

ORDINANCE NUMBER 030122

AN ORDINANCE FOR THE TOWN OF WILSONVILLE WASTEWATER TREATMENT PLANT FOR DIRECT AND INDIRECT CONTRIBUTORS TO ITS WASTEWATER SYSTEM

All Ordinances, or parts of Ordinances, which are in conflict with this Ordinance are hereby repealed.

SECTION 1: GENERAL PROVISIONS

1.1 Purpose and Policy

To adopt uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the Town of Wilsonville, and enable the Town to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403). The objectives of these Rules are:

- (a) To prevent the introduction of pollutants into the Town's wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
- (b) To prevent the introduction of pollutants into the Town's wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (c) To improve the opportunity to recycle and reclaim wastewater and sludge from the system; and
- (d) To provide for equitable distribution of the cost of the Town's wastewater system.

These Rules provide for the regulation of direct and indirect contributors to the wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users authorizes monitoring and enforcement activities, requires users reporting, assures that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

These Rules shall apply to all users of the Town's POTW.

1.2 Definitions

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

- (1) **Act or "the Act"**: The Federal Water Pollution Control Acts also known as the Clean Water Act, as amended 33 U.S.C. 1251, et. seq.
- (2) **Approval Authority**: The Alabama Department of Environmental Management as created by Section 22.-22A, I through 13j Code of Alabama.

- (3) **Authorized Representative of Industrial User:** An authorized representative of an Industrial User may be: (1) A principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (2) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; (3) 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.
- (4) **Biochemical Oxygen Demand (BOD):** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- (5) **Town:** "The Town of Wilsonville"
- (6) **Building Sewer:** A sewer conveying wastewater from the premises of a User of the POTW.
- (7) **Categorical Standards:** National Categorical Pretreatment Standards of Pretreatment Standard.
- (8) **County:** Shelby County, Alabama.
- (9) **Cooling Water:** The water discharged from any use such as air-conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (10) **Control Authority:** The term "control authority" shall refer to the "Approval Authority", hereinabove defined or the Superintendent as hereinafter defined.
- (11) **Direct Discharge:** The discharge of treated or untreated wastewater directly to the waters of the State of Alabama.
- (12) **Environmental Protection Agency, or EPA:** The U.S. Environmental Protection Agency, or where appropriate the term may also be used as designation for the Administrator or other duly authorized official of said agency.
- (13) **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.
- (14) **Holding Tank Waste:** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (15) **Indirect Discharge:** The discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(c) or (c) of the Act, (33 U.S.C. 1317, into the POTW (including holding tank waste discharged into the system).
- (16) **Industrial User:** A source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402, of the Act (33 U.S.C. 1342).
- (17) **Interference:** The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the Town's NPOES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with*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 sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

- (18) **National Categorical Pretreatment Standard or Pretreatment Standard:** Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users.
- (19) **National Prohibitive Discharge Standard or Prohibitive Discharge Standard:** Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.
- (20) **New Source:** Any source, the construction of which is commenced after the publication of proposed regulations prescribing a section 307 (c) (33 U.S.C. 1317). Categorical Pretreatment Standard which will be applicable to such sources if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposals a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
- (21) **National Pollution Discharge Elimination System or NPDES Permit:** A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- (22) **Person:** An individual, partnerships co-partnership, firm, company, corporation, association, joint stock company-, trust, legal representatives, agents or assigns. The masculine gender shall include the feminine the singular shall include the plural where indicated by the context.
- (23) **pH:** The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- (24) **Pollution:** The man-made or man-induced alteration *of* the chemical, physical, biological, and radiological integrity of water.
- (25) **Pollutant:** Any dredged spoil waste, incinerator residue, sewage garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, collar, dirt and industrial, municipals and agricultural waste discharged into water.
- (26) **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 or 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).
- (27) **Pretreatment Requirements:** Any substantive or procedural requirements related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- (28) **Publicly Owned Treatment Works (POTW):** A treatment works as defined by Section 212 of the Act, (33 U.S*.C. 1292) which is owned in this instance by the Town. This definition includes any sewers that

convey wastewater to the POTW treatment plant, but does not include pipes sewers or other conveyances not connected to a facility providing treatment. For the purposes of these Rules, "POTV shall also include any sewers that convey wastewaters to the POTV from persons who are, by contract or agreement with the Town, users of the Town's POTW.

- (29) **POTW Treatment Plant:** That portion of the POTW designed to provide treatment to,.-wastewater.
- (30) **Shall:** - is mandatory: **May:** - is permissive.
- (31) **Significant Industrial User:** Any Industrial User of the Town's wastewater disposal system who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow or BOD loading greater than 5% of the flow existing daily average levels in the Town's wastewater treatment systems or (iii) has in his waste toxic pollutants as defined pursuant to Section 307 of the Act or of State Statutes and rules or (iv) is found by the Town, Alabama Department of Environmental Management, or the U.S. Department of Environmental Management, or the U. S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, or air emissions generated by the system.
- (32) **State:** State oil Alabama,
- (33) **Standard Industrial Classification (SIC):** A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (34) **Storm Water:** Any flow occurring during or following any form of natural precipitation and resulting therefore.
- (35) **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.
- (36) **Superintendent:** The person designated by the Town to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by these rules, or his duly authorized representative.
- (37) **Toxic Pollutant:** Any Pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307 (a) or other Acts, or which are so classified by the Alabama Department of Environmental Management.
- (33) **User:** Any person, who contributes, causes or permits the contribution of wastewater into the Town's POTW 139 Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, whether treated or untreated, which is contributed into or permitted to enter the POTW.
- (40) **Waters of the State:** All streams, lakes, ponds, marshes, watercourses, waterways wells, springs, reservoirs aquifers, irrigation system 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.

(41) **Wastewater Contribution Permit:** As set forth in Section 4.2 of these Rules.

1.3 Abbreviations

The following abbreviations shall have the designated meanings:

ADEM: Alabama Department of Environmental Management

BOD: Biochemical Oxygen Demand

CRF: Code of Federal Regulations

COD: Chemical Oxygen Demand

EPA: Environmental Protection Agency

L: Liter

mg: Milligrams

mg/l: Milligrams per liter

NPDES: National Pollutant Discharge Elimination System

POTW: Publicly, Owned Treatment Works

SIC: Standard Industrial Classification

SWDA: Solid Waste Disposal Act. 42 U.S.C. 6901, et. seq.

USC: United States Code

TSS: Total Suspended Solids

SECTION 2: REGULATIONS

2.1 General Discharge Prohibitions

No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standard or any other National State or local Pretreatment Standards or Requirements. A user may not contribute the following substances to any POTW:

- (a) Any liquids, solids or gasses which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosive or be injurious, Any other way to the POTW or to the operation of the-JOTW. At no time shall two successive readings on an, explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene,xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, per chlorates, bromatess carbides, hydrides and sulfides and any other substances which the Town, the State or EPA has notified the User is a fire hazard to the system.
- b) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or

tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops waste paper wood, plastics gas, tar asphalt, residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

- c) Any wastewater having a pH less than 6.0, unless the PDTW is specifically designed to accommodate such wastewater or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, to create a toxic effect in the receiving waters of the PORW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act.
- e) Any noxious or malodorous liquids, gasses, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- f) Any substances which may cause the POTW's effluent or any other product or the PON such as residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall substance dis-charge to the POTW to be in non-compliance with sludges use or disposal criteria guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used.
- g) Any substance which will cause the POTW to violate its NPDES and or State Indirect Discharge Permit or the receiving water quality standards.
- h) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
- i) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in. no case wastewater-with a temperature at the introduction into the POTW which exceeds 40 degrees C (104 degrees) unless the POTW treatment plant is designed to accommodate such treatment.
- j) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen 15 minutes more than five (5) times the average twenty-four (24) hour concentrations quantities, or flow during normal operation.
- k) Any waste water containing any radioactive wastes or isotopes, of such concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal Regulations.

- 1) Any wastewater which causes a hazard to human life or creates a public nuisance.

When the Superintendent determines that a user(s) is contributing to the POTW, any of the above enumerated substances in such amounts as to interfere with the operation of the impact of the contribution on the POTW; and (2) Develop implement effluent limitation(s) as set forth in fixed upper limits on wastewater constituents.

2.2 Federal Categorical Pretreatment Standards

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory³, the Federal Standards if more stringent than limitations imposed under these Rules for sources in that subcategory, shall immediately supersede the limitations imposed under these Rules. The Superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

2.3 Modification of Federal Categorical Pretreatment Standards

Where the Town's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Town may apply to the Alabama Department of Environmental Management for modification of specific limits in the Federal Pretreatment Standards. "Consistent Removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c) of (Title 40 of the Code of Federal Regulations, Part 403) - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The Town may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR,* Part'403, Section 403.7, are fulfilled and prior approval from the Approval Authority is obtained.

2.4 Pollutant Limitations

No person shall discharge wastewater containing any pollutant contrary to National Categorical Pretreatment Standards or any other National State or local Pretreatment Standards or requirements.

2.5 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 in these Rules.

2.6 Town's Right of Revision

The Town reserves the right to "establish by Rules and Regulations more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to Comply with the objectives presented in Section 1.1 of these Rules.

2.7 Excessive Discharge

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 the limitations contained in the Federal

Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Town or State. (Comment: Dilution may be an acceptable means of complying with some of the prohibitions set forth in Section 2.1, e.g. the pH prohibition, provided the method has the prior approval of the Superintendent of the Alabama Department of Environmental Management.)

2.8 Accidental Discharges

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by these Rules. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or users own cost and expense. Detailed plans showing facilities and operating procedure to provide this protection shall be submitted to the Town for review, and shall be approved by the Town before construction of the facility. All existing users shall complete such a plan by January 1, 1984. No user who commences contribution to the POTW after the effective date of these Rules shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Town or Alabama Department of Environmental Management. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of these Rules. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW and the Alabama Department of Environmental Management of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

Written Notice. Within five (5) days following an accidental discharge, the user shall submit to the Alabama Department of Environmental Management a detailed written report describing the cause 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 may be incurred as a result of damage to the-POTW, fish kills, or any other damage to person or to property; nor shall such notification relieve the user of any fines', civil penalties, or other liability, which may be imposed by this article or other applicable law.

Notice to- Employees: A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

SECTION 3: FEES

3.1 Purpose

It is the purpose of this Section to provide for the recovery of costs from users of the Town's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the Town's Schedule of Charges and Fees and shall apply to each user contributing to the POTW who is or should have a discharge permit.

3.2 Charges and Fees

The Town may adopt charges and fees which may include:

- a) fees for reimbursement of costs of setting up and operating the Town's Pretreatment Program;
- b) fees for monitoring, inspections and surveillance procedures;
- c) fees for reviewing accidental discharge procedures and construction;
- d) fees for permit applications;
- e) fees for filing appeals;
- f) fees for consistent removal by the Town of pollutants otherwise subject to Federal Pretreatment Standards;
- g) other fees as the Town may deem necessary to carry-out the requirements contained herein.

These fees relate solely to the matters covered by these Rules and are in addition to all other fees chargeable by the Towns e. g. the Town's present Industrial User Charges.

SECTION 4: ADMINISTRATION

4.1 Wastewater Dischargers

No user may discharge to the POTW any wastewater except as authorized by the Town in accordance with these Rules.

4.2 Wastewater Contribution Permits

4.2.1 General Permits

All significant users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW.

4.2.2 Permit Application

Users required to obtain a Wastewater Contribution Permit shall complete and file with the Town an application in the form prescribed by the Towns and accompanied by a fee of \$75.00 – Existing users shall apply for a Wastewater Contribution Permit within 90 days after the effective date of these Rules and proposed new users shall apply at least 90 days prior to connecting to or contributing to the POTW. If the application is approved by the Town, it shall be transmitted to the Alabama Department of Environmental Management. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- a) Name, address, and location (if different from address);

- b) SIC number according to the Standard Industrial (Classification Manual, Bureau of the Budget, 1972, as amended);
- c) Wastewater constituents and characteristics including but not limited to those mentioned in Section 2 of these Rules as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136s as amended;
- d) Time and duration of contribution;
- e) Average daily and 3 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
- f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation;
- g) Description of activities facilities and plant processes on the premises including all materials which are or could be discharged;
- h) Where known, the nature and concentration of any pollutants in the discharge which are limited by any State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&H) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards;
- i) If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard;

The following conditions shall apply to this schedule:

- (1) The schedule shall contain increments of progress 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 (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.)
- (2) No increment referred to in paragraph (1) shall exceed 9 months.
- (3) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent and Alabama Department of Environmental Management including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delays and the steps being taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the Superintendent.
- j) Each product produced by type, amount, process or processes and rate of production

- k) Type and amount of raw materials-processed (average and maximum per day);
- l) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
- m) Any other information as may be deemed by the Town or Alabama Department of Environmental Management to be necessary to evaluate the permit application.

The Town and the Alabama Department of Environmental Management will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Town or the Alabama Department of Environmental Management, with the concurrence of the Town, may issue a Wastewater Contribution Permit subject to terms and conditions provided herein and in the Memorandum of Agreement between the Alabama Department of Environmental Management and the Town.

4.2.3 Permit Modifications

Within 9 months of the promulgation of a National Categorical Pretreatment Standard, the Wastewater Contribution Permit of Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a Wastewater Contribution Permit as required by 4.2.2, the user shall apply for a Wastewater Contribution Permit within 180 days after the promulgation of the Applicable National Categorical Pretreatment Standard. In addition, the user with an existing Wastewater Contribution Permit shall submit to the Superintendent within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the Information required by paragraph (h) and (i) of Section 4.2.2.

4.2.4 Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all provisions of these Rules and all other applicable regulations, user charges and fees established by the County Commission. Permits may contain the following:

- a) The unit charge or schedule of user charges and fees for the wastewater to be discharged *to a* community sewer;
- b) Limits on the average and maximum wastewater constituents and characteristics;
- c) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- d) Requirements, for installation maintenance of inspection and sampling facilities.
- e) Specifications for monitoring programs which may include sampling locations, frequency of sampling number, types and standards for tests and reporting schedule;
- f) Compliance schedules;

- g) Requirements for submission of technical reports or discharge reports (see 4.3);
- h) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the County Commission and affording Town access thereto;
- i) Requirements for notification of the Town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.
- J) Requirements for notification of slug discharges as per 5.2;
- k) Other conditions as deemed appropriate by the County Commission to ensure compliance with these Rules.

4.2.5 Permits Duration,

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit re-issuance a minimum of 180 *days* prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Town and the Alabama Department of Environmental Management during the term of the permit as limitations or requirements as identified in Section 2 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance

4.2.6 Permit Transfer

Wastewater Discharge Permits issued to a specific user for a specific operation. Wastewater Discharge Permit shall not be reassigned or transferred or sold to new owners or new users, different premises or a new or changed operation without the approval of the Town and the Alabama Department of Environmental Management. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

4.3 Reporting Requirements for Permittee

4.3.1 Compliance Date Report

Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any user subject to Pretreatment Standards and Requirements shall submit to the Superintendent and the Alabama Department of Environmental Management a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the user facility Which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified by, qualified professional.

4.3.2 Periodic Compliance Reports

- (1) Any user subject to a Pretreatment Standards after the compliance date of such Pretreatment Standards or in the case of a New Sources after commencement of the discharge into the POTWs' shall submit to the Superintendent and the Alabama Department of Environmental Management monthly a report indicating the nature and concentration of Pollutants in the effluent which are limited by such Pretreatment Standards. In addition this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow, reported in paragraph (b)(4) of this Section.
- (2) The Superintendent or the Alabama Department of Environmental Management may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass limitations are appropriate in such cases, the report required by-subparagraph (1) of this paragraph shall indicate the mass Of pollutants regulated b Pretreatment Standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration or production and mass where requested by the Superintendent of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard; All analysis shall be performed in accordance with procedures established by the Administrator pursuant to Section 304 (9) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator.

Comment: Where 40 CFRv Part 136 does not include a sampling or analytical technique for the pollutant in questions, sampling and analysis shall be performed-in accordance with the procedures set forth in the EPA publications Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977., and amendments thereto, or with any other sampling and analytical procedures approved by the Administrator.)

4.4 Monitoring Facilities

The Town shall require to be provided and operated at the user's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises but the Town may, when such a location would be impractical or cause undue hardship on the user, allow the facility, to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

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

4.5 Inspection and Sampling

The Town or the Alabama Department of Environmental Management shall inspect the facility of any user to ascertain whether the purpose of these Rules is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Town or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Town, Alabama-Department of Environmental Management, and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or, metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Town, the Alabama Department of Environmental Management and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

4.6 Pretreatment

Users shall provide necessary wastewater treatment as required to comply with these Rules and requirements of ADEM and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town and to the Department of Environmental Management for review, and shall be acceptable to them before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Town and to ADEM under the provisions of these Rules. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Town and to ADEM prior to the user's initiation of the changes.

The Town shall annually publish in a newspaper of general circulation a list of the users which were not in compliance with any Pretreatment requirements or standards at least once during the 12 previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or ADEM upon request.

4.7 Confidential Information

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Town that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

When requested by the person furnishing a report, 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 upon written request to governmental agencies for uses related to these Rules, the National Pollutant Discharge Elimination System (NPDES) Permit, ADEM Permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or

enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the Town as confidential shall not be transmitted to any governmental agency or to the general public by the Town until and unless a ten-day notification is given to the user.

SECTION 5: ENFORCEMENT

5.1 Harmful Contributions

The Town or ADEM may suspend the wastewater treatment service and/or a Wastewater Contribution Permit when such suspension is necessary, in the opinion of either, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment causes interference to the POTW or causes the Town to violate any condition of its NPDES Permit.

Any person notified of a suspension of the wastewater treatment service and/or the Wastewater Contribution Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order the County permission shall take such steps as deemed necessary including immediate severance of the sewer connection to prevent or minimize damage to the POTW system or endangerment to any individuals. The Town or ADEN shall reinstate the Wastewater Contribution Permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the Town within 15 days of the date of the occurrence.

5.2 Revocation of Permit

Any user who violates the following conditions of these Rules, or applicable State and Federal regulations is subject to having his permit revoked in accordance with the procedures or Section S.

- a) Failure of a user to factually report the wastewater constituents and characteristics of his discharge;
- b) Failure of the user to report significant changes in operations, or wastewater constitutes and characteristics;
- c) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
- d) Violation of conditions of the permit.

5.3 Notification of Violation

Whenever the Town or ADEM finds that any user has violated or is violating these Rules, wastewater contribution permit, or any prohibition, limitation of requirements contained herein the County Commission or ADEM may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Town or ADEM by the user.

5.4 Show Cause Hearing

5.4.1

The County Commission or ADEM may order any user who causes or allows an unauthorized discharge to enter the POW to show cause why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing regarding the violation: the reasons why the action is to be taken in the proposed enforcement action, and directing the user to show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least 10 days before the hearing. Service may be made on any agent or officer of a corporation.

5.4.2

The County Commission or ADEM may itself conduct the hearing and take the evidence or may designate any of its members or any officer or employee of the Town or ADEM to:

- a) Issue in the name of the Town or ADEM notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- b) Take the evidence;
- c) Transmit a report of the evidence and hearings including transcripts and other evidence% together with recommendations to the Town and ADEM for action thereon.

5.4.3

At any hearing held pursuant to these Rules, testimony taken must be under oath and recorded stenographically. The transcripts so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

5.4.4

After the Town or ADEN has reviewed the evidence it may issue an order to the user responsible for the discharge directing that's following a specified time period, the water or sewer service or both be discontinued unless adequate treatment facilities devices or other related appurtenances shall have been installed on existing treatment facilities devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

5.5 Legal Action

If any person discharges sewage, industrial wastes or other wastes into the Town's wastewater disposal system contrary to the provisions of these Rules, the Town may commence an action for appropriate legal and/or relief in the Circuit Court of this county.

SECTION 6: GENERAL.

It is the purpose and intent of these Rules to provide a complete system for permitting users to discharge to the Town's POTW in accordance with all Federal and State statutes and with Rules issued there under.

The issuance of permits and supervision of the user's pretreatment program and the revocation of permits shall in general be under the supervision of ADEM, with concurrence of the Town, all as set out in a written Agreement between the Town and ADEN

Each user requesting a discharge permit agrees to comply with these Rules and Regulations and promptly to pay all fees and charges provided herein or subsequently adopted by the Town. Failure to do so shall be grounds for cancellation of the permit and discontinuing sewer service to the user.

Forms for applying for discharge permits and of the discharge permit itself will be provided by ADEM unless the Town wishes to adopt forms for its own use. In these forms all reference to the Town shall refer to the Town of the County of Shelby.

Section 6

DOMESTIC WASTEWATER STANDARDS

CONSTITUENT	MAXIMUM CONCENTRATION (mg/l)
Solids, total	19200
Solids, Dissolved, total	950
Solids, Dissolved, Fixed	525
Solids, Dissolved, Volatile	325
Solids, Suspended, total	350
Solids, Suspended, Fixed	75
Solids, Suspended, Volatile	275
Settle able solids (m l /l)	20
Biochemical Oxygen Demand 5-Day 200 C	300
Total Organic Carbon (TOC)	300
Chemical Oxygen Demand (COD)	11000
Nitrogen, (total as N)	85
Nitrogen, Organic	35
Nitrogen, Free Ammonia	so
Nitrogen, Nitrates and Nitrites	0
Phosphorous, (total as P)	20
Phosphorous, Organic	5
Phosphorous, Inorganic	15
Chlorides	100
Alkalinity (as CaCO ₃)	1100
Grease	150
pH	(5.5 minimum, 9.5 maximum)

Essentially free (excepting trace amounts) of heavy metals, toxics, petroleum products and their derivatives, and specifically below the levels generally recognized to be toxic to the biological processing of domestic wastewater.

Waste generated by businesses normally classified as industrial businesses shall be accepted by special agreement only, regardless of the chemical composition of the wastewater generated by such businesses.

Section 7

Fixed Upper Limits on Wastewater Constituents

Following herewith are maximum discharge concentrations for any industrial user of the Town of Wilsonville Sewage System. The limits are subject to change by the Environmental Protection Agency, Alabama Department of Environmental Management, and Shelby County. Such change may occur through changes imposed by National Categorical Pretreatment Standards or by The Town determination that interference exists in the Town's wastewater treatment plant by reason of any limit set forth herein or by case specific considerations.

UPPER DISCHARGE LIMITS FOR SUGGESTED DESIGN INDUSTRIAL USERS INTO- CRITERIA FOR COUNTY WWTPS PRETREATMENT

PARAMETER	DAILY AVERAGE	DAILY MAXIMUM	DAILY AVERAGE	DAILY MAXIMUM
Aluminum, Dissolved	25.0 mg/l	50.0 mg/l	5.0 mg/l	I V. -0mg
Cadimium Total	0.3 mg/l	0.3 mg/l	0.1 mg/l	0.2 mg/l
Chromium +6	0.1 mg/l	0.2 mg/l	0.1 mg/l	0.2 mg/l
Chromium Total	2.5 mg/l	5.0 mg/l	0.5 mg/l	1.0 mg/l
Copper, Total	0.5 mg/l	1.0 mg/l	0.5 mg/l	1.0 mg/l
Cyanide as CN-or HCN	0.5 mg/l	1.0 mg/l	0.1 mg/l	0.2 mg/l
Iron, Total	10.0 mg/l	20.0 mg/l	3.0 mg/l	6.0 mg/l
Lead, Total	0.5 mg/l	0.5 mg/l	0.1 mg/l	0.2 mg/l
Nickel, Total	0.5 mg/l	1.0 mg/l	0.5 mg/l	1.0 mg/l
Silver, Total	0.26mg/l	0.6 mg/l	0.05 mg/l	0.1 mg/l
Tint Total	5.0 mg/l	10.0 mg/l	0.1 mg/l	0.2 mg/l
Zinc, Total	1.8 mg/l	3.6 mg/l	0.8 mg/l	1.6 mg/l
Arsenic		0.10 mg/l		
Ammonia'		50.00 mg/l		
Barium		1.00 mg/l		
Chlorides		200.00 mg/l		
Detergents ABS (Hard)				
Detergents (Soft)				
Detergents (Biodegradable)				
Fluorides		1.50 mg/l		
Radioactivity Gross Beta		1,000 pico curies/l		
RA 226		3 pico, curies/l		
SR 90		10 pico, curies/l		
Molybdenum		0.10 mg/l		
Phosphate		30.00 mg/l		
Selenium		0.10		

*No limits presently determined. If and when those or other limitations are determined, they shall be incorporated into this ordinance by action of the Town.

FEE CHARGES AND PENALTIES FOR INDUSTRIAL SURCHARGES

Such charges:

An industrial waste surcharge shall be assessed against any industry in the County service area whose wastewater characteristics exceed the following normal wastewater strengths:

BOD	300 mg/l
COD	1,000 mg/l
Suspended Solids (SS)	350 mg/l

At present industrial waste is considered any wastewater discharge with pollutant loadings in excess of the above maximum. The industrial waste surcharge elements shall be determined by -application of the following rates:

At present, industrial waste is considered any wastewater discharge with pollutant loadings in excess of the above maximum. The industrial waste surcharge elements shall be determined by application of the following rates:

- (1) BODS - 9.5 cents per pound in excess of 300 ppm.
 - (2) SS - 4.9 cents per pound in excess of 350 ppm.
 - (3) COD-9.54 cents per pound in excess of 1,000 ppm.
- (At the discretion of the Town if COD is surcharged, BODS is not levied).

(4) At the discretion of the Town and at such times when data has been compiled and established, additional or modified industrial waste surcharge elements shall be imposed. Such surcharges shall be based upon the higher cost of treatment of the pollutant.

Pounds shall be computed by 0 * 00624 times the volume of the wastewater (in hundreds of cubic feet) times the parts per million of wastewater in excess of normal strength.

*The conversion factor used to determine the weight in pounds of one milligram per liter (mg/l) for a liquid volume in hundreds of cubic feet.

January 22, 2003

James J. Kelly
Mayor

Kay M. Ray
Attest