

Subdivision 2. Waste Water Contribution Regulations

Sec. 28-185. General discharge prohibitions.

No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or waste water 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 standards 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 gases 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 explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two (2) 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 (5) per cent nor any single reading over ten (10) per cent 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, perchlorates, bromates, carbides, hydrides and sulfides any any other substances which the city, the state or EPA has notified the user is a fire hazard or a 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 waste water treatment facilities such as, but not limited to: Grease, garbage with particles greater than one-half (½) inch 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 waste water having a pH less than 5.0, unless the POTW is specifically designed to accommodate such waste water, or waste water having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- (d) Any waste water containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any waste water treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, 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, gases, 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 of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse

or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge 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 disposal system permit or the receiving water quality standards.
- (h) Any waste water with objectional color not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
- (i) Any waste water having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case waste water with a temperature at the introduction into the POTW which exceeds forty (40) degrees Celsius (one hundred four (104) degrees Fahrenheit) 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-hour concentration, quantities, or flow during normal operations.
- (k) Any waste water containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- (l) Any waste water 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 POTW, the superintendent shall advise the user(s) of the impact of the contribution on the POTW, and develop effluent limitation(s) for such user to correct the interference with the POTW. (Ord. No. 109-82, § 2(2.1), 11-16-82; Ord. No. 114-83, §§ 6, 7, 2-15-83)

Cross references—Items totally prohibited from discharge into public sewers, § 28-117; items restrict from discharge into public sewers, § 28-118.

Sec. 28-186. Federal categorical pretreatment standards.

Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the limitations imposed under this division. The superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12. (Ord. No. 109-82, § 2(2.2), 11-16-82)

Sec. 28-187. Modification of federal categorical pretreatment standards.

Where the city's waste water treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the city may apply to the approval authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the waste water treatment system to a less toxic or harmless state in the effluent which is achieved by the system ninety-five (95) per cent 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 city 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. (Ord. No. 109-82, § 2(2.3), 11-16-82)

Sec. 28-188. Pollutant limitations.

No person shall discharge waste water containing any pollutant contrary to national categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. (Ord. No. 109-82, § 2(2.4), 11-16-82)

Sec. 28-189. 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 this division. (Ord. No. 109-82, § 2(2.5), 11-16-82)

Sec. 28-190. City's right of revision.

The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the waste water disposal system if deemed necessary to comply with the objectives presented in section 2-170 of this division. (Ord. No. 109-82, § 2(2.6), 11-16-82)

Sec. 28-191. 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 city or state. (Comment: Dilution may be an acceptable means of complying with some of the prohibitions set forth in section 2-185, e.g. the pH prohibition). (Ord. No. 109-82, § 2(2.7), 11-16-82)

Sec. 28-192. Accidental discharges.

(a) *Protection from accidental discharges required.* Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this division. Facilities to prevent accidental discharge of prohibited materials shall be provided
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and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review, and shall be approved by the city before construction of the facility. All existing users shall complete such a plan by July 1, 1983. No user who commences contribution to the POTW after the effective date of this division shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city. 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 this division. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

(b) *Written notice.* Within five (5) days following an accidental discharge, the user shall submit to the superintendent 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 persons or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this division or other applicable law.

(c) *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 ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure. (Ord. No. 109-82, § 2(2.8), 11-16-82; Ord. No. 114-83, § 8, 2-15-83)

Secs. 28-193—28-202. Reserved.

Subdivision 3. Administration and Enforcement

Sec. 28-203. Superintendent of sewage works to administer, implement and enforce division provisions.

Except as otherwise provided herein, the superintendent of the sewage works and/or of the waste water division of the City of Opelika shall administer, implement and enforce the provisions of this division. (Ord. No. 109-82, § 1(1.1), 11-16-82; Ord. No. 114-83, § 1, 2-15-83)

Sec. 28-204. Industrial waste water discharge permits.

(a) *Waste water direct discharges to surface; permit required.* All waste water direct dischargers to surface, to natural outlets, or to streams within the city limits of Opelika are required to obtain the proper NPDES waste water discharge permit from the state (ADEM) authorities. A copy of any permit applications submitted to an final permits obtained from state (ADEM) authorities shall be filed with the superintendent, and maintained in a current status as changes, modifications, and reissuance of permits occur.

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