

Chapter 705

SEWERS

Cross References — As to plumbing generally, ch. 635; as to water generally, ch. 700; as to billing, rates and charges, ch. 715, art. III.

ARTICLE I In General

Section 705.010. Definitions. [R.O. 2012 §705.010; CC 1979 §26-1; Ord. No. A-2692 §1, 3-11-1969; Ord. No. A-4064 §1, 6-21-1979; Ord. No. A-5270 §§1 — 2, 7-10-1990; Ord. No. A-5734 §I, 6-18-1993; Ord. No. A-5751 §1, 8-2-1993; Ord. No. 8321, 10-20-2014]

For the purpose of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

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.

ADMINISTRATOR — The Chief Administrative Officer of a State or Interstate Water Pollution Control Agency with an NPDS permit program approved pursuant to Section 402(b) of the Act and an approved State pretreatment program.

APPROVAL AUTHORITY — The State of Missouri (Department of Natural Resources).

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 initiate and direct 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 his or her designee.
4. The individuals described in Subsections (1) through (3), above, may designate a duly authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company and the written authorization is submitted to the City.

BEST MANAGEMENT PRACTICES or BMPs — Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 705.400. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

B.O.D. (denoting biochemical oxygen demand) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at twenty degrees Centigrade (20°C) expressed in parts per million by weight. The test shall not utilize nitrification inhibitor.

BUILDING DRAIN — That part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the building wall.

BUILDING SEWER — The extension from the building drain to the City sewer or other place of disposal.

CATEGORICAL INDUSTRIAL USER — An industrial user subject to a categorical pretreatment standard or categorical standard.

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.

CITY — The City of Monett.

COMBINED SEWER — A sewer receiving both surface runoff and sewage.

COMMERCIAL AND INDUSTRIAL WASTES — The water-carried wastes from commercial and industrial establishments, as distinct from sanitary sewage.

CONTROL AUTHORITY — The City.

DAILY MAXIMUM — The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

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 measurement of the pollutant concentration derived from all measurements taken that day.

ENVIRONMENTAL PROTECTION AGENCY or EPA — The United States Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

EXISTING SOURCE — Any source of discharge that is not a new source.

GARBAGE — Solid food wastes from the preparation, cooking and disposing of food, and from the handling, storage and sale of produce.

GRAB SAMPLE — A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

INDUSTRIAL USER — A source of indirect discharge which does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act (33 U.S.C. § 1342).

INSTANTANEOUS LIMIT — The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE — A 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 NPDES 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)";¹ any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act²; the Toxic Substances Control Act³; and the Marine Protection, Research, and Sanctuaries Act.⁴

LOCAL LIMIT — Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

MONTHLY AVERAGE — The sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

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.

1. Editor's Note: See 42 U.S.C. § 6901 et seq.

2. Editor's Note: See 42 U.S.C. § 7401 et seq.

3. Editor's Note: See 15 U.S.C. § 2601 et seq.

4. Editor's Note: See 33 U.S.C. §§ 1401 to 1445, 16 U.S.C. §§ 1431 to 1447f, and 33 U.S.C. §§ 2801 to 2805.

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 of 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 definition has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous on-site 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 are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this Subsection (3)(b).

NON-CONTACT COOLING WATER — Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste produce, or finished product.

NORMAL SEWAGE — Sewage which contains not over three hundred (300) parts per million of B.O.D. and not over three hundred fifty (350) parts per million of suspended solids, and which does not contain any of the materials or substances listed in Article V of this Chapter in excess of allowable amounts specified in such Article.

OPERATION AND MAINTENANCE — All expenditures during the useful life of the treatment

works for materials, labor, utilities, billing, equipment replacement, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

PASS-THROUGH — A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

PERSON — Any individual, partnership, copartnership, 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.

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

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, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

PPM (denoting parts per million) — The concentration of a material in pounds per million pounds of water.

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.

PRETREATMENT REQUIREMENTS — Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

PRETREATMENT STANDARDS or STANDARDS — Prohibited discharge standards, categorical pretreatment standards, and local limits.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES — Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 705.400 of this Chapter.

PUBLICLY OWNED TREATMENT WORKS or POTW — A treatment works, as defined by Section 212 of the Act (33 U.S.C. § 1292), which is owned by the 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.

RECEIVING STREAM — Any natural watercourse into which water, treatment plant effluent, combined sewer overflow or stormwater is discharged.

REPLACEMENT — Expenditures for obtaining and installing equipment, accessories, or

appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

SANITARY SEWAGE — Those wastes which are comparable to wastes which originate in residential units and contain only human excrement and wastes from kitchen, laundry, bathing and other household facilities.

SANITARY SEWER — A sewer which carries sanitary sewage and to which stormwaters, surface waters and groundwaters are not to be intentionally admitted.

SEWAGE — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surface waters and stormwaters as may be present.

SEWAGE TREATMENT PLANT — Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS — All facilities for collecting, transporting, pumping, treating and disposing of sewage.

SEWER — A pipe or conduit for carrying sewage.

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, non-contact cooling and boiler blowdown wastewater);
 - b. Contributes a process waste stream which makes up five percent (5%) 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.

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 705.400 of this Chapter. 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.

STANDARD LABORATORY METHODS — Methods of analysis and testing as outlined in the latest edition of "Standard Methods for the Examination of Water and Sewage," published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.

STORM SEWER — A sewer which carries storm- and surface waters and drainage but which is

not to carry sanitary sewage and polluted industrial wastes.

SUPERINTENDENT — The Superintendent of the Utility Department of the City, or his/her authorized agent or representative.

SUSPENDED SOLIDS — Solids that either float on the surface or are in suspension in water, sewage or other liquids and which are largely removable by standard laboratory methods.

USEFUL LIFE — The estimated period during which a treatment works will be operated.

USER or INDUSTRIAL USER — A source of indirect discharge.

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.

WASTEWATER TREATMENT PLANT or TREATMENT PLANT — That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Section 705.020. Superintendent Responsible For Operating and Maintaining Sewerage System — Administering and Enforcing Chapter, Etc. [R.O. 2012 §705.020; CC 1979 §26-2; Ord. No. A-2692 §35, 3-11-1969]

The Superintendent shall be in charge of and shall be responsible for the operation and maintenance of the City sewerage system and shall cooperate with the other officers and representatives of the City in administering, carrying out and enforcing the provisions of this Chapter. The Superintendent shall be responsible for causing to be ascertained the amount of water consumed on all premises receiving sewerage service from the City's sewerage system and the amount of all sewerage service charges becoming due under the provisions of this Chapter, and for causing such charges to be billed to the occupants and owners of the premises served.

Section 705.030. Right of Entry of Superintendent and Other City Employees For Purposes of Inspection, Measurement, Etc. [R.O. 2012 §705.030; CC 1979 §26-3; Ord. No. A-2692 §16, 3-11-1969; Ord. No. A-4064 §4, 6-21-1979; Ord. No. A-5734 §II, 6-18-1993]

The City shall inspect the facilities of any user to ascertain whether the purpose of this Chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the City or their representative(s) ready access at any time to all parts of the premises for the purposes of inspection, sampling, records examination and reproductions of records required by this Chapter or the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, control authority personnel will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

Section 705.040. Deposit On Public or Private Property of Wastes Required To Be Discharged Into

Sanitary Sewer.⁵ [R.O. 2012 §705.040; CC 1979 §26-4; Ord. No. A-2692 §4, 3-11-1969]

It shall be unlawful for any person to place, deposit or permit to be deposited in an insanitary manner upon 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 required by this Chapter to be discharged into a sanitary sewer.

Section 705.050. Violations — Notice — Abatement or Correction Generally.⁶ [R.O. 2012 §705.050; CC 1979 §26-6; Ord. No. A-2692 §20, 3-11-1969]

- A. When the Superintendent shall find that a violation of this Chapter exists, he/she may post a notice upon the property where the violation exists to abate or correct the violation, stating in such notice the time in which the same is to be done, and shall direct a copy of such notice, by certified mail, to the owner at his/her last known address; provided, that if the Superintendent shall find that an emergency exists, he/she may immediately cause the violation to be abated or corrected. If such violation is not corrected within the time specified in such notice, the Superintendent may cause such violation to be abated or corrected.
- B. Whenever the Superintendent shall have caused any violation to be abated or corrected pursuant to this Section, he/she shall certify the costs thereof to the City Council, and the owner of the property on which such violation was abated or corrected shall be civilly liable to the City for the costs of such abatements or correction.
- C. Any proceedings under this Section shall not relieve the owner of any liability for any penalty that may be assessed under Section 705.070.

Section 705.060. Violation Notice — Authority of Superintendent On Non-Compliance With Notice. [R.O. 2012 §705.060; CC 1979 §26-7; Ord. No. A-2692 §21, 3-11-1969]

In the event of the continuation of a violation of this Chapter ten (10) days after the notice provided in Section 705.050, the Superintendent may effect the discontinuance of the discharge of sewage from the premises where such violation originated into the City sewers.

Section 705.070. Violations — Civil Liability of Violators To City. [R.O. 2012 §705.070; CC 1979 §26-8; Ord. No. A-2692 §22, 3-11-1969]

Any person violating any of the provisions of this Chapter shall become civilly liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

ARTICLE II Sewer Connections Generally

Section 705.080. Required — Exception. [R.O. 2012 §705.080; CC 1979 §26-9; Ord. No. A-2692 §2, 3-11-1969]

The owner of each house, building or property used for human occupancy, employment,

⁵. Cross References — As to solid waste generally, ch. 240; as to littering generally, §215.530.

⁶. Cross Reference — As to general penalty for violations of code, §100.080.

recreation or other purpose, situated in the City and abutting on any street, alley, right-of-way or easement in which there is located a sanitary sewer of the City is hereby required, at his/her expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper sanitary sewer, in accordance with the provisions of this Chapter, within ninety (90) days after such sewer is so located and after official notice to do so; provided, that such sanitary sewer is within one hundred (100) feet of the property line; provided further, that in the event there is no sanitary sewer within one hundred (100) feet of the property line, the owner may construct and maintain an adequate septic tank installation in accordance with standards of the State Department of Health, until such time as a sanitary sewer is available as aforesaid.

Section 705.090. Application For Service — Issuance of Permit — Persons Authorized To Make Connections. [R.O. 2012 §705.090; CC 1979 §26-10; Ord. No. A-2692 §36, 3-11-1969]

Application for sewerage services to premises not connected with the City's sewerage system shall be made by the occupant or owner of the premises to be served to the Superintendent of such system or to such other person as may be designated by the City Council. Upon the issuance of a written permit to such applicant and the payment of the connection fee prescribed by this Article, such applicant shall be, in the manner prescribed by this Article or other ordinances of the City, connected with the City's sewerage system; provided, that all such work in making such connection shall be done only by employees of the City.

Section 705.100. Construction or Maintenance of Privies, Cesspools, Etc. [R.O. 2012 §705.100; CC 1979 §26-14; Ord. No. A-2692 §3, 3-11-1969]

It shall be unlawful to construct or maintain any privy, privy vault, cesspool or other facility, except septic tanks as provided by this Chapter, and then only when permitted by Section 705.080, intended or used for the disposal of sewage or human excrement; provided, that approved type privies may be temporarily erected and maintained on construction sites, with the approval of the Superintendent.

ARTICLE III

Extension of Sewer Lines⁷

Section 705.110. Definitions. [R.O. 2012 §705.110; CC 1979 §26-14.1; Ord. No. A-4065 §1, 6-21-1979; Ord. No. A-4562 §1, 8-9-1984]

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

APPLICANT — Any person, firm, corporation or other association of persons who shall make application to the City to extend any sewer main or lateral, and any person, firm, corporation or other association of persons who shall make application to the City to tap any main and become a user.

SERVICE LINE — Only that portion of pipe between the tap and the building to be served.

SEWER MAIN OR LATERAL — All pipes of whatever construction heretofore or hereafter

7. Cross Reference — As to city extension of water and sewer mains and service lines outside the city, §700.025.

constructed and through which the City shall furnish sanitary sewer service to taps and service lines of users, but such term shall not include taps and service lines.

SINGLE USER EXTENSION — The extension to any existing sanitary sewer main for the use of a single user, and to which no other taps or service lines are to be connected.

TAP — Only the coupler by which the service line shall be attached to the sewer main.

USER — Any person, firm, corporation or other association of persons discharging water and waste material into the sanitary sewer system of the City for personal, domestic or industrial use.

Section 705.120. Provisions of Article To Be Part of Contract. [R.O. 2012 §705.120; CC 1979 §26-14.2; Ord. No. A-4065 §2, 6-21-1979; Ord. No. A-4562 §2, 8-9-1984]

The provisions of this Article shall be considered a part of all contracts between any applicant or user and the City providing for the extension of sewer mains or laterals.

Section 705.130. Pipe Specifications Generally. [R.O. 2012 §705.130; CC 1979 §26-14.3; Ord. No. A-4065 §3, 6-21-1979; Ord. No. A-4562 §3, 8-9-1984]

From and after the effective date of this Article, all sewer mains or laterals constructed for attachment to the City sewer system shall be eight (8) inches in diameter and made of vitrified clay pipe with joints designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system; provided, that if the Superintendent of Utilities shall state in the cost estimate, as hereinafter provided, that it is necessary and in the best interest of the welfare of the residents of the City that a larger main be constructed, such cost estimate shall include the additional cost of construction of such larger main.

Section 705.140. Application For Extension of Existing Main. [R.O. 2012 §705.140; CC 1979 §26-14.4; Ord. No. A-4065 §4, 6-21-1979; Ord. No. A-4334 §1, 2-10-1982; Ord. No. A-4562 §4, 8-9-1984]

Any applicant desiring to extend any existing sewer main shall make written application therefor to the City utilities office. Such application shall state the name and address of the applicant, the proposed use of the new sewer line and the location, length, depth and percent of grade of such proposed extension. Such application shall be accompanied by a plat of the addition, subdivision or lot to be served and the plans for such extension, which shall have been approved by the State Department of Natural Resources, when required, and an authorized representative of the City.

Section 705.150. Completed Extensions To Become Property of City. [R.O. 2012 §705.150; CC 1979 §26-14.5; Ord. No. A-4065 §5, 6-21-1979; Ord. No. A-4562 §5, 8-9-1984]

Upon completion of any sewer line extension, such extension shall become and remain the sole property of the City.

Section 705.160. Award of Contracts. [R.O. 2012 §705.160; CC 1979 §26-14.6; Ord. No. A-4065 §6, 6-21-1979; Ord. No. A-4562 §6, 8-9-1984]

All contracts let for the extension of a sewer line shall be let to such contractor as the City and the applicant may agree upon or, if no such agreement is made, to the lowest and best qualified bidder therefor.

Section 705.170. Location of Extension. [R.O. 2012 §705.170; CC 1979 §26-14.7; Ord. No. A-4065 §7, 6-21-1979; Ord. No. A-4562 §7, 8-9-1984]

All extensions of sewer lines shall be located in streets where possible; however, roadways, alleys or other easements existing in favor of the City may be used. Where necessary, rights-of-way or easements shall be provided to the City at no cost.

Section 705.180. Barricades and Obstructions. [R.O. 2012 §705.180; CC 1979 §26-14.8; Ord. No. A-4065 §8, 6-21-1979; Ord. No. A-4562 §8, 8-9-1984]

All streets, roads, highways or other public thoroughfares which are closed to traffic while constructing or repairing sewer lines shall be protected by means of effective barricades, on which shall be placed acceptable warning signs. Barricades shall also be located at the nearest intersecting public highway or street on each side of the blocked section. All open trenches and other excavations shall be provided with suitable barriers, signs and lights to the extent that adequate protection is provided to the public. Obstructions, such as material piles and equipment, shall be provided with similar warning lights and signs. All barricades and obstructions shall be illuminated by means of warning lights at night. All lights used for this purpose shall be kept burning from sunset to sunrise. Materials stored upon or alongside public streets and highways shall be so placed, and the work at all times shall be so conducted, as to cause the minimum obstruction and inconvenience to the traveling public. All barricades and light expense will be paid by the contractor.

Section 705.190. Scoring of Street, Etc., Surface. [R.O. 2012 §705.190; CC 1979 §26-14.9; Ord. No. A-4065 §9, 6-21-1979; Ord. No. A-4562 §9, 8-9-1984]

All excavation in the streets, highways or alleys shall be done only after the street, highway or alley surface that contains blacktop or concrete is scored on each side of the work for the total distance of the excavation. The scoring shall be limited to and shall not exceed six (6) inches on each side of the width of the excavation and shall be only wide enough to properly perform the necessary work.

Section 705.200. Control of Location, Elevation, Etc., of Work — Inspection By City Representative. [R.O. 2012 §705.200; CC 1979 §26-14.10; Ord. No. A-4065 §10, 6-21-1979; Ord. No. A-4562 §10, 8-9-1984]

- A. The contractor shall furnish competent personnel with work tools, stakes and materials in the establishment of base lines, benchmarks and other basic reference media needed to control the location and elevation of work, the sewer grade to be controlled as near as possible within the range of .40% to 2.5% on all services and a minimum of two and two-tenths (2.2) feet per second flow on sewer mains and laterals. Thereafter, the contractor shall carefully preserve such vertical and horizontal control and shall make and be responsible for all measurements from it to the work to be done.
- B. The City's representative will check "as built" measurements for conformance to drawings and will check pipe alignment and lamp each section of sewer line. The contractor shall reconstruct or correct the same as may be necessary.

Section 705.210. Cleanup and Repaving. [R.O. 2012 §705.210; CC 1979 §26-14.11; Ord. No. A-4065

§11, 6-21-1979; Ord. No. A-4562 §11, 8-9-1984]

- A. Upon completion of work, the contractor shall remove all equipment, material, excess excavated material, etc., and smooth and regrade the area to conform to existing grade to the satisfaction of the owner and the City representative. All areas are to be reseeded or repaved as may be necessary.
- B. To compute the amount of repaving material, who pays and how much, the square yards of surface measured shall be six (6) inches outside the trench width and along the centerline of the pipe. For the purpose of measurement for payment, all disturbed area shall be computed as total area, and payment for this amount shall be deposited with the City Collector by the contractor. After trench backfill with granular material, the contractor shall maintain the surface of pavement grade until the permanent pavement is replaced.
- C. All asphalt or blacktop pavement, removed or damaged, shall be replaced with four (4) inches of compacted base aggregate for subgrade and two (2) inches of asphalt. All concrete pavements removed or damaged shall be replaced with four (4) inches of compacted base aggregate for subgrade and a six-inch thick concrete slab of class A concrete reinforced with 0.25% steel by volume.

Section 705.220. Manholes. [R.O. 2012 §705.220; CC 1979 §26-14.12; Ord. No. A-4065 §12, 6-21-1979; Ord. No. A-4562 §12, 8-9-1984]

- A. Manholes shall be four (4) feet in diameter for twenty-one (21) inch and smaller pipe and shall include the foundation, invert, precast sections, tapered top section, manhole frame and cover and necessary steps.
- B. After the manhole has been installed with proper invert channels in the base and the mortar has thoroughly cured, but before backfilling is started, the outside and interior surface of each manhole shall be painted with one heavy coat of coal tar paint. Surfaces to receive paint shall be dry.
- C. At the option of the contractor, standard manholes shall be constructed of precast concrete sections or cast-in-place concrete.
- D. Manholes shall be installed at the end of each line, at all changes in grade, size and alignment, at all intersections and at distances not greater than four hundred (400) feet, except by written permission from the Superintendent of Utilities.
- E. Drop manholes shall be used for a sewer entering a manhole twelve (12) inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than twelve (12) inches, the invert should be filled to prevent solids deposition. Drop manholes should be constructed with outside drop connections. Due to the unequal earth pressures that would result from the backfilling operation in the vicinity of the manhole, the entire outside drop connection shall be encased in concrete.
- F. The flow channel through manholes shall/should be made to conform in shape and slope to that of the sewer.
- G. Inlet and outlet pipes shall be joined to the manhole with gasketed, flexible, watertight connections or any watertight connection arrangement that allows differential settlement of

the pipe and manhole to take place.

Section 705.230. Compacting of Fill Material. [R.O. 2012 §705.230; CC 1979 §26-14.13; Ord. No. A-4065 §13, 6-21-1979; Ord. No. A-4562 §13, 8-9-1984]

All fill material placed in structural fills or embankments shall be uniformly compacted to not less than ninety-five percent (95%) of the maximum density at optimum moisture content, unless otherwise noted.

Section 705.240. Trench Bottoms. [R.O. 2012 §705.240; CC 1979 §26-14.14; Ord. No. A-4065 §14, 6-21-1979; Ord. No. A-4562 §14, 8-9-1984]

- A. Trench bottoms shall be accurately graded to provide uniform bearing and support for the pipe barrel between bell holes. When the trench bottom is of proper character, such as uncemented granular material or other natural bedding material, and uniform shaping can be executed, foreign bedding material will not be required, except as stated elsewhere. When trench bottom materials will not allow uniform bearing for the entire pipe length, the excavation shall be carried to a depth sufficient to allow a depth of three (3) inches to six (6) inches for the bedding material, as specified herein, to be placed under the pipe and to extend upward to fifty percent (50%) of the pipe diameter. Foreign bedding shall be five-eighths ($5/8$) inch or less crushed rock.
- B. Concrete or well-graded granular material (bedding classes A, B or C, as described in ASTM C12-74 or WPCP Map No. 9) shall be used for all rigid pipe; provided, that the proper strength pipe is used with the specified bedding to support the anticipated load.
- C. Concrete or well-graded granular material, bedding class I, II or III, as described in ASTM D2321-74, shall be used for all flexible pipe; provided, that the proper strength pipe is used with the specified bedding to support the anticipated load.

Section 705.250. General Specifications For Service Lines. [R.O. 2012 §705.250; CC 1979 §26-14.15; Ord. No. A-4065 §15, 6-21-1979; Ord. No. A-4562 §15, 8-9-1984]

From and after the effective date of this Article, all sewer service lines constructed for attachment to the City sewer system shall be of at least four (4) inch vitrified clay pipe, with joints designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system, on all public property and easements and by all means in areas of heavy traffic such as streets, alleys and driveways.

Section 705.260. Flexible Pipe. [R.O. 2012 §705.260; CC 1979 §26-14.16; Ord. No. A-4562 §16, 8-9-1984]

- A. Flexible type pipe may be used in other than public property, provided the proper strength pipe is used with specified bedding to support the anticipated load. The specified bedding is concrete or well-graded granular material (class I, II or III as described in ASTM D2321-74).
- B. Deflection tests shall be performed on all flexible pipe. The tests shall be run not less than thirty (30) days after final backfill has been in place. The deflection shall not exceed five

percent (5%). The deflection test is to be run using a rigid ball or mandrels or equivalent and shall have diameters equal to ninety-five percent (95%) of the inside diameter of the pipe. The tests shall be performed without mechanical pulling devices. The flexible type pipe shall be of the design to minimize infiltration and to prevent the entrance of roots throughout the life of the system.

Section 705.270. Leakage Tests. [R.O. 2012 §705.270; CC 1979 §26-14.17; Ord. No. A-4562 §17, 8-9-1984]

Leakage tests shall be made on all types of sewers. These tests shall be made with low pressure air and shall be performed under the following limitations:

The low pressure air test is conducted by plugging each opening in the reach of pipe to be tested. One of the plugs provided must have an inlet tap for connecting an air hose. After connecting the air control equipment to the air hose, monitor the air pressure so that the internal pressure does not exceed 5.0 PSIG. After reaching 4.0 PSIG, throttle the air supply to maintain 3.5 and 4.0 PSIG for at least two (2) minutes in order to allow equilibrium. Decrease pressure to 3.5 PSIG and begin timing. If the time in seconds for the air pressure to drop to 2.5 PSIG is greater than the following chart, the pipe is presumed to be free of defects:

Pipe Size	Time
6 inches	2 minutes 55 seconds
8 inches	3 minutes 57 seconds
10 inches	4 minutes 43 seconds
12 inches	5 minutes 40 seconds
15 inches	7 minutes 5 seconds
18 inches	8 minutes 30 seconds
21 inches	9 minutes 50 seconds
24 inches	11 minutes 20 seconds
27 inches	12 minutes 45 seconds
30 inches	14 minutes 10 seconds
36 inches	17 minutes 00 seconds
42 inches	19 minutes 50 seconds
48 inches	22 minutes 40 seconds

Section 705.280. Determination of Ground Water Level and Pressure Adjustment. [R.O. 2012 §705.280; CC 1979 §26-14.18; Ord. No. A-4562 §18, 8-9-1984]

In areas where ground water is known to exist, the contractor shall install a one-half (½) inch capped pipe nipple approximately ten (10) inches long, through the manhole wall on top of one of the sewer lines entering the manhole. This shall be done at the time the sewer line is installed. Immediately prior to the performance of the line acceptance test, the ground water level shall be determined by removing the pipe cap, blowing air through the pipe nipple to be sure the nipple is clear and connecting a hose to the nipple. The hose shall be raised vertically to determine water level. The height in feet will then be divided by 2.31 to establish the pounds of pressure that will be added to all readings.

Section 705.290. Cover Requirements For Sewers Entering or Crossing Streams, Etc. [R.O. 2012 §705.290; CC 1979 §26-14.19; Ord. No. A-4562 §19, 8-9-1984]

When sewers are entering or crossing streams, drainage courses or roadway ditches, the top of the pipe shall be at a sufficient depth below the natural bottom of the stream or course bed to protect the sewer line. In general, the following cover requirements must be met: One (1) foot of cover is required where the sewer is located in rock; three (3) feet of cover is required in other material; in major streams, more than three (3) feet of cover may be required; in paved stream channels, the top of the sewer line should be placed below the bottom of the channel pavement. Any other channel variations or depth must be approved in writing by the Superintendent of Utilities.

Section 705.300. Location of Sewers To Be Removed From Stream Beds. [R.O. 2012 §705.300; CC 1979 §26-14.20; Ord. No. A-4562 §20, 8-9-1984]

Sewers located along streams shall be located outside of the stream bed and sufficiently removed therefrom to provide for future possible stream widening and prevent pollution by siltation during construction.

Section 705.310. Location of Sewer Outfalls, Manholes, Etc., in Relation To Streams. [R.O. 2012 §705.310; CC 1979 §26-14.21; Ord. No. A-4562 §21, 8-9-1984]

The sewer outfalls, manholes or other structures shall be so located that they do not interfere with the free discharge of flood flows of the stream.

Section 705.320. Ditch Checks. [R.O. 2012 §705.320; CC 1979 §26-14.22; Ord. No. A-4562 §22, 8-9-1984]

Where trenches are dug in or across roadway ditches or other watercourses, and the slope of the ditch exceeds one percent (1%), suitable ditch checks shall be installed. Ditch checks may be of creosoted lumber, stone or concrete. In any case the ditch checks shall extend not less than two (2) feet below the original ditch or watercourse bottom for the full bottom width and not less than eighteen (18) inches into the side slopes thereof.

Section 705.330. Construction Specifications For Sewers Entering or Crossing Watercourses. [R.O. 2012 §705.330; CC 1979 §26-14.23; Ord. No. A-4562 §23, 8-9-1984]

Sewers entering or crossing ditches or other watercourses shall be constructed of ductile iron pipe with mechanical joints and shall be so constructed that they will remain watertight and free from changes in alignment or grade. Material used to backfill the trench shall be stone, coarse aggregate, washed gravel or other materials which will not cause siltation. These backfill materials may be used after proper bedding and pipecover. All crossings with ductile iron pipe shall extend at least three (3) feet into the slope on each side of the ditch or watercourse.

Section 705.340. Prohibited Connections Between Sewers and Potable Water Supplies. [R.O. 2012 §705.340; CC 1979 §26-14.24; Ord. No. A-4562 §24, 8-9-1984]

There shall be no connections between a public or private potable water supply and a sewer or appurtenance which would permit the passage of any sewage or polluted water into the potable

supply. No waterpipe shall pass through or come in contact with any part of a sewer manhole. Sewers shall meet the requirements of 10 CSR60-2.010 with respect to minimum distances from public water supply wells or other water supply sources and structures.

Section 705.350. Minimum Distances Between Sewer Mains and Water Mains. [R.O. 2012 §705.350; CC 1979 §26-14.25; Ord. No. A-4562 §25, 8-9-1984]

Sewer mains shall be laid at least ten (10) feet horizontally from any existing or proposed water main, and/or the water main must be at least eighteen (18) inches above the top of the sewer. In cases where it is not practical to maintain the above distances, a variance may be granted in writing by the Superintendent of Utilities.

Section 705.360. Conditions Not Listed in Article. [R.O. 2012 §705.360; CC 1979 §26-14.26; Ord. No. A-4562 §26, 8-9-1984]

Any conditions not listed in this Article must meet all rules and regulations of the State Department of Natural Resources and the Federal Environmental Protection Agency. The Water Pollution Control Federation Manual Practice #9 shall be followed relative to detailed instructions for all sanitary and storm sewers.

ARTICLE IV Discharges Into Sewerage System — Generally

Section 705.370. Method of Discharging Stormwater, Surface Water, Unpolluted Industrial Process Water, Etc., Generally. [R.O. 2012 §705.370; CC 1979 §26-26; Ord. No. A-2692 §§5 — 6, 3-11-1969; Ord. No. 8321, 10-20-2014]

No person shall discharge or cause to be discharged any stormwater, surface water, roof runoff, groundwater, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer. Such stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent, to a storm sewer or natural outlet.

Section 705.380. Discharge of Untreated Sanitary Sewage, Industrial Wastes, Etc., Into Natural Outlet or Storm Sewer. [R.O. 2012 §705.380; CC 1979 §26-27; Ord. No. A-2692 §7, 3-11-1969; Ord. No. 8321, 10-20-2014]

It shall be unlawful to discharge into any natural outlet or storm sewer within the City or in any area under the jurisdiction of the City any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Article.

Section 705.390. Grease, Oil and Sand Interceptors. [R.O. 2012 §705.390; CC 1979 §26-28; Ord. No. A-2692 §8, 3-11-1969; Ord. No. 8321, 10-20-2014]

Grease, oil and sand interceptors shall be provided at the owner's expense when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand and other harmful ingredients;

except, that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be so located as to be readily and easily accessible for cleaning and inspection.

Section 705.400. Prohibited Discharge Standards. [R.O. 2012 §705.400; CC 1979 §26-29; Ord. No. A-2692 §9, 3-11-1969; Ord. No. A-4064 §2, 6-21-1979; Ord. No. A-5734 §III, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. *General Prohibitions.* No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.
- B. *Specific Prohibitions.* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than one hundred forty degrees Fahrenheit (140° F.) [sixty degrees Celsius (60° C.)] using the test methods specified in 40 CFR 261.21;
 2. Wastewater having a pH less than 6.0 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference [but in no case solids greater than three (3) inch(es) or seven (7) centimeter(s) in any dimension];
 4. Pollutants, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 5. Wastewater having a temperature greater than one hundred fifty degrees Fahrenheit (150° F.) [sixty-five degrees Celsius (65° C.)] or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed one hundred four degrees Fahrenheit (104° F.) [forty degrees Celsius (40° C.)];
 6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
 7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 8. Trucked or hauled pollutants, except at discharge points designated by the Superintendent.
 9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
12. Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the Superintendent;
13. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
14. Medical wastes, except as specifically authorized by the Superintendent in an individual wastewater discharge permit;
15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
16. Detergents, surface active agents, or other substances which might cause excessive foaming in the POTW;
17. Fats, oils, or greases of animal or vegetable origin in concentrations greater than one hundred (100) milligrams per liter;
18. *Maximum limits.*
 - a. Any waters or wastes:
 - (1) Having a five-day biochemical oxygen demand greater than three hundred (300) parts per million by weight;
 - (2) Containing more than three hundred fifty (350) parts per million by weight of suspended solids; or
 - (3) Having an average daily flow greater than two percent (2%) of the average sewage flow of the City, shall be subject to the review of the Superintendent.
 - b. Where necessary in the opinion of the Superintendent, the owner shall provide, at his/her expense, such preliminary treatment as may be necessary to:
 - (1) Reduce the biochemical oxygen demand to three hundred (300) parts per million by weight;
 - (2) Reduce the suspended solids to three hundred fifty (350) parts per million by weight; or
 - (3) Control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the

approval of the Superintendent and no construction of such facilities shall be commenced until such approvals are obtained in writing.

- C. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Section 705.402. National Categorical Pretreatment Standards. [Ord. No. 8321, 10-20-2014]

- A. Users must comply with the categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471.

1. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Superintendent may impose equivalent concentration or mass limits in accordance with Section 705.402(A)(4) and (5).
2. When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the Superintendent may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users.
3. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Superintendent shall impose an alternate limit in accordance with 40 CFR 403.6(e).
4. When a categorical pretreatment standard is expressed only in terms of pollutant concentrations, an industrial user may request that the City convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Superintendent. The City may establish equivalent mass limits only if the industrial user meets all the conditions set forth in Subsections (A)(4)(a)(1) through (5) below.
 - a. To be eligible for equivalent mass limits, the industrial user must:
 - (1) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
 - (2) Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical pretreatment standard, and not have used dilution as a substitute for treatment;
 - (3) Provide sufficient information to establish the facility's actual average daily flow rate for all waste streams, based on data from a continuous effluent flow-monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;
 - (4) Not have daily flow rates, production levels, or pollutant levels that vary

so significantly that equivalent mass limits are not appropriate to control the discharge; and

- (5) Have consistently complied with all applicable categorical pretreatment standards during the period prior to the industrial user's request for equivalent mass limits.

b. An industrial user subject to equivalent mass limits must:

- (1) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
- (2) Continue to record the facility's flow rates through the use of a continuous effluent flow-monitoring device;
- (3) Continue to record the facility's production rates and notify the Superintendent whenever production rates are expected to vary by more than twenty percent (20%) from its baseline production rates determined in Subsection (A)(4)(a)(3) of this Section. Upon notification of a revised production rate, the Superintendent will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
- (4) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to Subsection (A)(4)(a)(1) of this Section so long as it discharges under an equivalent mass limit.

c. When developing equivalent mass limits, the Superintendent:

- (1) Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the industrial user by the concentration-based daily maximum and monthly average standard for the applicable categorical pretreatment standard and the appropriate unit conversion factor;
- (2) Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
- (3) May retain the same equivalent mass limit in subsequent individual wastewater discharge permit terms if the industrial user's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 705.540.

5. The Superintendent may convert the mass limits of the categorical pretreatment standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users. The conversion is at

the discretion of the Superintendent.

6. Once included in its permit, the industrial user must comply with the equivalent limitations developed in this Section in lieu of the promulgated categorical standards from which the equivalent limitations were derived.
7. Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or four-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.
8. Any industrial user operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based standard shall notify the Superintendent within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the Superintendent of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate.

Section 705.404. State Pretreatment Standards. [Ord. No. 8321, 10-20-2014]

Users must comply with State of Missouri pretreatment standards codified at 10 CSR 206.100.

Section 705.406. Local Limits. [Ord. No. 8321, 10-20-2014]

- A. The Superintendent is authorized to establish local limits pursuant to 40 CFR 403.5(c).
- B. Any waters or wastes containing the following substances to such a degree that the total mass loading from all SIUs exceeds the quantity specified in the table below. The Public Works Director will develop the permit limitations for all users that meet the definition of SIU as defined by City ordinance. The Table of Total Mass Allowable is as follows:

Total Mass Allowable (pounds) From SIUs Per Day

Pollutant	Mass (pounds)	Sample Type
BOD	9,595	24-hour composite
TSS	6,685	24-hour composite
As	0.377	24-hour composite
Cu	2.126	24-hour composite
Zn	13.165	24-hour composite
Se	0.234	24-hour composite

The above 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 Superintendent may impose mass limitations in addition to the concentration-based limitations

above.

- C. The Superintendent may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement local limits and the requirements of Section 705.400.

Section 705.408. City's Right of Revision. [Ord. No. 8321, 10-20-2014]

The City reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this Chapter.

Section 705.410. Admission of Certain Wastes Containing Quantities of Prohibited Substances Subject to Approval — Preliminary Treatment of Certain Wastes. [R.O. 2012 §705.410; Ord. No. A-5734 §VII, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. The admission into the sanitary sewers of any polluted waters or industrial wastes containing any quantity of substance having the characteristics described in Section 705.400 shall be subject to the review and approval of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner of the property or premises producing such waste shall provide, at his/her expense, such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 705.400 or to control the quantities or rates of discharge of such water or waters. In no case shall an industrial user be allowed to discharge wastes in violation of applicable pretreatment standards.
- B. Construction drawings, specifications and other pertinent information relating to the proposed preliminary treatment facilities shall be prepared by the owner at his/her expense and shall be submitted for the approval of the Superintendent and the Water Pollution Board of the State, and no construction of such facilities shall be commenced until such approvals are obtained in writing. Construction shall be in accordance with such approved plans.
- C. Where preliminary treatment facilities are provided for any waters or water, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.

Section 705.420. Monitoring Facilities. [R.O. 2012 §705.420; Ord. No. A-5734 §VII, 6-18-1993; Ord. No. 8321, 10-20-2014]

The City shall require all significant industrial users to provide, at the user's own expense, monitoring facilities that are accessible by the City only, for sampling and flow measurement of the user's discharge to the POTW. The monitoring facility should normally be situated on the user's premises, but the City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. The sampling facility

shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the City.

Section 705.430. Persons Discharging Industrial Wastes, Etc., to File Report and Maintain Records. [R.O. 2012 §705.430; CC 1979 §26-34; Ord. No. A-2692 §§14 — 15, 3-11-1969; Ord. No. 8321, 10-20-2014]

- A. Every person and establishment known to be discharging industrial wastes or polluted water into the sewers or sewage works of the City, or into any sewer connected therewith, shall file a report with the Superintendent, supplying the following information:
1. Name and address.
 2. Title of official making such report.
 3. Location of plant.
 4. The nature of the business conducted in such plant.
 5. The volume of industrial waste mixture and sewage discharged by each plant.
 6. The average daily number of employees employed in each plant by shifts.
 7. The source of water supply of each plant and the volume of water used by each such plant daily, specified separately as to each source.
 8. Such additional information as is deemed applicable to ascertain the volume, nature and composition of the industrial waste so discharged.
- B. Every person discharging any industrial waste mixture into the sewers or sewage works of the City, or into any sewer connected thereto, shall keep and maintain records of the data required to be furnished by this Section in the questionnaire as defined above. Such records shall be available for inspection during regular business hours by authorized representatives or employees of the City, upon presenting written credentials of their authority, and such representatives or employees shall be permitted to make and retain copies of such records.

Section 705.440. Storage of Certain Materials in Sewered Areas, Etc., Subject to Review by Superintendent. [R.O. 2012 §705.440; CC 1979 §26-35; Ord. No. A-2692 §17, 3-11-1969; Ord. No. 8321, 10-20-2014]

The storage of any material in sewered areas or in areas draining into a City sewer which, because of discharge or leakage from such storage, may create an explosion hazard in the sewage works or in any other way have a deleterious effect upon these works or treatment processes or constitute a hazard to human beings, animals or the receiving stream shall be subject to review by the Superintendent, who, at his/her discretion, may require reasonable safeguards to prevent discharge or leakage of large quantities of such materials into the sewers.

Section 705.450. Accidental Discharges — Development of Slug Control Plan. [R.O. 2012 §705.450; CC 1979 §26-36; Ord. No. A-2692 §18, 3-11-1969; Ord. No. A-5734 §IV, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Article. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and shall be approved by the City before construction of the facility. All existing users shall complete such a plan by August 1, 1993. No user who commences contribution to the POTW after June 18, 1993, shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Section.
- B. Significant industrial users are required to notify the Superintendent immediately of any changes at its facility affecting the potential for a slug discharge.
- C. *Accidental Discharge/Slug Discharge Control Plans.* The Superintendent shall evaluate whether or not each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The Superintendent 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. Alternatively, the Superintendent may develop such a plan for any user. 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 Superintendent of any accidental or slug discharge, as required by Section 705.490(C)(1); 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 operation, 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.

ARTICLE V

Discharges Into Sewerage System — Private Waste Treatment

Section 705.460. Review of Certain Waters or Wastes by Superintendent — Preliminary Treatment by Owner or User. [R.O. 2012 §705.460; CC 1979 §26-40; Ord. No. A-4561 §1, 8-9-1984; Ord. No. 8321, 10-20-2014]

- A. Any waters or wastes having:
 - 1. A five-day biochemical oxygen demand greater than three hundred (300) parts per

- million by weight;
2. Containing more than three hundred fifty (350) parts per million by weight of suspended solids; or
 3. Having an average daily flow greater than two percent (2%) of the average sewage normal methods of waste treatment, such as, but not limited to, metals and chemicals in excess of those limitations of the Federal categorical pretreatment standards, shall be subject to review by the Superintendent. Where necessary, in the opinion of the Superintendent, the owner and/or user shall provide, at his/her expense, such preliminary treatment as may be necessary to meet all discharge requirements in the times specified.

Section 705.470. Design, Construction and Maintenance of Private Waste Treatment Facilities. [R.O. 2012 §705.470; CC 1979 §26-41; Ord. No. A-4561 §2, 8-9-1984; Ord. No. 8321, 10-20-2014]

In lieu of introducing untreated or partially treated industrial wastes and polluted waters into the sewers of the City, the owner and/or user of the premises producing such wastes shall construct and operate, at his/her expense private waste treatment facilities. The design and operation of such facilities shall continuously produce an effluent which will not create a public nuisance and shall meet all the requirements of the State Department of Natural Resources, the Federal Environmental Protection Agency and all City ordinances at all times. This shall include compliance with all Federal categorical pretreatment standards within the time limitations as specified by the Federal Pretreatment Regulations as published, or as shall be published in the Federal Registers. Construction drawings, specifications and other pertinent information relating to such proposed treatment facilities shall be prepared by the owner and/or user at his/her expense and shall be submitted to the Superintendent and the State Department of Natural Resources, and no construction of such facilities shall commence until such approvals are obtained in writing. Construction shall be in accordance with such approved plans. The review of such plans and operating procedures will in no way relieve the owner and/or user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City. Where such private waste treatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner and/or user at his/her expense.

Section 705.480. Control Manholes or Sampling Devices. [R.O. 2012 §705.480; CC 1979 §26-42; Ord. No. A-4561 §3, 8-9-1984; Ord. No. 8321, 10-20-2014]

When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole or acceptable sampling device in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manholes or sampling device, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole or sampling device shall be located on the City side of all pretreatment facilities if pretreatment is needed.

Section 705.490. Reporting Requirements. [R.O. 2012 §705.490; CC 1979 §26-43; Ord. No. A-4561 §4, 8-9-1984; Ord. No. A-5734 §IV, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. *Compliance Date Report.* Within ninety (90) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following

commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the Superintendent a report as required by 40 CFR 403.12(d), indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements.

B. *Periodic Compliance Report.*

1. Unless required more frequently in a wastewater discharge permit issued by the City, all significant industrial users (SIUs) shall submit to the Superintendent during the months of June and December a periodic compliance report. The report shall contain the results of sampling and analysis of the discharge, including the flow rate and the nature and concentration, or production and mass where requested by the Superintendent, of pollutants contained therein which are limited by the applicable pretreatment standard. 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 Superintendent or the pretreatment standard necessary to determine the compliance status of the user. The frequency of sampling and analysis shall be as prescribed in Subsection (B)(3) below. The reporting frequency for any industry may be altered by the Superintendent upon consideration of such factors as actual flow rates and pollutant concentrations, seasonal production schedules, etc.
2. The Superintendent may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or in other cases where the imposition of mass limitations is appropriate. In such cases, the semiannual self-monitoring report shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.
3. All significant industrial users (SIUs) shall sample and analyze their wastewater discharge at the frequency stipulated in their wastewater discharge permit. Monitoring shall consist of sampling the discharge and determining the nature and concentration of pollutants contained therein which are limited by the applicable pretreatment standard. Upon promulgation of a national categorical pretreatment standard for a particular industrial category containing more stringent monitoring requirements, the requirements of this Section shall immediately be superseded. The Superintendent shall notify all affected users of the more stringent requirements.
4. 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.
5. 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 Subsection (B)(5)(b) and (c) below, the user must collect wastewater samples using twenty-four-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Superintendent. 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 twenty-four-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 ninety-day compliance reports required in 40 CFR 403.12(b) and (d), 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 do not exist; for facilities for which historical sampling data are available, the Superintendent may authorize a lower minimum. For the reports required by Section 705.490(B) [40 CFR 403.12(e) and 403.12(h)], the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.
6. All analyses shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(h) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Where 40 CFR Part 136 does not include a sampling or analytical technique for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutants in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the Superintendent or other parties, approved by the Administrator.
 7. Periodic compliance reports shall contain the results of all sampling and analysis performed by the user during the period covered by the report. If sampling and analysis performed by the user indicates a violation of permit limitations, the user shall notify the POTW within twenty-four (24) hours of becoming aware of the

violation. The user shall repeat the sampling and analysis and submit both analyses to the Superintendent within thirty (30) consecutive calendar 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 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.

8. The periodic compliance reports shall be based upon data obtained through appropriate sampling and analysis as described in Subsection (B)(4) and (5) above, performed during the period covered by the report, which data is representative of conditions occurring during the reporting periods.
 9. The periodic compliance report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment standards or requirements.
- C. *Accidental Discharge Reports.* In the case of an accidental discharge, or any slug loading, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.
1. *Written notice.* Within five (5) days following an accidental discharge, the user shall submit to the Superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this Chapter or other applicable law.
 2. *Notice to employees.* A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer a dangerous discharge to occur are advised of the emergency notification procedure.
- D. *Certification Statements.* The following certification statement is required to be signed and submitted by users submitting permit applications in accordance with Section 705.510(B) and (C); users submitting baseline monitoring reports under Section 705.510(B); users submitting reports on compliance with the categorical pretreatment standard deadlines under Section 705.490, and users submitting periodic compliance reports required by Section 705.490(B). The following certification statement must be signed by an authorized representative as defined in Section 705.010:
- D. 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.

- E. *Reports Of Changed Conditions.* Each user must notify the Superintendent of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least seven (7) days before the change.
 - 1. The Superintendent 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 705.510(B) of this Article.
 - 2. The Superintendent may issue an individual wastewater discharge permit under Section 705.510(C) of this Article or modify an existing wastewater discharge permit under Section 705.510(F) of this Article in response to changed conditions or anticipated changed conditions.
- F. All industrial users shall notify, in writing, the POTW, the State and the United States Environmental Protection Agency of any discharge which would be considered a hazardous waste, if disposed of in a different manner.
- G. *Recordkeeping Requirements.* Users subject to the reporting requirements of this Article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Article, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with best management practices established under Section 705.406(C). 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. These records shall remain available for a period of at least three (3) 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 Superintendent.

Section 705.500. Article Deemed Part of Permits. [R.O. 2012 §705.500; CC 1979 §26-44; Ord. No. A-4561 §5, 8-9-1984; Ord. No. 8321, 10-20-2014]

The provisions of this Article shall be considered a part of all permits issued between the applicant or owner and/or user and the City.

Section 705.510. Industrial Wastewater Discharge Permit. [R.O. 2012 §705.510; CC 1979 §26-45; Ord. No. A-4561 §§6 — 7, 8-9-1984; Ord. No. A-5734 §IV, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. All significant users proposing to connect to or to contribute to the POTW shall obtain a wastewater discharge permit before connecting to or contributing to the POTW. All existing significant users connected to or contributing to the POTW shall obtain a wastewater contribution permit within one hundred eighty (180) days after June 15, 1993.
- B. Users required to obtain a wastewater discharge permit shall complete and file with the

City an application in the form prescribed by the City and accompanied by a fee of one hundred dollars (\$100.00). Within one hundred eighty (180) days after June 18, 1993, or within one hundred eighty (180) days after a final administrative decision has been made upon a category determination submission under 40 CFR 403.6(a) (4), whichever is later, existing significant users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the POTW shall apply for a wastewater discharge permit. In addition, the user shall be required to submit a baseline monitoring report which contains the information listed in the following Subsection (B)(1) through (14). Where reports containing this information already have been submitted to the Superintendent, the user may not be required to submit this information again. At least ninety (90) days prior to commencement of a discharge, new sources, or sources that become significant industrial users subsequent to the promulgation of an applicable categorical pretreatment standard, shall be required to submit with an application for wastewater discharge permit, a report which lists the information in Subsection (B)(1) through (8) and (B)(11) through (14). New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information requested in Subsection (B)(3), (4), (5), (8), (11), (12), and (13).

1. Name, address, and location (if different from the address).
2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1987, as amended.
3. Wastewater constituents and characteristics, including but not limited to, those mentioned in this Chapter as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136, as amended.
4. Time and duration of contributions.
5. Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.
7. Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged.
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State or Federal pretreatment standards;
9. A statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
10. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional

pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:

- a. The schedule shall contain increment of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, etc.)
 - b. No increment referred to in Subsection (B)(10)(a) above shall exceed nine (9) months.
 - c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent, including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Superintendent.
11. Each product produced by type, amount, process or processes and rate of production.
 12. Type and amount of raw materials processed (average and maximum per day).
 13. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system.
 14. Any other information as may be deemed by the City to be necessary to evaluate the permit application.
 14. The City will evaluate the date furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the City may issue a wastewater contribution permit subject to terms and conditions provided herein.
- C. Within nine (9) months of the promulgation of a national categorical standard, the wastewater discharge permit of users subject to such standards shall be reviewed to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a national categorical pretreatment standard, has not previously submitted an application for a wastewater discharge permit as required by Subsection (B) hereof, the user shall apply for a wastewater discharge permit within one hundred eighty (180) days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater discharge permit shall submit to the Superintendent within one hundred eighty (180) days after the promulgation of an applicable national categorical pretreatment standard information required by Subsection (B)(8), (9), and (10), above.
- D. *Permit Conditions.* Wastewater discharge permits shall be expressly subject to all provisions of this Chapter and all other applicable regulations, user charges and fees

established by the City. Permits will contain the following:

1. Applicable Federal, State and local effluent limits, including best management practices, based on applicable pretreatment standards.
 2. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
 3. Requirements for installation and maintenance of inspection and sampling facilities, including flow measurement devices.
 4. Specifications for monitoring programs which may include sampling, frequency of sampling, number, types and standards for tests and reporting schedule.
 5. Compliance schedules.
 6. Self-monitoring, sampling, reporting, notification and recordkeeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
 7. Requirements for notification of the City of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater treatment system, including hazardous wastes.
 8. Requirements to control slug discharge, if determined by the Superintendent to be necessary.
 9. Other conditions as deemed appropriate by the City to ensure compliance with this Article.
- E. *Permit Duration.* Permits shall be issued for five (5) years. The user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the City during the term of the permit as limitations or requirements are modified or the just cause exists. The user shall be informed of any proposed changes in his/her permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.
- F. *Permit Modification.* The Superintendent may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
 2. 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;
 3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 4. Information indicating that the permitted discharge poses a threat to the City's POTW,

- City personnel, or the receiving waters;
5. Violation of any terms or conditions of the individual wastewater discharge permit;
 6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 7. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 8. To correct typographical or other errors in the individual wastewater discharge permit; or
 9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 705.510(G).

G. *Permit Transfer.*

1. *Individual wastewater discharge permit transfer.* Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the Superintendent and the Superintendent approves the individual wastewater discharge permit transfer. The notice to the Superintendent must include a written certification by the new owner or operator which:
 - a. States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
 - b. Identifies the specific date on which the transfer is to occur; and
 - c. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
2. Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

H. *Suspension Of Permit.* The City may suspend the wastewater treatment service and/or wastewater contribution permit when such suspension is necessary, in the opinion of the City, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the City to violate any condition of its NPDES permit.

1. Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution.
2. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals.
3. The City shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

4. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the City within fifteen (15) days of the date of occurrence.

I. *Revocation Of Permit.*

1. The Superintendent may revoke an individual wastewater discharge permit or coverage under a general permit for good cause, including, but not limited to, the following reasons:
 - a. Failure to notify the Superintendent of significant changes to the wastewater prior to the changed discharge;
 - b. Failure to provide prior notification to the Superintendent of changed conditions pursuant to Section 705.490(E) of this Article;
 - c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - d. Falsifying self-monitoring reports and certification statements;
 - e. Tampering with monitoring equipment;
 - f. Refusing to allow the Superintendent timely access to the facility premises and records;
 - g. Failure to meet effluent limitations;
 - h. Failure to pay fines;
 - i. Failure to pay sewer charges;
 - j. Failure to meet compliance schedules;
 - k. Failure to complete a wastewater survey or the wastewater discharge permit application;
 - l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - m. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this Chapter.
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.

Section 705.520. Public Nature of Information and Data Obtained From Owner or User. [R.O. 2012 §705.520; CC 1979 §26-47; Ord. No. A-4561 §9, 8-9-1984; Ord. No. A-5734 §VI, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. Any information or data submitted by a user pursuant to this Chapter may be claimed as confidential by the submitter. Such a claim must be asserted at the time of submission by

stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the City may make the information public without further notice. If a claim is asserted, the information will be treated in accordance with 40 CFR Part 2 (Public Information).

1. Effluent data submitted to the City pursuant to this Chapter shall be available to the public without reservation.
2. All other information which is submitted to the State or City shall be available to the public at least to the extent provided by 40 CFR 2.302.
3. All information and data obtained by the City from industrial user reports, questionnaires, permit applications, permits and monitoring programs, and from inspections shall be available to governmental agencies upon request.

Section 705.530. Federal Standards To Supersede Less Stringent City Discharge Standards. [R.O. 2012 §705.530; CC 1979 §26-48; Ord. No. A-4561 §10, 8-9-1984; Ord. No. A-5734 §III, 6-18-1993; Ord. No. 8321, 10-20-2014]

National categorical pretreatment standards, located in 40 CFR Chapter I, Subchapter N, Parts 405 — 471, are hereby incorporated into this Chapter. The national categorical pretreatment standards, if more stringent than limitations imposed in this Chapter for sources in that subcategory, shall immediately supersede the limitations imposed in this Chapter. The Superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12.

Section 705.540. Dilution as Treatment Prohibited. [R.O. 2012 §705.540; Ord. No. A-5734 §III, 6-18-1993; Ord. No. 8321, 10-20-2014]

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in national categorical pretreatment standards or in any other pollutant-specific limitation developed by the City or State. The Superintendent 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 705.550. State Requirements and Limitations To Supersede Less Stringent Federal and City Regulations. [R.O. 2012 §705.550; CC 1979 §26-49; Ord. No. A-4561 §11, 8-9-1984; Ord. No. 8321, 10-20-2014]

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those of the City's ordinances.

Section 705.560. Administrative Enforcement Remedies. [R.O. 2012 §705.560; CC 1979 §26-50; Ord. No. A-4561 §12, 8-9-1984; Ord. No. A-5734 §V, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. *Notice Of Violation.* Whenever the Superintendent finds that any industrial user has violated or is violating this Chapter, a wastewater discharge permit or order issued hereunder, the Superintendent or his/her agent may serve upon said user written notice of the violation. Within ten (10) days of the receipt date of this notice, an explanation of the

violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Superintendent. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation.

- B. *Consent Orders.* The Superintendent is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the industrial user responsible for the non-compliance. Such orders will include specific action to be taken by the industrial user to correct the non-compliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to Subsection (D) hereof.
- C. *Show Cause Hearing.* The Superintendent may order any industrial user which causes or contributes to violation of this Chapter or wastewater discharge permit or order issued hereunder, to show cause why a 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 and the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any principal executive, general partner or corporate officer. Whether or not a duly notified industrial user appears as noticed, immediate enforcement action may be pursued.
- D. *Administrative Order.* When the Superintendent finds that an industrial user has violated or continues to violate the Chapter or a wastewater discharge permit or order issued thereunder, he/she may issue an order to the industrial user responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances have been installed and are properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the non-compliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.
- E. *Emergency Suspensions.*
 - 1. The Superintendent may suspend the wastewater treatment service and/or wastewater permit of an industrial user whenever such suspension is necessary in order to stop an actual or threatened discharge presenting or causing an imminent or substantial endangerment to the health or welfare of persons, the POTW, or the environment.
 - 2. Any user notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Superintendent shall take such steps as deemed necessary, including immediate severance or plugging of the sewer connection or termination of water service to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Superintendent shall allow the user to recommence its discharge when the endangerment has passed, unless the termination proceedings set forth in Section 705.550 are initiated against the user.

3. An industrial user which is responsible, in whole or in part, for imminent endangerment shall submit a detailed written statement describing the cause of the harmful contribution and the measures taken to prevent any future occurrence to the Superintendent prior to the date of the hearing described in Subsection (E)(2) above.

Section 705.570. Violations Subjecting Owner or User to Permit Revocation. [R.O. 2012 §705.570; CC 1979 §26-51; Ord. No. A-4561 §13, 8-9-1984; Ord. No. A-5734 §IV, 6-18-1993; Ord. No. 8321, 10-20-2014]

- A. Any owner and/or user who violates the following conditions of this Article, or applicable State and Federal regulations, is subject to having his/her permit revoked in accordance with the procedures of this Article:
 1. Failure of the owner and/or user to factually report the wastewater constituents and characteristics of his/her discharge.
 2. Failure of the owner and/or user to report significant changes in operations, or wastewater constituents and characteristics.
 3. Refusal of reasonable access to the premises of the owner and/or user for the purpose of inspection or monitoring.
 4. Violations of conditions of the permit.
 5. Refusal to retain records for a minimum of three (3) years.
 6. Failure of the user to provide prior notification of a new or substantially changed discharge.

Section 705.580. Injunctive Relief. [R.O. 2012 §705.580; CC 1979 §26-52; Ord. No. A-4561 §§14 — 17, 8-9-1984; Ord. No. A-5734 §V, 6-18-1993; Ord. No. 8321, 10-20-2014]

Whenever an industrial user has violated or continues to violate the provisions of this Chapter, wastewater discharge permit or order issued hereunder, the Superintendent through counsel may petition the Circuit Court of Barry County for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains or compels the activities on the part of the industrial user. The Superintendent shall have such remedies to collect these fees as it has to collect other sewer service charges.

Section 705.590. Violations — Civil Liability — Penalties — Continuing Violations — Recovery of Court Fees, Etc. [R.O. 2012 §705.590; CC 1979 §26-53; Ord. No. A-4561 §18, 8-9-1984; Ord. No. A-5957 §1, 7-18-1994; Ord. No. 8321, 10-20-2014]

Any person violating any of the provisions of this Article shall become civilly liable to the City for any expense, loss or damage occasioned the City by reason of such violation. The owner and/or user may be fined not more than one thousand dollars (\$1,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorneys' fees, court costs, court recorder's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Article or the orders, rules, regulations and permits

issued hereunder.

Section 705.600. Violations — Penalties for False Statements, Etc. [R.O. 2012 §705.600; CC 1979 §26-54; Ord. No. A-4561 §19, 8-9-1984; Ord. No. 8321, 10-20-2014]

Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Article or the wastewater contribution permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Article, shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) or by confinement for not more than ninety (90) days, or by both.

Section 705.610. Publication of Users in Significant Non-Compliance. [R.O. 2012 §705.610; CC 1979 §26-55; Ord. No. A-4561 §22, 8-9-1984; Ord. No. A-5734 §VI, 6-18-1993; Ord. No. 8321, 10-20-2014]

A. The Superintendent 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 non-compliance with applicable pretreatment standards and requirements. The term "significant non-compliance" shall be applicable to all significant industrial users (or any other industrial user that violates paragraphs (C), (D) or (H) 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-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits as defined in Sections 705.400, 705.402, 705.404, and 705.408.
2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six-month period equals or exceeds the product of the numeric pretreatment standard or requirement, including instantaneous limits, as defined by Sections 705.400, 705.402, 705.404, and 705.408 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
3. Any other violation of a pretreatment standard or requirement as defined by Sections 705.400, 705.402, 705.404, and 705.408 (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Superintendent 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 Superintendent'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 non-compliance; or
8. Any other violation(s), which may include a violation of best management practices, which the Superintendent determines will adversely affect the operation or implementation of the local pretreatment program.

ARTICLE VI
Construction of Sewers

Section 705.620. Specifications For Construction of Sewers. [R.O. 2012 §705.620; Ord. No. A-6519 §1, 6-10-1997]

The specifications contained in Exhibit 1 of Ordinance Number A-6519, which is on file in the City offices, and made a part hereof, shall hereinafter become the standardized specifications for the construction of sewer lines in the City of Monett, Missouri.