## **ORDINANCE NO. 2004.38**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING CHAPTER 27, ARTICLE I OF THE TEMPE CITY CODE, RELATING TO SEWERS AND SEWAGE DISPOSAL BY AMENDING SECTIONS 27-1, 27-3, 27-4, 27-10, 27-12, 27-15 AND 27-22.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Section 27-1 of the Tempe City Code is hereby amended to read as follows:

# Sec. 27-1. Purpose and policy.

- (a) This article sets forth uniform requirements for users of the Publicly Owned Treatment Works for the city (hereinafter referred to as "the city") and enables the city to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this article are to:
  - (1) Prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation and efficient functioning of its parts;
  - (2) Prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
  - (3) Protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
  - (4) Promote reuse and recycling of industrial wastewater and sludge away from the Publicly Owned Treatment Works;
  - (5) Provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works;
  - (6) Enable the city to comply with its National ARIZONA Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the Publicly Owned Treatment Works is subject;
  - (7) Promote waste minimization and pollution prevention; and
  - (8) Protect the environment.

(b) This article shall apply to all persons discharging to the Publicly Owned Treatment Works. This article establishes discharge prohibitions/limitations; authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

**Section 2.** That Section 27-3 of the Tempe City Code is hereby amended to read as follows:

#### Sec. 27-3. Abbreviations.

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

- · ARS Arizona Revised Statutes
- · ADEQ ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
- · AZPDES ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM
- · BMPS BEST MANAGEMENT PRACTICES
- · BOD Biochemical Oxygen Demand
- · CFR Code of Federal Regulations
- · COD Chemical Oxygen Demand
- · EPA U.S. Environmental Protection Agency
- · gpd gallons per day
- · mg/l milligrams per liter
- · NPDES National Pollutant Discharge Elimination System
- · POTW Publicly Owned Treatment Works
- · RCRA Resource Conservation and Recovery Act
- · TCC Tempe City Code
- SIC Standard Industrial Classification
- · SIU Significant Industrial User
- · TSS Total Suspended Solids

- μg/l Micrograms per Liter
- · U.S.C. United States Code

Section 3. That Section 27-4 of the Tempe City Code is hereby amended to read as follows:

## Sec. 27-4. Definitions.

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

Act or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

Approval Authority means THE STATE OF ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) OR Regional Administrator for Region IX of the U.S. EPA.

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY OR ADEQ MEANS THE STATE OF ARIZONA AGENCY GRANTED OVERSIGHT FOR PRETREATMENT PROGRAMS BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

Authorized Representative of the User means:

- a. If the user is a corporation:
  - 1. 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
  - 2. The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars (\$25,000,000) (in second-quarter 1980 dollars), if 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 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;

- d. The individuals described in subparagraphs a through c, above, may designate another 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 the city;
- e. A user not falling within one of the above categories must designate as the authorized representative an individual responsible for the overall operation of the facility.

AZPDES MEANS THE ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM.

BEST MANAGEMENT PRACTICES OR BMPS MEANS SCHEDULES OF ACTIVITIES, POLLUTION TREATMENT PRACTICES OR DEVICES, PROHIBITIONS OF PRACTICES, GOOD HOUSEKEEPING PRACTICES, POLLUTION PREVENTION, WASTE MINIMIZATION, EDUCATIONAL PRACTICES, MAINTENANCE PROCEDURES, OR OTHER MANAGEMENT PRACTICES OR DEVICES TO PREVENT OR REDUCE THE AMOUNT OF POLLUTANTS ENTERING THE PUBLICLY OWNED TREATMENT WORKS.

Biochemical Oxygen Demand or BOD means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).

Categorical Pretreatment Standard or Categorical Standard means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

CLEAN WATER ACT MEANS THE FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED, 33 UNITED STATES CODE § 1251 ET SEQ.

CONTROL MANHOLE MEANS AN ACCESS POINT INTO THE SANITARY SEWER FOR THE PURPOSE OF COLLECTING A REPRESENTATIVE SAMPLE OF WASTEWATER DISCHARGE TO DETERMINE COMPLIANCE WITH THIS CHAPTER. ACCESS POINTS USED AS CONTROL MANHOLES WILL BE APPROVED BY THE WATER UTILITIES MANAGER.

Environmental Protection Agency or EPA means the U.S. Environmental Protection Agency, or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of the agency THE FEDERAL AGENCY CHARGED WITH ENFORCEMENT OF THE CLEAN WATER ACT.

Existing Source means any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

*Grab Sample* means a sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

Indirect Discharge or Discharge means the introduction of pollutants into the POTW from any Nondomestic Source regulated under any laws, rules or regulations of the United States, the State of Arizona or any political subdivision thereof.

Interference means a discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of any applicable NPDES OR AZPDES 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.

Manager means the manager of water utilities who is hereby designated by the city to supervise the operation of the city's interest in the POTW, and who is charged with certain duties and responsibilities by this article, or other city personnel designated by the water utilities manager to act on his behalf under this article.

### New Source means:

- 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 which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
  - 1. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
  - 2. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
  - 3. 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 subparagraph a.1 or a.3 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:
  - 1. Begun, or caused to begin, as part of a continuous onsite construction program
    - (i) any placement, assembly, or installation of facilities or equipment; or
    - (ii) 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
  - 2. Entered into a binding contractual obligation for the purchase of facilities or equipment which are 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.

Noncontact Cooling Water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Nondomestic Discharge or Nondomestic Source means discharges of any substances other than human excrement and household gray water derived from the ordinary living process of residential family homes.

Pass Through means a discharge which exits the POTW into waters of the United States 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 any applicable NPDES AZPDES permit, including an increase in the magnitude or duration of a violation.

*Person* means any individual, partnership, copartnership, firm, company, corporation, limited liability company, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all users and all federal, state, and local governmental entities.

pH means a measure of the acidity or alkalinity of a solution, expressed in standard units.

Pollutant means 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, COMMERCIAL FOOD WASTE INCLUDING BUT NOT LIMITED TO FATS, OILS, AND GREASE, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment means 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. This reduction or alteration cannot be accomplished by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment Requirements means any substantive or procedural requirement INCLUDING BEST MANAGEMENT PRACTICES (BMPS) related to pretreatment imposed on a user as may have been established pursuant to the laws or regulations of the United States, State of Arizona or the city, other than a pretreatment standard.

Pretreatment Standards or Standards means prohibited discharge standards, categorical pretreatment standards, and local limits as may have been established pursuant to the laws or regulations of the United States, the State of Arizona, or of the city.

Prohibited Discharge Standards or Prohibited Discharges means absolute prohibitions against the discharge of certain substances and limitations on others; these prohibitions appear in Section 27-10 of this article.

Publicly Owned Treatment Works or POTW means a "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) in which the city owns an interest. 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.

Septic Tank Waste means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

# Significant Industrial User or SIU means:

a. A user subject to categorical pretreatment standards; or

#### b. A user that:

- 1. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
- 2. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- 3. Is designated as such by the water utilities manager on the basis that the user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- c. Upon a finding that a user meeting the criteria in subparagraph b has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the water utilities manager may at any time, on his own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Slug Load or Slug means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 27-10 of this article.

Standard Industrial Classification (SIC) Code means a classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Storm Water means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Suspended Solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering or measurable by laboratory process.

User or Industrial User means a source of indirect discharge.

Wastewater means 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.

Wastewater Treatment Plant or Treatment Plant means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Section 4. That Section 27-10 of the Tempe City Code is hereby amended to read as follows:

# Sec. 27-10. Prohibited discharge standards.

- (a) General Prohibitions. No person 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 persons discharging to the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- (b) Specific Prohibitions. No person 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, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
  - (2) Wastewater having a pH less than 5.0 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
  - (3) Solid or viscous substances, FATS, OILS AND GREASE, in amounts or sizes which will cause obstruction of the flow in the POTW but in no case solids greater than one-half inch(es) (1/2") or one and twenty-seven hundredths centimeter(s) (1.27 cm) in any dimension;
  - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
  - (5) Wastewater having a temperature greater than 150°F (66°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
  - (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that may cause interference or pass through or which may form persistent oil emulsions;
  - (7) 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:

- (8) Trucked or hauled pollutants or any other connection or discharge not otherwise permitted, except at discharge points designated by the water utilities manager in accordance with Section 27-24 of this article;
- (9) Noxious or malodorous liquids, gases, 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;
- (10) 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 any applicable NPDES **OR AZPDES** permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- (12) 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 water utilities manager;
- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;

### (14) Reserved

- (14) SLUDGES, SCREENINGS, DEBRIS, SILT OR OTHER NONLIQUID RESIDUES FROM THE CLEANING OF THE SANITARY SEWER COLLECTION SYSTEM;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
- (17) Any of the following prohibited substances:

4,4' – DDE

4,4' - DDT

Aldrin

BHC-Alpha

**BHC-Beta** 

BHC-Gamma (Lindane)

Chrysene

Heptachlor
Heptachlor Epoxide
Phenanthrene
Polyclorinated Biphenyl Compounds (PCBs)

- (18) Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than ten percent (10%) of the Lower Explosive Limit of the meter.
- (19) Any water or waste exceeding the limits for the following substances that are expressed in the total form except if otherwise stated:

Instantaneous Maximum Allowable Discharge Limitations		
Substance	Effective through December 31, 1993	Effective on January 1, 1994 January 1, 2005
Benzene	No Limit	<del>130 (ug/l)**</del> 35 (μg/l)*
Chloroform	No Limit	4 <del>20 (ug/l)</del> 2000 (μg/l)
Cyanide (Amenable to  Chlorination)	0.2 mg/l*	<del>200 (ug/l)</del>
Methylene Chloride	No Limit	4 <del>200 (ug/l)</del>
Sulfides (Dissolved)	0.5 mg/l	<del>0.5 (mg/l)</del>
Tetrachloroethylene	No Limit	<del>530 (ug/l)</del>
Trichloroethylene	No Limit	<del>700 (ug/l)</del>

<sup>\*</sup>mg/l = milligrams per-liter

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. No industrial waste or sewage shall be discharged to a storm sewer culvert, collection system or waters of the state unless properly permitted.

 $<sup>**\</sup>mu g/l = micrograms per liter$ 

<u>Section 5</u>. That Section 27-12 of the Tempe City Code is hereby amended to read as follows:

## Sec. 27-12. Local limits.

The following pollutant limits established to protect against pass through and interference. No SIU shall discharge exceeding the limits set forth below. In addition, the water utilities manager may apply all or some of the limits set forth below as the water utilities manager deems appropriate and designates in the user's permit. The following substances are expressed in the total form except as otherwise indicated:

Daily Average Effluent Limitations		
Substance	Effective Through December 31, 1993	Effective on January 1, 1994
Arsenic	0.1 mg/1*	<del>100 (ug/1)**</del>
Boron	<del>10.0 mg/l</del>	<del>5600 (ug/1)</del>
Cadmium	<del>0.1 mg/l</del>	4 <del>7 (ug/l)</del>
Chromium VI	0.5 mg/l	No Limit
Chromium	No Limit	1400 (ug/1)
Copper	10.0 mg/l	<del>1700 (ug/l)</del>
Cyanide	2.0 mg/l	<del>2000 (ug/l)</del>
Lead	0.5 mg/l	<del>500 (ug/l)</del>
Mercury	0.05 mg/l	<del>50 (ug/l)</del> ª
Nickel	No Limit	<del>5000 (ug/l)</del>
Oil & Grease (TPH)	100.0 mg/l	<del>100.0 (mg/l)</del>
Selenium	0.1 mg/l	100 (ug/l)
Silver	0.5 mg/l	<del>500 (ug/l</del>
Sulfides	No Limit	<del>10.0 (mg/l)</del>
Zine	50.0 mg/1	<del>5400 (ug/l)</del>

a. Effective January 1, 1995 the limitation is 4.6 ug/l.

- (A) ALL PERSONS OWNING OR OPERATING FACILITIES OR ENGAGED IN ACTIVITIES THAT WILL OR MAY REASONABLY BE EXPECTED TO RESULT IN POLLUTANTS ENTERING THE CITY OF TEMPE SANITARY SEWER SYSTEM OR AFFECTING THE SANITARY SEWER SYSTEM OR AFFECTING THE POTW, SHALL UNDERTAKE ALL PRACTICABLE BEST MANAGEMENT PRACTICES IDENTIFIED BY THE WATER UTILITIES MANAGER TO MINIMIZE THE DISCHARGE OF POLLUTANTS. SUCH MEASURES SHALL INCLUDE THE REQUIREMENTS IMPOSED BY THIS CHAPTER, ANY APPLICABLE NPDES OR AZPDES PERMITS, AND ANY WRITTEN GUIDELINES PROMULGATED FOR GENERAL USE BY THE WATER UTILITIES MANAGER.
  - (B) THE WATER UTILITIES MANAGER SHALL HAVE THE AUTHORITY TO:
    - (1) ESTABLISH LIMITATIONS FOR INDIVIDUAL USERS OR CLASSES OF USERS FOR VARIOUS POLLUTANTS, MATERIALS, WATERS, OR WASTES THAT CAN BE ACCEPTED INTO THE SANITARY SEWER SYSTEM;
    - (2) SPECIFY THOSE POLLUTANTS, MATERIALS, WATERS, OR WASTES THAT ARE PROHIBITED FROM ENTERING THE SANITARY SEWER SYSTEM;
    - (3) IDENTIFY THOSE POLLUTANTS, MATERIALS, WATERS, OR WASTES THAT SHALL BE CONTROLLED WITH BEST MANAGEMENT PRACTICES; AND
    - (4) REQUIRE INDIVIDUAL USERS OR CLASSES OF USERS TO IMPLEMENT BEST MANAGEMENT PRACTICES FOR ANY POLLUTANT.
- (C) ALL AFFECTED INDIVIDUAL USERS OR CLASSES OF USERS SHALL COMPLY WITH THE PROHIBITIONS AND EFFLUENT LIMITATIONS ESTABLISHED PURSUANT TO THIS SECTION, AND WITH ANY BEST MANAGEMENT PRACTICES REQUIRED BY THE WATER UTILITIES MANAGER.
- (D) ALL PROHIBITIONS AND EFFLUENT LIMITATIONS SO ESTABLISHED AND ALL BEST MANAGEMENT PRACTICES IDENTIFIED BY THE WATER UTILITIES MANAGER WILL BE PLACED ON FILE WITH THE CITY CLERK AND WILL BECOME EFFECTIVE AND ENFORCEABLE ON THE THIRTY-FIRST (31ST) DAY AFTER THE DATE OF FILING.
- (E) THE FOLLOWING POLLUTANT LIMITATIONS ARE ESTABLISHED TO PROTECT THE POTW AGAINST PASS THROUGH AND INTERFERENCE. NO USER SHALL DISCHARGE WASTEWATER EXCEEDING THE LIMITS SET FORTH BELOW:

DAILY AVERAGE EFFLUENT LIMITATIONS		
SUBSTANCE	JANUARY 1, 2005	
ARSENIC	0.13 MG/L*	
CADMIUM	0.047 MG/L	
COPPER	1.5 MG/L	
CYANIDE	2.0 MG/L	
LEAD	0.41 MG/L	
MERCURY	0.0023 MG/L	
SELENIUM	0.10 MG/L	
SILVER	1.2 MG/L	
ZINC	3.5 MG/L	

All concentrations are expressed in the "total" form unless indicated otherwise. The water utilities manager may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

Section 6. That Section 27-15 of the Tempe City Code is hereby amended to read as follows:

## Sec. 27-15. No tampering.

- (A) It shall be unlawful for any person to tamper with, damage, or destroy any monitoring equipment with the knowledge or intention of altering the sampling analysis or readings or causing damage or destruction of the monitoring/sampling equipment being utilized to determine compliance with this article.
- (B) IT SHALL BE UNLAWFUL FOR ANY PERSON TO TAMPER WITH A MANHOLE, AND TO ENTER ANY CITY MANHOLE UNLESS AUTHORIZATION HAS BEEN OBTAINED IN WRITING FROM THE WATER UTILITIES MANAGER PRIOR TO ENTRY.

<sup>\*</sup>mg/l = Milligrams per liter.

<sup>\*\*</sup>ug/l - Micrograms per liter.

Section 7. That Section 27-22 of the Tempe City Code is hereby amended to read as follows:

# Sec. 27-22. Additional pretreatment measures.

- (a) Whenever deemed necessary, the water utilities manager 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 wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this article.
- (b) The water utilities manager may require any user 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. A wastewater discharge permit may be issued solely for flow equalization.
- (c) Grease, oil, and sand interceptors in compliance with the Uniform Plumbing Code shall be provided when, in the opinion of the water utilities manager, 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 interception units shall be of type and capacity approved by the water utilities manager and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense. The user shall keep and maintain records for the preceding three (3) years that document all cleaning, repair and proper disposal from all such interceptors. Such records shall be available for inspection by the water utilities manager.
- (C) THE WATER UTILITIES MANAGER MAY REQUIRE USERS TO INSTALL GREASE, LINT, SAND/OIL INTERCEPTORS, OIL/WATER SEPARATORS, HAIR OR GREASE TRAP(S) AS NEEDED FOR THE PROPER HANDLING OF WASTEWATER CONTAINING EXCESSIVE AMOUNTS OF FATS, OILS, GREASE, LINT OR SAND; EXCEPT THAT SUCH INTERCEPTORS OR TRAPS SHALL NOT BE REQUIRED FOR RESIDENTIAL USERS. REQUIREMENTS FOR THE PROPER HANDLING OF SOLIDS IN WASTEWATER ARE AS FOLLOWS:
  - (1) GREASE INTERCEPTORS AND GREASE TRAPS SHALL BE REQUIRED, INSTALLED, AND MAINTAINED AS SPECIFIED IN THE WATERS UTILITIES MANAGER'S POLICIES AND PROCEDURES FOR THE SIZING AND CLEANING OF INTERCEPTORS AND TRAPS FOR THE FOOD SERVICE INDUSTRY;
  - (2) LINT, SAND/OIL INTERCEPTORS AND OIL/WATER SEPARATORS SHALL BE INSTALLED IN COMPLIANCE WITH THE UNIFORM PLUMBING CODE; AND
  - (3) ALL INTERCEPTORS, SEPARATORS AND TRAPS SHALL BE OF THE TYPE AND CAPACITY APPROVED BY THE WATER UTILITIES

MANAGER AND SHALL BE LOCATED TO BE EASILY ACCESSIBLE FOR CLEANING AND INSPECTION. INTERCEPTORS, SEPARATORS AND TRAPS SHALL BE INSPECTED, CLEANED, AND REPAIRED REGULARLY BY THE USER AT THE USER'S EXPENSE. THE USER SHALL KEEP RECORDS OF ALL CLEANING, REPAIR AND MAINTENANCE FOR AT LEAST THREE (3) YEARS ON THE SITE WHERE THE INTERCEPTOR, SEPARATOR OR TRAP IS LOCATED. SUCH RECORDS SHALL BE AVAILABLE FOR INSPECTION BY THE WATER UTILITIES MANAGER UPON REQUEST.

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this <u>30th</u> day of <u>September</u>, 2004.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney