



SPRINGVILLE CITY
JOHN PENROD
CITY ATTORNEY

110 SOUTH MAIN STREET
SPRINGVILLE, UT 84663

OFFICE 801.491.2703
FAX 801.491.7894

jpenrod@springville.org

Jan 8

March 24, 2014



SUBJECT: SEWER COLLECTIONS / WATER RECLAMATION / PRETREATMENT ORDINANCE

Dear Jennifer Robinson,

As the attorney for Springville City and its publicly owned treatment works (POTW) division, the following statement is submitted pursuant to the requirements contained in the Code of Federal Regulations (CFR) Section 403.9(b)(1) regarding legal authority for Springville City to implement the Springville City Pretreatment Program.

It is our opinion that Springville City has adequate authority to carry out the program described in 40 CFR Section 403.8, based on authority granted to it by Utah State Code §10-8-14, Utah Administrative Code R317-8-8, and Springville City Code Title 4 Chapter 14.

The following references to the legal authority requirements of 40 CFR 403.8(f)(1) are correlated with appropriate sections of the Springville City Code, which provide the required authority. Where the authority is not apparent from a reading of the Springville City Code provision, an explanation is provided.

General — Springville City Code §4-14-208 provides that all connections of lateral or other sewer lines to the sewerage system of the POTW service area, whether within or without any city, shall be made subject to such terms and conditions as Springville City may prescribe. Pursuant to this authority the Springville City Council has adopted Ordinance No. 07-2014 (the “Ordinance”), setting forth the terms and conditions upon which industrial users may connect to the system.

403.8(f)(1)(i) — New contributions to the public sewerage system may not be made without an industrial user first obtaining a sewer use permit, which may contain various conditions and prohibitions, as set forth in Sections 4-14-301 & 501 through 508 of the Ordinance. Existing industrial users (those connected to the system prior to the effective date of the Ordinance) shall be required by Springville City to obtain a sewer use permit under Section 4-14-503 of the Ordinance. If there has been an increase or change in an industrial user's contribution to the system, the discharger is required to reapply for a permit to cover those changes pursuant to

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Document Date 4/3/2014



DWQ-2014-004851

Section 4-14-501 of the Ordinance, and that Springville City may change the conditions of any sewer use permit as circumstances may require under Section 4-14-603 of the Ordinance.

403.8(f)(1)(ii) — In order to require compliance with applicable Pretreatment Standards, Springville City must be able to require compliance with EPA's listed general prohibitions (403.5(a)), specific prohibitions (403.5(b)), local limits developed to implement the general and specific standards (403.6). Section 4-14-301 of the Ordinance prohibits any discharge to a sewer which will result in a nuisance, or contamination or pollution of receiving waters. Sections 4-14-302 & 303 prohibit conditions which violate any statute, rule, regulation or ordinance of any public agency (including EPA and/or the State of Utah). Sections 4-14-302 & 303 prohibit those discharges prohibited by EPA and/or State of Utah regulations. These sections empower Springville City to enforce the general and specific prohibitions contained in 40 CFR 403.5(a) and (b). When local discharge limits are developed pursuant to 403.5(c) and (d), they may be imposed by Springville City as a permit condition pursuant to Sections 4-14-301 through 304 of the Ordinance. National categorical pretreatment standards may also be imposed as a permit condition per Section 4-14-302 of the Ordinance, which empowers Springville City to regulate discharges regulated by EPA.

403.8(f)(1)(iii) — Springville City has control via a permit system authorized by Section 4-14-505 of the Ordinance.

403.8(f)(1)(iv)(A) — Springville City may, to remedy or avoid a violation of the Ordinance or sewer use permit, require a user to develop a compliance schedule for installation of control technology under Section 4-14-603 of the Ordinance. Additionally, Springville City may require a compliance schedule as part of the required information under Section 4-14-602 of the Ordinance, as a condition of obtaining a Sewer Use Permit.

403.8(f)(1)(iv)(B) — Springville City may require a user to submit all notices and self-monitoring reports required by EPA regulations through authority granted under Sections 4-14-702 & 703 of the Ordinance.

403.8(f)(1)(v) — Springville City may carry out inspection, surveillance and monitoring procedures under authority granted in Sections 4-14-801 & 802 of the Ordinance.

403.8(f)(1)(vi)(A) — Springville City may seek remedies for noncompliance with pretreatment standards and requirements. As a matter of general law, Springville City may seek injunctive relief for noncompliance since any such noncompliance might result in irreparable harm to the treatment plant, to the health and safety of plant workers, and to the environment; and since damages at law would not be an adequate remedy. Section 4-14-1203 of the Ordinance provides that intentional violation of the ordinance is a misdemeanor which is punishable by a fine not to exceed \$1000 per day per violation, imprisonment not to exceed 180 days, or both. Additionally, a civil liability is imposed by Section 4-14-1202 of the Ordinance for intentional or negligent violation of Springville City requirements relating to (1) pretreatment of industrial waste which would otherwise be detrimental to the treatment works or its operation, and (2) the prevention of entry of such waste into the collection system or treatment works. The civil liability may equal a sum not to exceed \$1000 per day per violation.

403.8(f)(1)(vi)(B) — Springville City may, under Section 4-14-1106 of the Ordinance, temporarily suspend a sewer use permit or impose temporary restrictions on discharges where continued discharges would jeopardize the ability of the treatment system to meet water quality standards, threaten damage to the sewerage system, or cause a nuisance or an unsafe condition to occur. Usually, a 48-hour period must pass before a suspension or restriction is effective. The waiting period may be dispensed with in emergency situations relating to public health and safety or a significant impairment of the treatment process. Section 4-14-604 of the Ordinance requires compliance with restrictions or cessation of discharges at the effective time of such action.

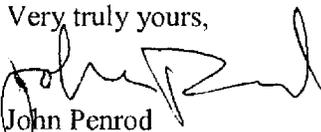
403.8(f)(1)(vii) — Confidentiality requirements are provided for in Section 4-14-901 of the Ordinance.

As stated above, Springville City will implement the requirements of its pretreatment program and apply pretreatment standards to individual industrial users through use of a sewer use permit system, and by direct enforcement of its sewer use ordinance. A description of the exact procedures to be used in implementing the pretreatment program is provided in the Program Procedures portion of the Springville City Pretreatment Program.

Springville City intends to ensure compliance with pretreatment standards and requirements through an inspection and sampling program authorized under Sections 4-14-701, et seq., of the Ordinance, which would allow for the determination of noncompliance with discharge limitations and requirements independent of information supplied by the industrial user. The inspection and sampling program is described in the Program Procedures portion of this submission.

Those violating permit conditions will be ordered to "Cease and Desist" pursuant to Section 4-14-1105 of the Ordinance, and are subject to having service terminated under Section 4-14-1107 of the Ordinance and their permit revoked under Section 4-14-305 of the Ordinance. Springville City is prepared to take court action where necessary to enforce compliance with its ordinance, permits or orders.

Very truly yours,



John Penrod
Springville City Attorney

Enclosure

**SUMMARY OF THE REGULAR MEETING
OF THE SPRINGVILLE CITY COUNCIL
MARCH 19, 2014 – 7:00 P.M.**



CALL TO ORDER

INVOCATION AND PLEDGE

APPROVAL OF THE MEETING'S AGENDA

APPROVAL OF THE MINUTES

MAYOR'S COMMENTS

CEREMONIAL

- ~~1. A Presentation of the Mayor's Awards – Shannon Aeor, ASAP Coordinator~~
Continued to April 15, 2014
2. Proclamation April as Child Abuse Prevention Month

CONSENT AGENDA

3. Approval of all City purchase orders properly signed (SCC §2-10-110(5))
4. Approval of The Board of Education of Nebo School District, seeking final plat approval for the Spring Creek Acres, Plat C, a phased residential subdivision to be located at 1470 East 300 South in the R1-10, Residential Single Family Zone – Fred Aegerter, Community Development Director
5. Consideration of a change order on Phase One of the Runway Shift/Extension project on behalf of the Spanish Fork/Springville Airport – Bruce Riddle, Assistant City Administrator/Finance Director
6. Consideration of UAMPS Pool Lock-In Appendices for Firm Market power resource – Leon Fredrickson, Power Director
7. Approval of a Class A Beer License for Seven Eleven Store #36341 located at 1730 West 400 South – Kim Rayburn, City Recorder

APPROVED

PUBLIC COMMENT

PUBLIC HEARING

8. Public Hearing to consider an Ordinance adopting the amended Springville City General Plan to include the Historic Center Community Plan – Community Development Director Fred Aegerter CONTINUED FROM MARCH 4, 2014 CITY COUNCIL MEETING

CONTINUED HEARING TO APRIL 15, 2014 BY MOTION OF THE CITY COUNCIL

9. Public Hearing to consider an Ordinance amending Sections 11-3-402 and 11-4-301 of the Springville Municipal Code pertaining to the keeping of hen chickens – Troy Fitzgerald, City Administrator

APPROVED AS **ORDINANCE #06-2014**

REGULAR AGENDA

10. Consideration of Approving a Settlement Agreement Between East Bay RV, LLC and Springville City that would settle the current litigation between the two parties. – John Penrod, Assistant City Administrator/City Attorney
11. Consideration of approving an assignment agreement and an easement that would transfer the ownership of a lift station in the East Bay RV Park to Springville City. – John Penrod, Assistant City Administrator/City Attorney

CONTINUED ITEMS #10 AND #11 BY MOTION OF THE CITY COUNCIL WITH AN UNSPECIFIED DATE

12. Approval of an Ordinance repealing title 4 chapter 2a, “wastewater treatment,” and codifying title 4 chapter 14 that revises Springville city’s sewer collections, water reclamation, and pretreatment processes and requirements – Brad Stapley, Public Works Director

APPROVED AS **ORDINANCE #07-2014**

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

CLOSED SESSION

13. *The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

ADJOURNMENT

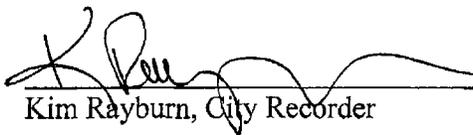
ORDINANCE NO #07-2014

CITY RECORDER'S CERTIFICATE AND ATTESTATION

This ordinance was recorded in the office of the Springville City Recorder on the 19th day of March, 2014, with a short summary being published on the 27th day of March, 2014, in the *Daily Herald*, a newspaper published in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number #06-2014.



Signed this 19th day of March, 2014


Kim Rayburn, City Recorder



ORDINANCE: #07-2014

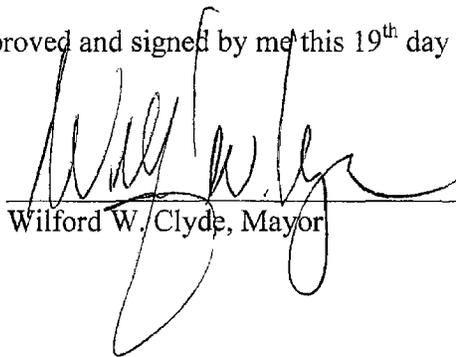
SHORT TITLE: AN ORDINANCE REPEALING TITLE 4 CHAPTER 2A, "WASTEWATER TREATMENT," AND CODIFYING TITLE 4 CHAPTER 14 THAT REVISES SPRINGVILLE CITY'S SEWER COLLECTIONS, WATER RECLAMATION, AND PRETREATMENT PROCESSES AND REQUIREMENTS.

PASSAGE BY THE SPRINGVILLE CITY COUNCIL
ROLL CALL

NAME	MOTION	SECOND	FOR	AGAINST	OTHER
Richard Child	X		X		
Craig Conover			X		
Christopher Creer		X	X		
Dean Olsen			X		
Chris Sorensen			X		
	TOTALS		5	0	0

This ordinance was passed by the City Council of Springville, Utah on the 19th day of March, 2014, on a roll call vote as described above.

Approved and signed by me this 19th day of March, 2014



Wilford W. Clyde, Mayor

Chapter 14

SEWER COLLECTIONS / WATER RECLAMATION / PRETREATMENT ORDINANCE

SECTION 1 –GENERAL PROVISIONS

- 4-14-101 Purpose of Policy
- 4-14-102 Creation of Division of Public Works Department
- 4-14-103 Duties of Superintendent
- 4-14-104 Abbreviations
- 4-14-105 Definitions

SECTION 2-SEWER COLLECTION REQUIREMENTS

- 4-14-201 Sewer Systems
- 4-14-202 Application for Sewer Service
- 4-14-203 Rates and Fees
- 4-14-204 Board of Equalization
- 4-14-205 Billings and Discontinuance of Service
- 4-14-206 Use after Service is Disconnected
- 4-14-207 Access to Premises
- 4-14-208 Sewer Connections
- 4-14-209 Use of Public Sewer Required
- 4-14-210 Illegal Discharge to the Sanitary Sewer
- 4-14-211 Commercial Garbage Grinders
- 4-14-212 Injuring or Interfering with City Sewer Prohibited
- 4-14-213 Grease, Oil, and Sand Interceptors

SECTION 3- GENERAL SEWER USE REQUIREMENTS

- 4-14-301 Prohibited Discharges
- 4-14-302 Federal Categorical Pretreatment Standards
- 4-14-303 State Requirements
- 4-14-304 Local Limits
- 4-14-305 Springville City Right of Revision
- 4-14-306 Dilution Prohibited

SECTION 4- PRETREATMENT OF WASTEWATER

- 4-14-401 Pretreatment Facilities
- 4-14-402 Additional Pretreatment Measures
- 4-14-403 Accidental Discharge/Slug Discharge Control Plans
- 4-14-404 Hauled Wastewater

SECTION 5- INDIVIDUAL WASTEWATER DISCHARGE PERMITS

- 4-14-501 Wastewater Analysis
- 4-14-502 Individual Wastewater Discharge Permit Requirement
- 4-14-503 Individual Wastewater Discharge Permitting: Existing Connections
- 4-14-504 Individual Wastewater Discharge Permitting: New Connections
- 4-14-505 Individual Wastewater Discharge Permit Application Contents
- 4-14-506 Individual Wastewater Discharge Permit Reissuance
- 4-14-507 Application Signatories and Certifications
- 4-14-508 Individual Wastewater Discharge Permit Decisions

SECTION 6 - INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

- 4-14-601 Individual Wastewater Discharge Permit Duration
- 4-14-602 Individual Wastewater Discharge Permit Contents
- 4-14-603 Permit Modifications
- 4-14-604 Individual Wastewater Discharge Permit Revocation
- 4-14-605 Regulation of Waste Received from Other Jurisdictions

SECTION 7 - REPORTING REQUIREMENTS

- 4-14-701 Baseline Monitoring Report
- 4-14-702 Compliance Schedule Progress Report
- 4-14-703 Reports on Compliance with Categorical Pretreatment Standards Deadline
- 4-14-704 Periodic Compliance Reports
- 4-14-705 Reports of Changed Conditions
- 4-14-706 Reports of Potential Problems
- 4-14-707 Reports from Unpermitted Users
- 4-14-708 Notice of Violation/Repeat Sampling and Reporting
- 4-14-709 Notification of the Discharge of Hazardous Waste
- 4-14-710 Analytical Requirements
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- 4-14-713 Recordkeeping
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SECTION 8 - COMPLIANCE MONITORING

- 4-14-801 Right of Entry: Inspection and Sampling
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SECTION 9 - CONFIDENTIAL INFORMATION

SECTION 10 - PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

SECTION 11 - ADMINISTRATIVE ENFORCEMENT REMEDIES

- 4-14-1101 Notification of Violation
- 4-14-1102 Consent Orders
- 4-14-1103 Show Cause Hearing
- 4-14-1104 Compliance Orders
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SECTION 12 - JUDICIAL ENFORCEMENT REMEDIES

- 4-14-1201 Injunctive Relief
- 4-14-1202 Civil Penalties
- 4-14-1203 Criminal Prosecution
- 4-14-1204 Remedies Nonexclusive

SECTION 13 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

- 4-14-1301 Upset
- 4-14-1302 Prohibited Discharge Standards
- 4-14-1303 Bypass

SECTION 14 - EFFECTIVE DATE

SECTIONS 1 GENERAL PROVISIONS

4-14-101 Purpose and Policy

In order to protect the health, safety, and welfare of the residents of the City, and to provide for maximum public benefit, the City finds it necessary to regulate the collection and treatment of wastewater. The provisions of this Chapter set forth uniform requirements for users discharging into the wastewater collection and treatment system, and enables the City to comply with all applicable local, state and federal laws, including the Clean Water Act (33 United States Code, §1251 et seq.), the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* Part 403), and the Utah Administrative Code R317-8-8. The objectives of this ordinance are:

- (1) To prevent the introduction of pollutants into the Publicly Owned Treatment Works (POTW) that will interfere with the operation of the POTW or contaminate the resulting effluent or sludge;
- (2) To prevent the introduction of pollutants into the POTW that will pass through, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- (3) To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment, and the general public;
- (4) To promote reuse and recycling of wastewater and sludge from the POTW;
- (5) To enable the City to comply with its Utah Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject;
- (6) To provide for equitable distribution of the cost of the wastewater system among its users; and
- (7) To provide for and promote the general health, safety, and welfare of the residents of the City.

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

4-14-102 Creation of Division of Public Works

There is hereby created a Water Reclamation Facility & Sewer Collections Division of Public Works which shall consist of a Superintendent, POTW Manager, and such other City employees as shall be provided for by the City Council.

4-14-103 Duties of Superintendent

The Superintendent of the Water Reclamation Facility and Sewer Collections Division shall be responsible for the proper care and efficient operation of the City's water reclamation facility, collections system, and all sewage pump stations. The Superintendent shall also enforce and carry out the duties specified in this Chapter.

4-14-104 Abbreviations

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

BMP –	best management practice
BMR –	baseline monitoring report
BOD –	biochemical oxygen demand
CFR –	<i>Code of Federal Regulations</i>
CIU –	categorical industrial user
COD –	chemical oxygen demand
CWA-	clean water act
EPA –	U.S. Environmental Protection Agency
gpd –	gallons per day
IU –	industrial user
mg/l –	milligrams per liter
UPDES –	Utah Pollutant Discharge Elimination System
POTW –	Publicly Owned Treatment Works
RCRA –	Resource Conservation and Recovery Act

SIU – signifiant industrial user
SNC – signifiant non-compliance
TSS – total suspended solids
U.S.C. – United States Code

4-14-105 Definitions

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

- A. **Act or "the Act."** - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §1251 et seq.
- B. **Approval Authority** - Means the State of Utah, Department of Environmental Quality, Division of Water Quality (DWQ), or its successor agency.
- C. **Authorized or Duly Authorized Representative of the User**
(1) If the user is a corporation:
(a) 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
(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiates and directs other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
(2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
(3) 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.
(4) The individuals described in paragraphs (1) through (3), above, may designate a Duly Authorized Representative if the authorization is in writing. The authorization must specify the individual or position responsible for the overall operation of the facility from which the discharge originates, or has overall responsibility for environmental matters for the company, and the written authorization is submitted to the POTW Manager.
- D. **Best Management Practices or BMPs** - Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 4-14-304 (3) of this ordinance. BMPs include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- E. **Biochemical Oxygen Demand or BOD** - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

- F. **Categorical Pretreatment Standard or Categorical Standard** - 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) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- G. **Categorical Industrial User** - An industrial user subject to a categorical pretreatment standard or categorical standard.
- H. **City** - The City of Springville or the City Council of Springville City
- I. **Control Authority** - The City of Springville
- J. **Cooling Water** - Shall mean water discharged from any use, such as air conditioning, cooler or refrigeration unit, to which the only pollutant added is heat.
- K. **Daily Maximum** - The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- L. **Daily Maximum Limit** - The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- M. **Environmental Protection Agency or EPA** - The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- N. **Existing Source** - Any source of discharge that is not a "New Source."
- O. **Garbage** - Shall mean the animal and vegetable waste resulting from processes of a trade or business, distinct from domestic or sanitary waste.
- P. **Grab Sample** - A sample that 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.
- Q. **Hazardous Waste** - Hazardous Waste as defined in 40 CFR 261.3. This reference is incorporated herein and made a part hereof.
- R. **Indirect Discharge or Discharge** - Means the introduction of pollutants into a POTW from any non-domestic source that is regulated under Sections 307(b), (c) or (d) of the Act.
- S. **Industrial Wastewater Discharge Permit** - Shall mean a permit to deposit or discharge industrial waste into any sanitary sewer under the jurisdiction of the City.
- T. **Industrial Waste Surcharge** - Shall mean a charge levied on industrial users of the sewage treatment works for the additional cost of treating waste discharges of abnormal strength or characteristics. This charge includes capital as well as operating and maintenance costs.
- U. **Industrial Waste** - Shall mean the wastewater from industrial processes of a trade or business, as distinct from domestic or sanitary waste.

- V. **Instantaneous Limit** - The maximum or minimum concentration, or load, of a pollutant allowed to be discharged at any time, as determined from the analysis of any discrete grab or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- W. **Interference** - Any discharge that, 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 the City's UPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- X. **Local Limit** - Specific discharge limits developed and enforced by the City upon industrial or commercial facilities in order to implement the general and specific discharge prohibitions listed and the technical-based local limits listed in Section 4-14-304 of this Ordinance. The documents used to develop the local limit are kept on file at the POTW office and can be reviewed if requested.
- Y. **Medical Waste** - Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes, and waste created or produced by facilities catering to the treatment of humans and animals that are potentially infectious.
- Z. **Monthly Average** - The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- AA. **Monthly Average Limit** - The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- BB. **Natural Outlet** - Shall mean any outlet (including storm sewers) into a watercourse, pond, ditch, lake or other body of surface or ground water.
- CC. **New Source** -
- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (c) 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.
 - (2) 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 Subsection (1) b. or c. above but otherwise alters, replaces, or adds to existing process or production equipment.

- (3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
- (a) Begun, or caused to begin, as part of a continuous onsite construction program
 1. Any placement, assembly, or installation of facilities or equipment; or
 2. 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
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

DD. Noncontact Cooling Water - Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

EE. Pass Through - A discharge which exits the POTW into Waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's UPDES permit, including an increase in the magnitude or duration of a violation.

FF. Person - Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

GG. pH - A measure of the acidity or basicity of a solution, expressed in standard units.

HH. Pollutant - Dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; sewage sludge; munitions; medical wastes; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; dirt; municipal, agricultural and industrial wastes; and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

II. POTW Manager - The person designated by Springville City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance. The term also means a Duly Authorized Representative of the POTW Manager.

JJ. Pretreatment - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

KK. Pretreatment Requirements - Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

LL. Pretreatment Standards or Standards - Shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act applying to Industrial Users, which includes but is not limited to prohibited discharge standards, categorical pretreatment standards, and Local Limits.

MM. Prohibited Discharge Standards or Prohibited Discharges - Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 4-14-301 of this Ordinance.

NN. Publicly Owned Treatment Works or POTW - A treatment works, as defined by Section 212 of the Act (33 U.S.C. Section 1292), which is owned by Springville City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature, and any conveyances which convey wastewater to a treatment plant. It also includes sewers, pipes and other conveyances if they convey wastewater to a POTW Water Reclamation Facility. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

OO. Septic Tank Waste - Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

PP. Sewage - Human excrement and gray water (household showers, dishwashing operations, etc.)

QQ. Sewer Collection Section - A section of the Water Reclamation Facility & Sewer Collections Division of Public Works

RR. Significant Industrial User (SIU) - A significant industrial user is:

(1) An industrial user subject to categorical pretreatment standards; or

(2) An industrial user that:

(a) 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);

(b) 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

(c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(3) Upon a finding that a user meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from an industrial 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.

SS. Slug Load or Slug Discharge - Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 4-14-301 of this Ordinance. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

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

UU. Superintendent - Shall mean the Superintendent of the Water Reclamation Facility & Sewer Collections Division of Public Works as provided by Section 4-14-103 of this Ordinance, or his or her authorized agent or deputy.

VV. Total Suspended Solids or Suspended Solids - The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

WW. User or Industrial User - Shall mean any person who directly or indirectly discharges or causes the discharge of wastewater into a POTW sewer system.

XX. Wastewater - Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

YY. Water Reclamation Facility, Wastewater Treatment Plant or Treatment Plant – The part of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

ZZ. Water of the State - Means all streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be "waters of the state" under this definition (Section 19-5-102 of the Utah Code).

SECTION 2 SEWER COLLECTION REQUIREMENTS

4-14-201 Sewer Systems

The sewer systems constructed or otherwise acquired by the City to provide the City with a sanitary municipal sewage disposal system, are the property of the City and shall be under the sole and exclusive control and jurisdiction of the City. The Superintendent may, and at the direction of the City Council shall, from time to time direct the making of needed additions, improvements, alterations, and repairs to said systems. The City Council may also from time to time make such rules and regulations as it deems necessary for the operation and control of said systems.

4-14-202 Application for Sewer Service

- (1) Any person desiring or who is required to secure sewer service, when such service is available, shall apply to the Community Development Department for the service connection.
- (2) In case such application shall be made by a tenant of the owner of the premises to which the sewer service is to be furnished, the application shall be signed by the owner of the premises.
- (3) The property owner is responsible for the maintenance and repair of the sewer lateral service that connects the owner's property to the City's sewer mainline.

4-14-203 Rates and Fees

The City Council shall, from time to time by resolution, establish such rates and fees as it deems proper for the sewer service provided by the City and the users connected thereof.

4-14-204 Board of Equalization

The City Council is hereby constituted a Board of Equalization of sewer rates and fees, to hear complaints and make corrections of any assessments deemed to be illegal, unequal or unjust. The City Council may, if it sees fit, rebate all or any part of the sewer bill of any indigent person.

4-14-205 Billings and Discontinuance of Service

The City Treasurer shall mail a written statement to each user of the sewer service once each month. Said statement shall separately specify the amount of the bill for the sewer service used and the place of payment and date due. If any person fails to pay his sewer charges within twenty (20) days of the due date, the City Treasurer shall so notify the Water Reclamation Facility and shall have authority to direct said department to shut off all water services to the premises involved. Before said water service to said premises shall again be provided, all delinquent sewer charges must have been paid to the City Treasurer together with such reconnection fee or special expense charge as the City Council may by resolution from time to time authorize the City Treasurer to collect. In addition to the foregoing, the City

Treasurer is hereby authorized and empowered to request the City Attorney to enforce the payment of all delinquent sewer service charges by an action at law in the name of the City.

4-14-206 Use After Service is Disconnected

It shall be unlawful for any person, after the water has been turned off from his premises on account of non-payment of service fees or other violation of the rules, regulations or ordinances pertaining to the systems, to turn on or allow the water to be turned on or used without authorization from the City Treasurer and the Superintendent of the Water Reclamation Facility

4-14-207 Access to Premises

Free access shall at all reasonable times be allowed to the Superintendent of the Water Reclamation Facility or his designated representative to all places supplied with service from the sewer system to examine the apparatus, the amount of water used, the manner of use of either service, and to perform such duties as authorized under this Chapter.

4-14-208 Sewer Connections

- (1) Upon payment of the fee for a sewer connection in such amount as may be established from time to time by resolution of the City Council, it shall be the responsibility of the property owner to make such connection or connections, but only on condition, and in compliance with, all applicable City ordinances, rules and regulations. Provided, however, the responsibility for providing labor and materials for sewer connections shall be governed by such policies and regulations as may be promulgated from time to time by the Public Works Department, and such policies and regulations may require the person for whom the connection is being made to make such connections under such supervision and standards as the department may require or to furnish all or a portion of the labor and materials necessary to make the connections. Any extension of a sewer main shall be governed by the City's ordinances, regulations, and adopted standards and specifications.
- (2) It shall be unlawful for any person to connect any drain or sewer pipe with the public sewer unless such person has received a permit to do so and unless such connection is inspected and approved by the City's Public Works Department.

4-14-209 Use of Public Sewer Required

- (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on any public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste. It shall be unlawful to discharge into any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted water, except where suitable treatment has been provided in accordance with the provisions of this Chapter.
- (2) Except as provided in Subsection (3), it shall be unlawful for the owner or any other person having charge of any premises within the City to dispose of sewage therefrom by any means other than by use of the proper public sewer. It shall be unlawful to construct or use any other sewage disposal system such as a privy, vault, cesspool, or septic tank within the City.
- (3) Provided, however, the City Council may, upon recommendation of the Planning Commission in cases of undue hardship, grant a special permit for the temporary use of alternate sewage disposal systems on such conditions as the City Council shall deem appropriate for protection of the City and the health of the residents of the area. All such special permits shall expire and the holder thereof shall be required to connect the premises to the City's sewer system when the permit holder's sewer service lateral can gravity flow to any existing public sewer main with available capacity that is located within 250-feet of the property line. If a parcel(s) owned by a separate individual or entity is located between the premise in question and the existing public sewer main, the requirement to connect to the public sewer may be waived by the Planning Commission after consideration of the overall effect to public health and safety. In addition to any other conditions for such a special permit which the City Council may impose, all such special permits shall be issued with the following conditions:

- A. The alternate method of sewage disposal allowed by the permit shall be approved in writing, both as to design and as to installation, by the appropriate health department. Permission to use the alternate method of sewage disposal shall not be authorized until the installation is completed in compliance with the approved plans. Authorized City employees shall be allowed to inspect the work at any state of construction.
 - B. The alternate sewage disposal system shall be properly maintained to comply with the requirements and recommendations of the Utah Department of Environmental Quality and the appropriate health department. Maintenance records including pumping, cleaning, reconditioning, and/or the addition of biological treatment to the alternate sewage disposal system shall be submitted to the Superintendent every 5 years. Authorized City employees shall be allowed on the property to inspect for proper system operation.
 - C. The holder of the permit shall agree in writing to connect the premises to the City's sewer system if a public sewer main is reasonably available as defined in this section above.
 - D. The owner or owners of the premises shall execute and deliver to the City a written agreement in such form as the City may require that said premises will become a part of any special improvement district which is proposed by the City to provide sewer services to the premises.
 - E. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
 - F. A document that contains information regarding the permitted alternate sewage disposal system shall be recorded on the property records in the Utah County Recorder's office.
- (4) In the event that any resident or property owner shall fail to connect to the public sewer within ninety (90) days from the time such resident or property owner is notified by certified mail that the public sewer is reasonably available, as defined in subsection (3) above, the premises shall be deemed to be a public nuisance and the City may take appropriate action to abate the nuisance as provided by law. In addition, the City may cause the culinary water to be shut off from such premises and shall not be required to turn the same on again until such premises have been connected to the public sewer at the expense of the resident or property owner.

4-14-210 Illegal Discharge to the Sanitary Sewer

It shall be unlawful for any person to discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, flood surface drainage, or cooling water into any sanitary sewer. Such storm water and all other unpolluted water shall be discharged into such sewers as are specifically designated as storm drains or to a natural outlet consisting of water courses, ponds, ditches, lakes or other bodies of surface or ground water provided for receiving the same.

4-14-211 Commercial Garbage Grinders

Mechanically operated grinders or disposers for producing ground garbage are permitted in commercial establishments; provided, however, all grinder installations must be approved in writing by the POTW Manager prior to their use. Each such grinder and disposer shall meet the following standards:

- (1) It shall use a wet-process pulping system, including a pulper and a de-watering press, or other devices, which discharges at least seventy-five percent (75%) of the volume of pulp or solid wastes run through it into a garbage can or other container for transport to a proper and lawful garbage or waste disposal site.
- (2) The fluid discharged therefrom into the sewer shall flow readily through an approved trap or interceptor in a manner which prevents clogging or stoppage of the drain line.
- (3) The entire installation shall comply in all particulars with the applicable provision of state and local plumbing and electrical codes.
- (4) The grinder or disposer will be operated with only cold water flowing into the grinder while connected.

4-14-212 Injuring or Interfering with City Sewer Prohibited

- (1) No person shall injure, break or remove any part or portion of any sewer or system of any sewer without permission from the Public Works Director.

- (2) No person other than city personnel shall open any POTW sewer manhole without permission from the Public Works Director.
- (3) Any person violating this Section shall be guilty of a misdemeanor and shall be subject to punishment as provided in Section 4-14-1203.

4-14-213 Grease, Oil, and Sand Interceptors

- (1) Grease, oil, and sand interceptors shall be required of any commercial or industrial user when the user discharges liquid wastes containing grease, sand and/or other harmful ingredients in amounts that exceed the City's local limits. All interceptors shall be of a type and capacity specified in the Springville City Standard Specifications and Drawings, and approved by the POTW Manager, and shall be located as to be readily accessible for cleaning by user and inspection by City employees.
- (2) All grease, oil, and sand interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gas- and water-tight.
- (3) Where installed, all grease, oil, and sand interceptors shall be maintained by the user in continuous, efficient operation at all times. Maintenance shall be the sole responsibility and expense of the owner.
- (4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
- (5) Sampling manholes shall be located in an area which allows ease of cleaning, sampling, and inspection by the user and the City. If the interceptor is located in a parking area, vehicles shall not be allowed to park over the interceptor or sampling manhole.

SECTION 3 GENERAL SEWER USE REQUIREMENTS

4-14-301 Prohibited Discharges

- (1) No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which will cause pass through or interference. These prohibitions apply to all users of the POTW, whether or not the user is subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- (2) The POTW Manager shall develop local effluent limitations, including numeric standards, for any user or users who contribute to the POTW any of the substances listed in this section to prevent or correct any interference with operation of the POTW, as required by 40 CFR 403.5(c). The POTW Manager shall use any local limits which are developed in issuing industrial wastewater discharge permits pursuant to Section 4-14-304 of this Title.
- (3) No user shall introduce or caused to be introduced into the POTW the following pollutants, substances, or wastewater:
 - A. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21;
 - B. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference;
 - C. Any wastewater having a pH less than 5.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the POTW;
 - D. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with a pH of more than 12.0;
 - E. Noxious or malodorous liquids, gases, or solids which, either singly or cumulatively 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 their maintenance and repair;
 - F. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Water Reclamation

- Facility exceeds 40 °C or 104 °F unless the Approval Authority, upon request of the POTW, approves alternate temperature limits;
- G. Any pollutants, including oxygen demanding pollutants, released at a flow and/or pollutant concentration which will cause interference to the POTW;
 - H. Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l.
 - I. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or cause pass through;
 - J. Any trucked or hauled pollutants, except at discharge points designated by the POTW Manager in accordance with Section 4-14-404 of this ordinance; or
 - K. 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.
- (4) Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in a manner that they could be discharged to the POTW.

4-14-302 Federal Categorical Pretreatment Standards

- (1) National Categorical Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories have been established by EPA in 40 CFR Chapter I, Subchapter N, Parts 405-471 and are hereby incorporated.
- (2) Users must comply with the categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471.
- (3) Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or 4-day average, limitations. Where such standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation. **Note: See 40 CFR 403.6(c) (8)**
- (4) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the POTW Manager shall impose an alternate limit in accordance with 40 CFR 403.6(e).

4-14-303 State Requirements

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

4-14-304 Local Limits

- (1) The POTW Manager is authorized to establish local limits pursuant to 40 CFR 403.5(c).
- (2) Local limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The POTW Manager may impose mass limitations in addition to the concentration-based limitations as stated in Subsection 4-14-304(1).
- (3) The POTW Manager may develop best management practices (BMPs), by ordinance, policy, rules, regulations, or in individual wastewater discharge permits to implement local limits and the requirements of Section 4-14-602(2)C.
- (4) A copy of the documentation that establishes the local limits can be found at the Water Reclamation Facility.

4-14-305 Springville City Right of Revision

The City reserves the right to establish, by ordinance, policy, rules, and regulations or in individual wastewater discharge permits more stringent standards or requirements on discharges to the POTW consistent with the purpose of this ordinance. In addition, the Director of Public Works or POTW Manager is authorized to temporarily or permanently revoke or suspend issuance of any type of permit at any time in order to protect the POTW from pass through or interference in order to maintain compliance with any UPDES permit requirement or pretreatment program requirement. The Director of Public Works or POTW Manager shall also have the right to deny new or increased contributions or to set additional

conditions on such contributions to protect the POTW, including limits that may be more stringent than the limits set in Section 4-14-303.

4-14-306 Dilution Prohibited

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The POTW Manager may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate.

SECTION 4 PRETREATMENT OF WASTEWATER

4-14-401 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Sections 4-14-301 through 4-14-306 of this Ordinance within the time limitations specified by the EPA, the State, or the POTW Manager, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the POTW Manager for review, and shall be acceptable to the POTW Manager before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to Springville City under the provisions of this Ordinance.

4-14-402 Additional Pretreatment Measures

- (1) Whenever deemed necessary, the POTW 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 Ordinance.
- (2) The POTW Manager may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.
- (3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the POTW 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 interceptors shall be of a type and capacity specified in the Springville City standard specifications and drawings, and approved by the POTW Manager.
- (4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
- (5) Sampling manholes shall be located in an area to allow for ease of cleaning, sampling and inspection by the user and the City. If the sampling manhole is located in a parking area, vehicles shall not be allowed to park over the sampling manhole.

4-14-403 Accidental Discharge/Slug Discharge Control Plans

The POTW Manager shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The POTW Manager may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- (1) Description of discharge practices, including non-routine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the POTW Manager of any accidental or slug discharge, as required by Section 4-14-706 of this Ordinance; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of

materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

4-14-404 Hauled Wastewater

- (1) Septic tank waste may be introduced into the POTW only at locations designated by the POTW Manager, and at such times as are established by the POTW Manager. Such waste shall not violate Section 4-14-301 of this Ordinance or any other requirements established by Springville City. The POTW Manager may require septic tank waste haulers to obtain individual wastewater discharge permits.
- (2) The POTW Manager may require haulers of industrial waste and/or generators of hauled industrial waste to obtain individual wastewater discharge permits. The POTW Manager also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this Ordinance.
- (3) Industrial waste haulers may discharge loads only at locations designated by the POTW Manager. No load may be discharged without prior consent of the POTW Manager. The POTW Manager may collect samples of each hauled load to ensure compliance with applicable pretreatment standards. The POTW Manager may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (4) Industrial waste haulers must provide a manifest for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

SECTION 5 INDIVIDUAL WASTEWATER DISCHARGE PERMITS

4-14-501 Wastewater Analysis

When requested by the POTW Manager, a user must submit information on the nature and characteristics of its wastewater within 10 days of the request. The POTW Manager is authorized to prepare a form for this purpose and may periodically require Users to update this information. If the User changes or adds a process the user is required to update the information provided to the POTW Manager 30 days prior to the process being changed or added.

4-14-502 Individual Wastewater Discharge Permit Requirement

- (1) No significant industrial user shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the POTW Manager, except that a significant industrial user that has filed a timely application pursuant to Section 4-14-503 of this Ordinance may continue to discharge for the time period specified therein.
- (2) The POTW Manager may require other users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this Ordinance.
- (3) Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in this ordinance. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.

4-14-503 Individual Wastewater Discharge Permitting: Existing Connections

Any user required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Ordinance and who wishes to continue such discharges in the future, shall, within 90 days after said date, apply to the POTW Manager for an individual wastewater discharge permit in accordance with Section 4-14-505 of this Ordinance, and shall not cause or allow discharges to the POTW to continue after 14 days of the effective date of this Ordinance except in accordance with an individual wastewater discharge permit issued by the POTW Manager.

4-14-504 Individual Wastewater Discharge Permitting: New Connections

Any user required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit in accordance with Section 4-14-505 of this Ordinance must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

4-14-505 Individual Wastewater Discharge Permit Application Contents

- (1) All users required to obtain an individual wastewater discharge permit must submit a permit application. All permittees that will be continuing to discharge are required to complete an application 90 days prior to the permit expiring. The POTW Manager may require users to submit all or some of the following information as part of a permit application:
- A. Identifying Information.
 - a. The name and address of the facility, including the name of the operator and owner.
 - b. Contact information for the authorized representative and the duly authorized representative for the facility, and
 - c. The description of activities, facilities, and plant production processes on the premises;
 - B. Environmental Permits. A list of any environmental control permits held by or for the facility.
 - C. Description of Operations.
 - a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
 - b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - d. Type and amount of raw materials processed (average and maximum per day);
 - e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
 - D. Time and duration of discharges;
 - E. The location for monitoring all wastes covered by the permit;
 - F. Flow Measurement information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 4-14-302 (4), (40 CFR 403.6(e)).
 - G. Measurement of Pollutants.
 - a. The categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the pretreatment standards or by the POTW Manager, of regulated pollutants in the discharge from each regulated process.
 - c. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 4-14-710. Where the standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the POTW Manager or the applicable pretreatment standards to determine compliance with the standard.
 - e. Sampling must be performed in accordance with procedures set out in Section 4-14-711.

- H. Any other information as may be deemed necessary by the POTW Manager to evaluate the permit application.
- (2) Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.
 - (3) Based on information provided by the permittee, in 4-14-505 (1), the City will within 30 day determine if additional information is needed, if a permit is not necessary, or if a permit will be required to be issued before the IU discharge is allowed to the POTW.
 - (4) Should any of the information requested or supplied be considered by the user to be of a confidential nature, the user should request confidential status in accordance with Section 9 of this Ordinance. Information regarding sampling and analysis of the discharge is not considered confidential information.

4-14-506 Individual Wastewater Discharge Permit Reissuance

A user with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 4-14-505 of this Ordinance, a minimum of 90 days prior to the expiration of the user's existing individual wastewater discharge permit.

4-14-507 Application Signatories and Certifications

- (1) All wastewater discharge permit applications, user reports and certification statements must be signed by an authorized representative of the user and contain the certification statement in Section 4-14-714.
- (2) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be submitted to the POTW Manager prior to or together with any reports to be signed by an authorized representative.

4-14-508 Individual Wastewater Discharge Permit Decisions

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

SECTION 6 INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

4-14-601 Individual Wastewater Discharge Permit Duration

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

4-14-602 Individual Wastewater Discharge Permit Contents

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the POTW Manager to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- (1) Individual wastewater discharge permits must contain:
 - A. A statement that indicates the wastewater discharge permit's issuance date, expiration date and effective date;
 - B. A statement that the wastewater discharge permit is nontransferable;
 - C. Effluent limits, including best management practices, based on applicable pretreatment standards;

- D. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or BMP) to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law;
 - E. A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law;
 - F. Requirements to control slug discharge, if determined by the POTW Manager to be necessary;
 - G. Requirements to report to the POTW Manager any slug discharge; and
 - H. Requirements to notify the POTW Manager of changes to the industrial users discharge (30) days prior to the change, and a statement that the POTW Manager may deny or conditionally approve the change prior to the user making the change at the facility that may impact the discharge to the POTW.
- (2) Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:
- A. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - B. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
 - C. Requirements for the development and implementation of spill control plans or other special conditions including best management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
 - D. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - E. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
 - F. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 - H. A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the individual wastewater discharge permit; and
 - I. Other conditions as deemed appropriate by the POTW Manager to ensure compliance with this ordinance, and state and federal laws, rules, and regulations.

4-14-603 Permit Modifications

- (1) The POTW Manager may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- A. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
 - B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
 - C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - D. Information indicating that the permitted discharge poses a threat to Springville POTW, city personnel, the treatment of sludge, or the receiving waters;
 - F. Violation of any terms or conditions of the individual wastewater discharge permit;
 - G. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - H. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 - I. To correct typographical or other errors in the individual wastewater discharge permit;

- J. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW.

4-14-604 Individual Wastewater Discharge Permit Revocation

- (1) The POTW Manager may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 - A. Failure to notify the POTW Manager of significant changes to the wastewater prior to the changed discharge;
 - B. Failure to provide prior notification to the POTW Manager of changed conditions pursuant to Section 4-14-705 of this Ordinance;
 - C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - D. Falsifying self-monitoring reports
 - E. Falsifying certification statements;
 - F. Tampering with monitoring equipment;
 - G. Refusing to allow the POTW Manager timely access to the facility premises and/or records;
 - H. Failure to meet effluent limitations;
 - I. Failure to pay fines;
 - J. Failure to pay sewer charges;
 - K. Failure to meet compliance schedules;
 - L. Failure to complete a wastewater survey or the wastewater discharge permit application or reapplication;
 - M. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - N. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance.
- (2) Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a user are void upon the issuance of a new individual wastewater discharge permit to that user.

4-14-605 Regulation of Waste Received from Other Jurisdictions

- (1) If another municipality, or user located within another municipality, contributes wastewater to the POTW, the City shall enter into an interlocal agreement with the contributing municipality.
- (2) Prior to entering into an agreement required by paragraph A, above, the POTW Manager shall request the following information from the contributing municipality:
 - A. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - B. An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - C. Such other information as the POTW Manager may deem necessary.
- (3) An interlocal agreement, as required by paragraph A, above, may contain the following conditions:
 - A. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and local limits, including required baseline monitoring reports (BMRs) which are at least as stringent as those set out in Section 4-14-304 of this Ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's Ordinance or local limits.
 - B. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 - C. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the POTW Manager; and which of these activities will be conducted jointly by the contributing municipality and the POTW Manager.

- D. A requirement for the contributing municipality to provide the POTW Manager with access to all information that the contributing municipality obtains as part of its pretreatment activities;
- E. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
- F. Requirements for monitoring the contributing municipality's discharge;
- G. A provision ensuring the POTW Manager access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the POTW Manager; and
- H. A provision specifying remedies available for breach of the terms of the interlocal agreement.

SECTION 7 REPORTING REQUIREMENTS

4-14-701 Baseline Monitoring Reports

- (1) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a) (4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the POTW Manager a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the POTW Manager a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (2) Users described above shall submit the information set forth below.
 - A. All information required in 4-14-505(1) A., 4-14-505(1) B., 4-14-505(1) C., and 4-14-505(1) F.
 - B. Measurement of pollutants.
 - a. The user shall provide the information required in Section 4-14-505 (1) G. a. - d.
 - b. The user shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this subsection.
 - c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the user should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the control authority;
 - d. Sampling and analysis shall be performed in accordance with Section 4-14-710 and 4-14-711;
 - e. The POTW Manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures; and
 - f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
- (3) Compliance Certification. A statement, reviewed by the user's authorized representative as defined in Section 4-14-105 and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (4) Compliance Schedule. If additional pretreatment and/or O&M will be required for the user to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 4-14-702.

- (5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 4-14-714 of this Ordinance and signed by an authorized representative as defined in Section 4-14-105.

4-14-702 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 4-14-702(4) of this Ordinance:

- (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (2) No increment referred to above shall exceed nine (9) months;
- (3) The user shall submit a progress report to the POTW Manager no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (4) In no event shall more than nine (9) months elapse between such progress reports to the POTW Manager.

4-14-703 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the POTW Manager a report containing the information described in Section 4-14-505(1) and 4-14-701(2) B. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4-14-714 of this Ordinance. All sampling will be done in conformance with Section 4-14-711.

4-14-704 Periodic Compliance Reports

- (1) All significant industrial users must, at a frequency determined by the POTW Manager submit no less than twice per year (June and December) reports indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the POTW Manager or the pretreatment standard necessary to determine the compliance status of the user.
- (2) All periodic compliance reports must be signed and certified in accordance with section 4-14-714.
- (3) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- (4) If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the POTW Manager, using the procedures prescribed in Section 4-14-711 of this Ordinance, the results of this monitoring shall be included in the report.

4-14-705 Reports of Changed Conditions

Each user must notify the POTW Manager of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least (90) days before the change, including changes that may affect slug discharges to the POTW.

- (1) The POTW Manager may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4-14-505 of this Ordinance.
- (2) The POTW Manager may modify an existing wastewater discharge permit under Section 4-14-603 of this ordinance in response to changed conditions or anticipated changed conditions.
- (3) The POTW Manager may approve, deny or conditionally approve the change based on the effects the change may have on the POTW and/or the pretreatment program.

4-14-706 Reports of Potential Problems

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

4-14-707 Reports from Unpermitted Users

All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the POTW Manager as the POTW Manager may require.

4-14-708 Notice of Violation/Repeat Sampling and Reporting

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

4-14-709 Notification of the Discharge of Hazardous Waste

- (1) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such

constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under section 4-14-705 of this ordinance. The notification requirement in this Section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 4-14-701, 4-14-703, and 4-14-704 of this Ordinance.

- (2) Users are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (3) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the POTW Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (4) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (5) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued thereunder, or any applicable federal or state law.

4-14-710 Analytical Requirements

- (1) All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application, report, permit, or other requirement by this ordinance shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW Manager or other parties approved by EPA.
- (2) All laboratory samples collected for this Ordinance shall be analyzed by a laboratory that is either certified by the Utah Bureau of Laboratory Improvements or approved by the POTW Manager.

4-14-711 Sample Collection

- (1) Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
 - A. Except as indicated in subsections B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the POTW Manager. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

- B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- C. For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 4-14-701 and 4-14-703, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data does not exist; for facilities for which historical sampling data are available, the POTW Manager may authorize a lower minimum. For the reports required by paragraphs Section 4-14-704, the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

4-14-712 Date of Receipt of Reports

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

4-14-713 Recordkeeping

- (1) Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying.
 - A. All records of information obtained pursuant to any monitoring activities required by this ordinance.
 - B. Any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and
 - C. Documentation associated with best management practices established under Section 4-14-304 (3).
- (2) Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.
- (3) These records shall remain available for a period of at least five (5) years. This period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the POTW Manager.

4-14-714 Certification Statements

Certification of permit applications, user reports and initial monitoring waiver—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4-14-506; Users submitting baseline monitoring reports under Section 4-14-701; users submitting reports on compliance with the categorical pretreatment standard deadlines under Section 4-14-703; and users submitting periodic compliance reports required by Section 4-14-704. The following certification statement must be signed by an authorized representative as defined in Section 4-14-105:

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

SECTION 8 COMPLIANCE MONITORING

4-14-801 Right of Entry: Inspection and Sampling

The POTW Manager shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any individual wastewater discharge permit or order issued hereunder. Users shall allow the POTW Manager ready access to all parts of the premises

for the purposes of inspection, sampling, records examination and copying, and/or the performance of any additional duties.

- (1) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the POTW Manager shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- (2) The POTW Manager shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- (3) The POTW Manager may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.
- (4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the POTW Manager and shall not be replaced. The costs of clearing such access shall be borne by the user.
- (5) Unreasonable delays in allowing the POTW Manager access to the user's premises shall be a violation of this Ordinance.

4-14-802 Search Warrants

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

SECTION 9 CONFIDENTIAL INFORMATION

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the POTW Manager's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the POTW Manager, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

SECTION 10 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The POTW Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the users which, at any time during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall be applicable to all significant industrial users (or any other industrial user that violates paragraphs (3), (4) or (8) of this Section) and shall mean:

- (1) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six-(6-) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits as defined in Section 3;

- (2) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by Section 3, multiplied by the applicable TRC criteria TRC=1.4 for BOD, TSS, fats, oils and grease, and TRC=1.2 for all other pollutants except pH
- (3) Any other violation of a pretreatment standard or requirement as defined by Section 3 (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW Manager determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- (4) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the POTW Manager's exercise of its emergency authority to halt or prevent such a discharge;
- (5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (6) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (7) Failure to accurately report noncompliance; or
- (8) Any other violation(s), which may include a violation of best management practices, which the POTW Manager determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 11 ADMINISTRATIVE ENFORCEMENT REMEDIES

4-14-1101 Notification of Violation

When the POTW Manager finds that a user has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the POTW Manager may serve upon that user a written notice of violation. Within (15) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the POTW Manager. Submission of such a plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this Section shall limit the authority of the POTW Manager to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

4-14-1102 Consent Orders

The POTW Manager may enter into consent orders, assurances of compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents shall include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 4-14-1104 and 4-14-1105 of this Ordinance and shall be judicially enforceable.

4-14-1103 Show Cause Hearing

The POTW Manager may order a user which has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, to appear before the POTW Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user as defined in Section 4-14-105 and required by Section 4-14-507. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

4-14-1104 Compliance Orders

When the POTW Manager finds that a user has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the POTW Manager may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

4-14-1105 Cease and Desist Orders

When the POTW Manager finds that a user has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the POTW Manager may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- (1) Immediately comply with all requirements; and
 - (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
- Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

4-14-1106 Emergency Suspensions

The POTW Manager may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The POTW Manager may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- (1) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the POTW Manager may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The POTW Manager may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the POTW Manager that the period of endangerment has passed, unless the termination proceedings in Section 4-14-1107 of this Ordinance are initiated against the user.
- (2) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the POTW Manager prior to the date of any show cause or termination hearing under Sections 4-14-1103 or 4-14-1107 of this Ordinance. Nothing in this Section shall be interpreted as requiring a hearing prior to any emergency suspension of a permit and/or discharge under this Section.

4-14-1107 Termination of Discharge

A user who violates the following conditions is subject to discharge termination:

- (1) Violation of individual wastewater discharge permit conditions;
- (2) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (3) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

- (4) Refusal of access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- (5) Violation of the pretreatment standards in Section 3 of this Ordinance.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 4-14-1103 of this Ordinance why the proposed action should not be taken. Exercise of this option by the POTW Manager shall not be a bar to, or a prerequisite for, taking any other action against the user.

SECTION 12 JUDICIAL ENFORCEMENT REMEDIES

4-14-1201 Injunctive Relief

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

4-14-1202 Civil Penalties

- (1) A user who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of \$1,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (2) The POTW Manager may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- (3) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- (4) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

4-14-1203 Criminal Prosecution

- (1) A user who willfully or negligently violates any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 per violation, per day, or imprisonment for not more than 180 days, or both.
- (2) A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$1,000 per day, or be subject to imprisonment for not more than 180 days, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- (3) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, individual wastewater discharge permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than \$1,000 per violation, per day, or imprisonment for not more than 180 days, or both.
- (4) In the event of a second conviction, a user shall be punished by a fine of not more than \$1,000 per violation, per day, or imprisonment for not more than 180 days, or both.

4-14-1204 Remedies Nonexclusive

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

SECTION 13 AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

4-14-1301 Upset

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

4-14-1302 Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 4-14-301 (1) of this Ordinance or the specific prohibitions in Sections 4-14-301(3)B, D-H, and J of this Ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- (1) A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- (2) No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

4-14-1303 Bypass

- (1) For the purposes of this Section,

- A. Bypass means the intentional diversion of wastestreams from any portion of a user's treatment facility.
 - B. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (2) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (3) and (4) of this Section.
- (3) Bypass Notifications
- A. If a user knows in advance of the need for a bypass, it shall submit prior notice to the POTW Manager, at least ten (10) days before the date of the bypass, if possible.
 - B. A user shall submit oral notice to the POTW Manager of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The POTW Manager may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- (4) Bypass
- A. Bypass is prohibited, and the POTW Manager may take an enforcement action against a user for a bypass, unless
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. The User submitted notices as required under paragraph (3) of this Section.
 - B. The POTW Manager may approve an anticipated bypass, after considering its adverse effects, if the POTW Manager determines that it will meet the three conditions listed in paragraph (4) A. of this Section.

SECTION 14 EFFECTIVE DATE

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

SECTION 4: The City Recorder shall cause this ordinance or a short summary hereof to be published in *The Daily Herald*, a newspaper published and of general circulation in the City.

Adopted by the City Council of Springville, Utah, this 19 day of March, 2014.

SPRINGVILLE CITY



MAYOR WILFORD W. CLYDE

A handwritten signature in black ink, appearing to read "Wilford W. Clyde", written over a horizontal line.

ATTEST:

A handwritten signature in black ink, appearing to read "K. Ray", written over a horizontal line.

City Recorder