.4	285.2

1: Based upon a Hardness of 244 mg/l as CaCO₃

2: Background concentration average of monitoring data

3: Background assumed 67% of chronic standard

Organics [Pesticides]

Parameter	Chronic Standard (4 Day Average)			Acute Standard (1 Hour Average)		
	Standard	Background ¹	Limit	Standard	Background ¹	Limit
Aldrin (µg/L)				1.5	1.0	1.6
Chlordane (µg/L)	0.0043	0.0029	0.0045	1.2	0.0	1.4
DDT, DDE (µg/L)	0.001	0.001	0.001	0.55	0.00	0.63
Diazinon (µg/L)	0.17	0.11	0.18	0.17	0.11	0.18
Dieldrin (µg/L)	0.0056	0.0038	0.0059	0.24	0.00	0.27
Endosulfan, a & b (µg/L)	0.056	0.038	0.059	0.11	0.04	0.12
Endrin (µg/L)	0.036	0.024	0.038	0.086	0.024	0.095
Heptachlor & H. epoxide (µg/L)	0.0038	0.0025	0.0040	0.26	0.00	0.30
Lindane (µg/L)	0.08	0.05	0.08	1.0	0.1	1.1
Methoxychlor (µg/L)				0.03	0.02	0.03
Mirex (µg/L)				0.001	0.001	0.001
Nonylphenol (µg/L)	6.6	4.4	6.9	28.0	4.4	31.4
Parathion (µg/L)	0.0130	0.0087	0.0136	0.066	0.009	0.074
PCB's (µg/L)	0.014	0.009	0.015			
Pentachlorophenol (µg/L)	15.0	10.1	15.7	19.0	10.1	20.3
Toxephene (µg/L)	0.0002	0.0001	0.0002	0.73	0.00	0.84

1: Background concentration assumed 67% of chronic standard

Radiological

Parameter	Maximum Concentration		
	Standard	Background ¹	Limit
Gross Alpha (pCi/L)	15	10.1	15.7

Utah Division of Water Quality

1: Background concentration assumed 67% of chronic standard; TDS is based on observed ambient data

DWQ-2020-025811

APPENDIX F
Pollutant of Concern Sampling

Summary Priority Pollutants (excluding metals and cyanide)								
Pollutant	Sampling Data Summary (ND - non-detect) ug/L						Was a Local Limit Developed (Y/N) (if no will the POC be on the continue to evaluate list if yes indicate E)	If a local limit will be developed will the limit be concentration based (mg/L or SU), load based (A), BMP, a combination or other (O)
	Apr-16	Dec-17	Oct-18	Dec-19	Jan-21	Jan-21		
Acenaphthene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Acrolein	N/D	N/D	N/D	15.00	N/D	N/D	N	
Acrylonitrile	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzidine	N/D	N/D	N/D	N/D	N/D	N/D	N	
Carbon tetrachloride	N/D	N/D	N/D	N/D	N/D	N/D	N	
Chlorobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,2,4-trichlorobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Hexachlorobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,2-dichloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,1,1-trichloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
Hexachloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,1-dichloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,1,2-trichloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,1,2,2-tetrachloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
Chloroethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
Bis(2-chloroethyl) ether	N/D	N/D	N/D	N/D	N/D	N/D	N	
2-chloroethyl vinyl ethers	N/D	N/D	N/D	N/D	N/D	N/D	N	
2-chloronaphthalene	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,4,6-trichlorophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
Parachlorometa cresol	N/D	N/D	N/D	N/D	N/D	N/D	N	
Chloroform	N/D	3.00	3.51	N/D	N/D	N/D	N	
2-chlorophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,2-dichlorobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,3-dichlorobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,4-dichlorobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
3,3-dichlorobenzidine	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,1-dichloroethylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,2-trans-dichloroethylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,4-dichlorophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,2-dichloropropane	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,3-dichloropropylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,4-dimethylphenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,4-dinitrotoluene	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,6-dinitrotoluene	N/D	N/D	N/D	N/D	N/D	N/D	N	
1,2-diphenylhydrazine	N/D	N/D	N/D	N/D	N/D	N/D	N	
Ethylbenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Fluoranthene	N/D	N/D	N/D	N/D	N/D	N/D	N	
4-chlorophenyl phenyl ether	N/D	N/D	N/D	N/D	N/D	N/D	N	
4-bromophenyl phenyl ether	N/D	N/D	N/D	N/D	N/D	N/D	N	
Bis(2-chloroisopropyl) ether	N/D	N/D	N/D	N/D	N/D	N/D	N	
Bis(2-chloroethoxy) methane	N/D	N/D	N/D	N/D	N/D	N/D	N	
Methylene chloride	N/D	N/D	N/D	N/D	N/D	N/D	N	
Methyl chloride	N/D	N/D	N/D	N/D	N/D	N/D	N	
Methyl bromide	N/D	N/D	N/D	N/D	N/D	N/D	N	
Bromoform	N/D	N/D	N/D	N/D	N/D	N/D	N	
Dichlorobromomethane	N/D	N/D	N/D	N/D	N/D	N/D	N	

Chlorodibromomethane	N/D	N/D	N/D	N/D	N/D	N/D	N	
Hexachlorobutadiene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Hexachlorocyclopentadiene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Isophorone	N/D	N/D	N/D	N/D	N/D	N/D	N	
Naphthalene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Nitrobenzene	N/D	N/D	N/D	N/D	N/D	N/D	N	
2-nitrophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
4-nitrophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,4-dinitrophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
4,6-dinitro-o-cresol	N/D	N/D	N/D	N/D	N/D	N/D	N	
N-nitrosodimethylamine	N/D	N/D	N/D	N/D	N/D	N/D	N	
N-nitrosodiphenylamine	N/D	N/D	N/D	N/D	N/D	N/D	N	
N-nitrosodi-n-propylamine	N/D	20.20	N/D	N/D	N/D	N/D	N	
Pentachlorophenol	N/D	N/D	N/D	N/D	N/D	N/D	N	
Phenol	18.00	N/D	16.60	N/D	N/D	14.60	Y	Concentration based (inhibition)
Bis(2-ethylhexyl) phthalate	17.10	N/D	N/D	15.60	N/D	N/D	N	
Butyl benzyl phthalate	N/D	N/D	N/D	N/D	N/D	N/D	N	
Di-N-Butyl Phthalate	N/D	N/D	N/D	N/D	N/D	N/D	N	
Di-n-octyl phthalate	N/D	N/D	N/D	N/D	N/D	N/D	N	
Diethyl Phthalate	N/D	N/D	N/D	N/D	N/D	N/D	N	
Dimethyl phthalate	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzo(a) anthracene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzo(a) pyrene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzo(b) fluoranthene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzo(k) fluoranthene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Chrysene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Acenaphthylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Anthracene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Benzo(ghi) perylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Fluorene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Phenanthrene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Dibenzo(h) anthracene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Indeno (1,2,3-cd) pyrene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Pyrene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Tetrachloroethylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Toluene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Trichloroethylene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Vinyl chloride	N/D	N/D	N/D	N/D	N/D	N/D	N	
Aldrin	N/D	N/D	N/D	N/D	N/D	N/D	N	
Dieldrin	N/D	N/D	N/D	N/D	N/D	N/D	N	
Chlordane	N/D	N/D	N/D	N/D	N/D	N/D	N	
4,4-DDT	N/D	N/D	N/D	N/D	N/D	N/D	N	
4,4-DDE	N/D	N/D	N/D	N/D	N/D	N/D	N	
4,4-DDD	N/D	N/D	N/D	N/D	N/D	N/D	N	
Alpha-endosulfan	N/D	N/D	N/D	N/D	N/D	N/D	N	
Beta-endosulfan	N/D	N/D	N/D	N/D	N/D	N/D	N	
Endosulfan sulfate	N/D	N/D	N/D	N/D	N/D	N/D	N	
Endrin	N/D	N/D	N/D	N/D	N/D	N/D	N	
Endrin aldehyde	N/D	N/D	N/D	N/D	N/D	N/D	N	
Heptachlor	N/D	N/D	N/D	N/D	N/D	N/D	N	

Heptachlor epoxide	N/D	N/D	N/D	N/D	N/D	N/D	N	
Alpha-BHC	N/D	N/D	N/D	N/D	N/D	N/D	N	
Beta-BHC	N/D	N/D	N/D	N/D	N/D	N/D	N	
Gamma-BHC	N/D	N/D	N/D	N/D	N/D	N/D	N	
Delta-BHC	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1242 (Arochlor 1242)	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1254 (Arochlor 1254)	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1221 (Arochlor 1221)	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1232 (Arochlor 1232)	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1248 (Arochlor 1248)	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1260 (Arochlor 1260)	N/D	N/D	N/D	N/D	N/D	N/D	N	
PCB-1016 (Arochlor 1016)	N/D	N/D	N/D	N/D	N/D	N/D	N	
Toxaphene	N/D	N/D	N/D	N/D	N/D	N/D	N	
Asbestos	N/D	N/D	N/D	N/D	N/D	N/D	N	
2,3,7,8-TCDD	N/D	N/D	N/D	N/D	N/D	N/D	N	

Exhibit D



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey, P.E.
Director

June 3, 2024

VIA EMAIL
READ RECEIPT REQUESTED

Reed Price
City of Orem
1450 West 550 North
Orem, Utah 84057
rsprice@orem.gov

Subject: **Approval of Pretreatment Legal Authority and Local Limits**
Orem Pretreatment Program- UPDES Permit No. UT0020915

Dear Mr. Price:

The Division of Water Quality (DWQ) public noticed Orem City's modification to their Ordinance (Pretreatment Legal Authority) and Local Limits for implementing the Pretreatment Program associated with Utah Pollutant Discharge Elimination System (UPDES) Permit Number UT0020915 on the DWQ public notice webpage. The comment period was from March 13, 2024 to April 23, 2024. No comments were received.

Orem City's Pretreatment Legal Authority and Local Limits for implementing their Pretreatment Program are hereby approved. Orem City must obtain City Council approval of the Pretreatment Legal Authority and Local Limits and send documentation to DWQ. Once approved by the Council, Orem City must update the Pretreatment Program accordingly. Changes must be incorporated into the boilerplate permit and pretreatment program procedures based on the modification of the Legal Authority. The changes must be completed within six (6) months from receipt of this letter. Changes to the pretreatment program procedures, boilerplate permit, or forms must be submitted to DWQ per 40 CFR 403.18.

Thank you and your staff for your time and assistance during this approval process. Please contact Jennifer Robinson with questions regarding the Pretreatment Program, including questions regarding substantial or non-substantial modifications to the Pretreatment Program at (385) 501-9585 or jenrobinson@utah.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "John K. Mackey". The signature is fluid and cursive, with the first name "John" and last name "Mackey" clearly distinguishable.

John K. Mackey, P.E.
Director

JM:JR:is

Cc: Via Email
 Al Garcia, EPA Region VIII
 Jason Garrett, Utah County Health Department
 Chris Tschirki, City of Orem
 Ryan Johnson, City of Orem
 Dylan Hanseen, City of Orem
 Terry Adelsbach, US Fish & Wildlife Services
 Justin Shirley, Utah Division of Wildlife Resources
 Jason Gipson, Chief, Utah Regulatory Office, US Corps of Engineers
 Chris Merritt, State Historic Preservation Office

