

WILLARD CITY
ORDINANCE 2019-F

**WILLARD CITY ORDINANCE ON PRETREATMENT AND USER DISCHARGE
INTO WASTEWATER TREATMENT PLANT**

WHEREAS, Willard City (hereinafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah; and

WHEREAS, the City operates a wastewater treatment facility and desires to adopt certain regulations providing for wastewater pretreatment; and

WHEREAS, Utah Code Annotated § 10-8-84, as amended, grants municipalities authority to make all ordinances, rules, and regulations that are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the proper protection of property in the City; and

WHEREAS, Utah Code Annotated § 10-8-38, as amended, authorizes the City to establish regulations relating to wastewater and wastewater treatment; and

WHEREAS, the City desires to enact said regulations for wastewater treatment;

NOW, THEREFORE, BE IT ORDAINED BY THE WILLARD CITY COUNCIL as follows:

Section 1: Repeal and Enactment. Willard City Ordinance 8-C that was enacted on July 10, 2008 is hereby repealed, and this Chapter is enacted to read as follows:

Pretreatment Ordinance Chapter 14-400
**Willard City Ordinance on Pretreatment and User Discharge
Into Wastewater Treatment Plant**

14-400-1. General Provisions.

This Chapter shall apply to all Users of the Willard City collection system or the Perry/Willard Wastewater Treatment Plant (hereinafter “PWR”) treatment facility. This Ordinance provides for monitoring, compliance, and enforcement activities for the setting of fees for the equitable distribution of costs resulting from use of the sewer system.

14-400-2. Purpose and Policy.

This ordinance sets forth requirements for Users of the PWR for Willard City/Perry 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.) The objectives of this ordinance are:

- (1) To prevent the introduction of pollutants into the Publicly Owned Treatment Works (hereinafter “POTW”) that will interfere with its operation, contaminate its sludge, cause obstruction of sewer pipelines, or use excessive treatment capacity without due compensation;
- (2) 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;
- (3) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW; and
- (4) To enable PWR and the City to comply with their Utah Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, Sanitary Sewer Management Plan and any other Federal or State laws to which the POTW is subject.

14-400-3. Administration.

Except as otherwise provided herein, the City and PWR shall administer, implement, and enforce the provisions of this Chapter. Any powers granted to or duties imposed upon the City or PWR may be delegated to a duly authorized agent.

14-400-4. Abbreviations.

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

CFR – *Code of Federal Regulations*
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
MG – Million gallons
IU – Industrial User
mg/l – milligrams per liter
UPDES – Utah Pollutant Discharge Elimination System
POTW – PWR Publicly Owned Treatment Works
TSS – Total Suspended Solids

14-400-5. General Prohibitions.

No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference, these general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other Federal, State or local Pretreatment Standards or Requirements.

14-400-6. Specific Prohibitions.

No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F. (60 degrees C) using the test methods specified in 40 CFR 261.21;
- (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case Discharges with pH lower than 5.0, unless the POTW is specifically designed to accommodate such Discharges;
- (3) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with a pH of more than 12.5;
- (4) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference;
- (5) Any pollutant, including oxygen-demanding pollutants (BOD, COD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW;
- (6) Heat in the 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° C (104° F);
- (7) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference of Pass Through;
- (8) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (9) Trucked or hauled pollutants, except at discharge points designated and approved by the POTW;
- (10) Noxious or malodorous liquids, gases, solids, or other wastewater which, either single 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.
- (11) 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 UPDES permit;
- (12) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (13) 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;

(14) Medical wastes, except as specifically authorized;

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

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

(17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l;

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.

14-400-7. Local Limits.

The POTW may, from time to time establish local limits for pollutants that have the potential to interfere with the treatment process or cause pass through into the environment. These limits will be approved by the City.

14-400-8. Right of Revision.

The City and PWR reserves the right to establish, by ordinance more exacting standards or requirements on discharges to the POTW consistent with the purpose of this Chapter. The City and PWR shall also have the right to deny new or increased contributions or to set additional conditions on such contributions to protect the POTW.

14-400-9. Dilution.

No User shall ever increase the use of 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 the City or PWR.

14-400-10. Right of Entry: Inspection, Monitoring and Sampling.

The City and PWR shall have the right to enter the premises of any sewer system User to determine whether the User is complying with all requirements of this Chapter or order issued by the City or PWR. Users shall allow 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 including but limited to the following:

(1) Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security personnel and systems, to allow, upon

presentation of suitable identification, the City or PWR entry without delay for the purposes of performing specific responsibilities.

(2) The City or PWR shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

(3) The City or PWR 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 cost and expense. All devices used to measure wastewater flow and quality shall be calibrated to ensure their accuracy.

(4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the City or PWR. The costs of clearing such access shall be borne by the User.

(5) Unreasonable delays in allowing access to the User's premises shall be a violation of this Chapter and may result in the suspension of sewer use.

14-400-11. Notice of Violations and Enforcement Remedies.

When the City or PWR finds that a User has violated, the City or PWR may serve upon that User a written Notice of Violation.

14-400-12. Cease and Desist Orders.

When the City or PWR finds that a User has violated, or continues to violate, any provision of this Chapter, the City or PWR may issue an order to the User directing it to cease and desist all such violations.

14-400-13. Administrative Fines.

When the City or PWR finds that an oil or grease discharger has violated the limits set in 2.1.B(17), the City will impose a fine of two dollars (\$2.00) per pound of grease and oil discharged over the past three (3) months. The pounds of oil and grease shall be calculated as follows:

(Total Estimated flow for three (3) months in MG) (Measured Concentration – 100 in mg/L)
(8.34)

If the User has additional records of discharge concentrations or flows, they may provide that information to ensure the accuracy of the fine.

14-400-14. Emergency Suspension of Service.

The City or PWR 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 City or PWR 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.

14-400-15. Remedies.

The remedies provided for in this Chapter are not exclusive. The City or PWR may take any, all, or any combination of these actions against a noncompliant User.

14-400-16. Programs Subject to the Conditions of this Chapter.

The following programs shall be subject to the conditions of this Chapter and incorporated by reference:

- (1) Sewer System Cost Recovery System for High Strength Waste.
- (2) Grease, Oil, and Sand Management Program.
- (3) Perry/Willard City – PWR Inspection Program.

14-400-17. Severability.

If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such a portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

14-400-18. Effective Date.

This Ordinance shall be in full force and effect from and after its passage, approval, recording, and posting as provided by law.

Passed and adopted this 12th day of December, 2019.

KENNETH BRAEGGER, MAYOR

ATTEST:

TERI FELLEENZ, City Recorder