

ORDINANCE NO. 80-744

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 41, WATER AND SEWERS RELATING TO INDUSTRIAL WASTEWATER DISCHARGE.

THE CITY OF WARREN ORDAINS:

SECTION 1. That Chapter 41, Article III, Division 1, Section 41-57 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS, IN RELEVANT PART, AS FOLLOWS:

Sec. 41-57. – Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings described in this section unless the context in which they are used specifically indicates otherwise:

IS HEREBY AMENDED TO READ, IN RELEVANT PART, AS FOLLOWS:

Sec. 41-57. – Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings described in this section unless the context in which they are used specifically indicates otherwise:

(5.5) *Best Management Practice (BMP)*: a practice or practices that prevent or reduce adverse effects of industrial water discharge, including, but not limited to, practices establishing: treatment requirements; operating, maintenance, and management procedures; controls on site runoff, spillage, and leaks; and controls on sludge or waste disposal, drainage, and material storage.

(27.5) *Fundamentally Different Factor Variance*: A variance from the Local Discharge Limits that is permitted because the facility is fundamentally different than those facilities that Local Discharge Limits are based on.

(38) [Reserved] *Matrix interference*: Characteristics of the sample that interfere with the test method execution such that reliable data cannot be generated.

(38.25) *Maximum Allowable Headworks Loading*: The total mass, including SAL allocations, of a pollutant that all users, septege receipts, along with POTW's safety factors may discharge without causing a pass through or interference.

(38.75) *Maximum Allowable Industrial Loading*: The total mass, including SAL allocations, of a pollutant that all industrial users of a POTW may discharge without causing a pass through or interference.

(52.5) *Practical quantitation level*: As defined by the MDEQ's Mich Admin Code, R 325.10107(f), is the lowest concentration that can be reliably achieved by well-operated laboratories within specified limits of precision and accuracy during routine laboratory operating conditions.

SECTION 2. That Chapter 41, Article III, Division 1, Section 41-58 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS, IN RELEVANT PART, AS FOLLOWS:

Sec. 41-58. – Abbreviations.

The following abbreviations shall have the designated meanings:

IS HEREBY AMENDED TO READ, IN RELEVANT PART, AS FOLLOWS:

Sec. 41-58. – Abbreviations.

The abbreviations shall have the following designated meanings:

SIU ---- Significant Industrial User
BMP--- Best Management Practice
SAL --- Specific Alternative Limit
PQL --- Practical Quantitation Level

SECTION 3. That Chapter 41, Article III, Division 3, Section 41-75 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-75. – Local discharge limits.

(a) No user shall discharge wastewater which exceeds the following concentrations:

Arsenic	.33 mg/l
Beryllium	.005 mg/l
Cadmium	.29 mg/l
Chromium (Hexavalent)	0.5 mg/l
Chromium (Total)	7.0 mg/l
Copper	4.5 mg/l
Cyanide (Total)	1.05 mg/l
Lead	0.6 mg/l
Lithium	0.83 mg/l
Mercury	ND*
Nickel	4.1 mg/l
Silver	1.2 mg/l
Zinc	4.2 mg/l
Total Phenol	0.67 mg/l
BOD (Biological Oxygen Demand)	3900 mg/l
TSS (Total Suspended Solids)	4220 mg/l
Phosphorus	75 mg/l
Ammonia-N	200 mg/l
Petroleum Based Fats, Oil and Grease	150 mg/l
Vegetable and Animal based Fats, Oil and Grease	900 mg/l

* Discharge of Mercury at detectable levels will be a specific violation of the Ordinance. The analytical method shall be EPA Method 245.1, and the Practical Quantification Level (PQL) shall be no higher than 0.2 ug/l unless a higher quantification level is appropriate because of sample matrix interference.

(b) No user shall discharge wastewater which exceeds the following concentrations on a grab sample:

Arsenic	5.0 mg/l
Beryllium	0.05 mg/l
Cadmium	6.0 mg/l
Chromium (Hexavalent)	0.5 mg/l
Chromium (Total)	35.0 mg/l
Copper	22.5 mg/l
Cyanide (Free)	0.5 mg/l
Cyanide (Total)	1.5 mg/l
Lead	3.0 mg/l
Mercury	0.0005 mg/l
Nickel	20.5 mg/l
Silver	6.0 mg/l
Zinc	21.0 mg/l
Total Phenol	1.0 mg/l
Chlorine Demand	15 mg/l
Petroleum Based Fats, Oil and Grease	150 mg/l
Vegetable and Animal Based Fats, Oil and Grease	900 mg/l

(c) In the event that the superintendent determines that a user is contributing or proposes to contribute any substances to the POTW in quality, quantity or in a location that causes or may cause problems to the POTW or the receiving stream, regardless of the effluent limits enumerated, the superintendent has the authority to develop and enforce an effluent limit specifically applicable to that user.

IS HEREBY AMENDED TO READ AS FOLLOWS:

(a) *Effluent limits.* Unless, a written authorization from the City is obtained pursuant to subsection (e) of this Section, an industrial user shall not discharge wastewater that exceeds the following concentrations:

Arsenic	.33mg/l
Beryllium	.005mg/l
Cadmium	.29mg/l
Chromium (Total)	7.0mg/l
Copper	4.5mg/l
Lead	0.6mg/l
Lithium	0.83mg/l
Mercury	See subsection (b) of this Section
Nickel	4.1mg/l
Selenium	0.21mg/l
Silver	0.82mg/l
Thallium	0.54mg/l
Zinc	4.2mg/l
BOD (Biological Oxygen Demand)	2100mg/l
TSS (Total Suspended Solids)	1450mg/l
Phosphorus	75mg/l
Ammonia-N or Total K Kjeldahl (TKN)*	200mg/l

* If significant organic nitrogen is or may be present, Ammonia-N may be expressed as Total Kjeldahl Nitrogen (TKN).

(b) *Mercury limits.* Any mercury discharge at detectable levels is a violation of this Article. The mercury discharge level is calculated by EPA Method 245.1 or an EPA-approved equivalent. The PQL shall be no higher than 0.0002 mg/l, unless a higher quantification level is appropriate because of demonstrated sample matrix interference.

(c) *Effluent limits in grab sample.* Unless, a written authorization from the City is obtained pursuant to subsection (e) of this Section, an industrial user shall not discharge wastewater that exceeds the following concentrations in any grab sample:

Chromium (Hexavalent)	0.5mg/l
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Cyanide (Available)	0.5mg/l	
Cyanide (Total)	1.3mg/l	
Total Phenolics	0.67mg/l	
Petroleum Based Fats, Oil and Grease	150 mg/l	
Total Fats, Oil and Grease	900/l	

(d) *New limits.* If the superintendent determines that an industrial user is contributing or proposes to contribute any substances to the POTW in a quality, quantity, or location that the superintendent determines is reasonably likely to adversely affect the POTW or the receiving stream, the superintendent may develop and enforce effluent limits that are specifically applicable to that substance, industrial user, or both.

(e) *Specific alternative limit permits.*

- i. *Authority to grant.* Subject to the requirements and restrictions listed in this Subsection (e), the superintendent, at his sole discretion, may grant a specific alternative limit (SAL) or multiple specific alternative limits to an industrial user in an industrial pretreatment permit that allows discharges to the POTW that are different than the effluent limits listed in (a) and (c) of this Section (SAL permit).
- ii. *Constituent.* The superintendent shall only grant SAL permits for BOD, TSS, Phosphorus, and Ammonia-N/ Total K Kjeldahl (TKN)
- iii. *Maximum Allowable Headworks and Industrial Loadings.* In determining a SAL, the superintendent may allocate a share of the Maximum Allowable Headworks Loading and Maximum Allowable Industrial Loading for BOD, TSS, Phosphorus, and Ammonia-N among one or more industrial users in amounts and on terms and conditions the superintendent deems appropriate and are in accordance with SAL procedures approved by the MDEQ.

1. The POTW plant headworks loadings shall not exceed the following levels:

BOD (Biological Oxygen Demand)	48,000 lb/day
TSS (Total Suspended Solids)	43,500 lb/day
Phosphorus	1,030 lb/day
Ammonia-N	4,500 lb/day

2. The POTW plant industrial loadings shall not exceed the following levels:

BOD (Biological Oxygen Demand)	27,500 lb/day
TSS (Total Suspended Solids)	18,350 lb/day
Phosphorus	402 lb/day
Ammonia-N	1,510 lb/day

- iv. *Fundamentally Different Factor Variance.* The superintendent shall not grant a SAL that is less stringent than the effluent limits listed in (a) and (c) of this Section, unless the industrial user qualifies for a Fundamentally Different Factor Variance that allows the user to exceed the applicable effluent limits. If the superintendent grants a variance, the SAL shall not exceed the limits provided in the variance.
- v. *Acknowledgement and acceptance.* Before the superintendent grants a SAL permit, the industrial user shall sign an acknowledgement and acceptance of both the provisions of this Subsection (e) and the specific SAL permit conditions or provisions.
- vi. *Additional conditions or provisions.* The superintendent may include in a SAL permit any conditions or provisions that comply with this Article and any other applicable City, State, or Federal laws or regulations.
- vii. *Compensatory charge.* The superintendent may include in a SAL permit a provision requiring that the industrial user pay a compensatory charge to the City.
- viii. *No additional rights created.* The SAL permit does not create any rights or future expectations beyond the limited scope of the express language of the SAL permit.
- ix. *Termination or modification.* At any time after granting the SAL permit, the superintendent may terminate or modify it without the industrial user's consent.
- x. *Violation.* Any violation of a SAL permit provision is a violation of this Article.

SECTION 4. That Chapter 41, Article III, Division 3, Section 41-80 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-80. – Notice of slug load and problem discharges.

- (a) In the event of a discharge that could cause a problem to the POTW such as a slug load, the user shall immediately telephone and notify the POTW of the potential problem. The user shall comply with all notice and reporting requirements set forth in section 41-81 for operating upsets.
- (b) Upon request of the city, the user shall submit a slug load discharge control plan as defined by 40 CFR 403.8(f)(2)(v).

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-80. – Notice of slug load and problem discharges.

- (a) In the event of a discharge that is reasonably likely to adversely affect the POTW, including, but not limited to, a slug load, the industrial user shall immediately notify the POTW contact person by telephone of the discharge and potential problem. The industrial user shall comply with all notice and reporting requirements set forth in Section 41-81 for operating upsets.

- (b) On request of the superintendent, the industrial user shall submit a Slug Load Discharge Control Plan as defined by 40 CFR 403.8(f)(2)(vi).
- (c) An industrial user shall immediately notify the POTW of any changes at its facility that may affect the potential for a slug load discharge.

SECTION 5. That Chapter 41, Article III, Division 3, Section 41-81 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-81. – Operating upsets.

- (a) Immediate notice. In the case of an operating upset, the user shall immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration level, volume and corrective action taken.
- (b) Five-day report. Within five (5) days following an operating upset, the user shall submit to the superintendent a detailed written report describing the cause of the discharge, the duration of noncompliance including exact dates and times, the measures taken in response to the discharge, the impact of the discharge on the user's compliance status and the measures to be taken by the user to prevent any future recurrence.
- (c) Employee notice. All users shall notify all appropriate employees of the notification procedures required in the event of an operating upset. A notice shall be permanently posted on the user's bulletin board or other prominent place stating the name and telephone number of the contact person at the POTW in the event of an operating upset.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-81. – Operating upsets.

- (a) *Immediate notice.* In the case of an operating upset, the industrial user shall immediately notify the POTW contact person by telephone of the incident. The notification shall include all of the following: the location of the discharge, type of waste, concentration level, volume, and corrective action taken.
- (b) *Five-day report.* Within five (5) days after an operating upset, the industrial user shall submit to the superintendent a detailed written report describing all of the following: the cause of the discharge, the duration of noncompliance, including exact dates and times, the measures taken in response to the discharge, the impact of the discharge on the user's compliance status, and the measures to be taken by the user to prevent any future recurrence.

- (c) *Employee notice.* An industrial user shall notify all appropriate employees of the required operating upset notification procedures. Additionally, in a prominent place at the industrial facility, the industrial user shall permanently post the name and telephone number of the contact person at the POTW in case of an operating upset or other problematic discharge.

SECTION 6. That Chapter 41, Article III, Division 3, Section 41-87 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-87. – Records retention.

All users subject to this article shall retain for a period of three years all records, books, documents, memoranda, reports, correspondence, and any summaries relating to monitoring, sampling and chemical analyses made by or on behalf of a user in connection with its discharge. All records that pertain to matters which are the subject of enforcement action, litigation or administrative adjustment, shall be retained and preserved by the user until all enforcement activities, all periods of limitation and all appeals periods have expired. Upon request, all such records shall be made available to representatives of the EPA, state, or POTW for inspection and copying purposes.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-87. – Records retention.

- (a) Except as provided in subsection (b) of this Section, an industrial user shall retain, for a period of three years, all records including books, documents, memoranda, reports, correspondence, and any summaries relating to monitoring, sampling, and chemical analysis, including BMP documentation made by or on behalf of a user in connection with its discharge.
- (b) An industrial user shall retain all records that pertain to matters that are the subject of enforcement action, litigation, or administrative adjustment until all enforcement activities, periods of limitation, and appeals periods have expired. On request, an industrial user shall provide all such records to representatives of the EPA, state, or POTW for inspection and copying purposes.

SECTION 7. That Chapter 41, Article III, Division 3, Section 41-102 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-102. – Testing and analysis.

Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the POTW and to determine the existence of hazards to life, limb and property. The type of sample to be taken will depend on the specific analysis to be performed as determined by the superintendent. All sampling and analysis shall be performed in accordance with 40 CFR Part 136, standard methods or other methods if approved by the superintendent.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-102. – Testing and analysis.

- (a) *Sampling methods.* The industrial user or its designee shall carry out sampling by customarily accepted methods to reflect the effect of constituents on the POTW and to determine the existence of hazards to life, limb, and property. The superintendent will determine the type of sample to be taken depending on the specific analysis to be performed. The industrial user or its designee shall perform all sampling and analysis in accordance with 40 CFR Part 136, standard methods, or an alternative method as approved by the superintendent.
- (b) *Facilities.*
 - i.* The industrial user or its designee shall properly operate, keep clean, and maintain in good working order its wastewater monitoring and flow measurement facilities.
 - ii.* The industrial user's failure to keep its monitoring and flow measurement facilities in good working order is not grounds for claiming that sample results are unrepresentative of its discharge.
- (c) *Samples.*
 - i.* The industrial user or its designee shall ensures wastewater samples are representative of the industrial user's discharge.
 - ii.* *Composite samples.* For composite samples, the industrial user or its designee shall use a flow-proportional sampling technique, unless an alternative time-based or grab-based sampling technique is approved by the superintendent. An industrial user seeking an alternative sampling technique shall submit a written request and demonstrate that the alternative sampling technique will be representative of the discharge. The superintendent may only grant the use of an alternative sampling

technique if the basis for granting the alternative sampling technique is documented in the City's file for that user.

iii. Grab samples.

- (1) The industrial user or its designee shall use grab samples for assessing oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds compliance.
- (2) For compliance reports, except 90-day compliance reports and baseline monitoring reports, the industrial user or its designee shall use a minimum of four (4) daily grab samples for oil and grease, pH, cyanide, total phenols, sulfides, and volatile organic compounds. If historical sampling data is available, the superintendent may authorize a lower number of samples.
- (3) For 90-day compliance and baseline monitoring reports, the industrial user or its designee may composite multiple grab samples prior to analysis, if they comply with all of the following:
 - a. they are collected during a 24-hour period;
 - b. they are composited using protocols (including appropriate preservation) specified in 40 CFR part 136 and appropriate EPA guidance;
 - c. for cyanide, total phenols, and sulfides they are composited in the field or the laboratory;
 - d. for volatile organics and oil and grease they are composited only in the laboratory; and
 - e. for other pollutants, they are composited as authorized by the superintendent.

SECTION 8. That Chapter 41, Article III, Division 3, Section 41-113 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-113. – Significant noncompliance.

An industrial user shall not fall into significant noncompliance with the pretreatment regulations. An industrial user is in significant noncompliance if its violations meet one or more of the following criteria:

- (1) The industrial user has chronic violations of wastewater discharge limits, defined as those in which sixty-six (66) percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
- (2) The industrial user has technical review criteria violations, defined as those in which thirty-three (33) percent or more of all of the measurements for any pollutant parameter taken during a six-month period equal or exceed the product

of the daily maximum limit or the average limit times the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);

- (3) The industrial user has any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the POTW has determined caused, alone or in combination with other discharges, interference, pass through or endangered the health of the POTW personnel or general public;
- (4) The industrial user has discharged a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
- (5) The industrial user has failed to meet, within ninety (90) days after the schedule date, a compliance schedule date or a compliance schedule milestone for starting construction, completing construction, attaining final compliance or a date otherwise contained in an order;
- (6) The industrial user has failed to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (7) The industrial user has failed to accurately report noncompliance;
- (8) The violation or group of violations has adversely affected the operation or implementation of the pretreatment program as determined by the superintendent.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-113. – Significant noncompliance.

An industrial user shall not be in significant noncompliance with the pretreatment regulations. An industrial user is in significant noncompliance if its violations meet one or more of the following criteria:

1. The industrial user has chronic violations of wastewater discharge limits. Chronic violations of wastewater discharge limits occur when 66 percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit: average or instantaneous limit for the same pollutant parameter;
2. The industrial user has technical review criteria violations. Technical review criteria violations occur when 33 percent or more of all of the measurements for any pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit: average or instantaneous limit times the

- applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
3. The industrial user violated any other pretreatment effluent limit (daily maximum, longer-term average, or instantaneous limit) that the POTW determined caused, alone or in combination with other discharges, interference, pass through, or endangered the health of the POTW personnel or the general public;
 4. The industrial user discharged a pollutant that caused imminent endangerment to human health, welfare, or the environment; or resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
 5. Within 90 days after the schedule date, the industrial user did not meet a compliance schedule date or a compliance schedule milestone for starting construction, completing construction, attaining final compliance, or any other date contained in an order;
 6. Within 30 days after the due date, the industrial user did not provide required reports including all of the following: baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 7. The industrial user did not accurately report noncompliance; or
 8. The violation or violations adversely affected the operation or implementation of the pretreatment program as determined by the superintendent.

SECTION 9. That Chapter 41, Article III, Division 3, Section 41-124 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-124. – Permit conditions.

(a) All industrial pretreatment permits shall include the following conditions:

- (1) A statement of duration;
- (2) A statement of nontransferability;
- (3) Effluent limits for the average and maximum wastewater constituents and characteristics;
- (4) Sampling, reporting notification and recordkeeping requirements
- (5) A statement that violation of pretreatment standards and requirements can result in applicable civil and criminal penalties as described in Division 5 of this article.

(b) Additionally, industrial pretreatment permits may be subject to the following conditions:

- (1) Schedule of fees and charges.
 - (2) Limits on average and maximum rate and time of discharge and/or requirements for flow regulation and equalization.
 - (3) Requirements for installation and maintenance of inspection and sampling facilities.
 - (4) Requirements for installations and operation of discharge flow monitors.
 - (5) Compliance schedules.
 - (6) Requirements for submission of technical reports or discharge reports.
 - (7) Requirements for maintaining plant records relative to wastewater discharge as specified by the city, and affording city access thereto.
 - (8) Requirements for notification to the city of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituent being introduced into the POTW.
 - (9) Requirements for notification of accidental discharges as required in section 41-80.
 - (10) Other conditions as deemed appropriate by the city to insure compliance with this division.
- (c) Any user subject to the permit requirements of this article may, within fifteen (15) days of receiving the permit issued hereunder, request reconsideration of the conditions contained therein. The request for reconsideration shall be in writing and contain grounds supporting the users request for reconsideration.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-124. – Permit conditions.

- (a) Industrial pretreatment permits shall include all of the following conditions:
1. A statement of duration;
 2. A statement of nontransferability;
 3. Effluent limits for the average and maximum wastewater constituents and characteristics;
 4. Sampling, reporting notification, and recordkeeping requirements; and
 5. A statement that a violation of pretreatment standards and requirements may result in applicable civil and criminal penalties, as described in Division 5 of this Article.

- (b) Additionally, if the superintendent determines it is necessary, industrial pretreatment permits may include any of the following conditions:
1. A schedule of fees and charges;
 2. Limits on average and maximum rate and time of discharge, requirements for flow regulation and equalization, or both;
 3. Requirements for installation and maintenance of inspection and sampling facilities;
 4. Requirements for installations and operation of discharge flow monitors;
 5. Compliance schedules;
 6. Requirements for submission of technical reports, discharge reports, or both;
 7. Requirements for maintaining plant records relating to wastewater discharge as specified by the superintendent;
 8. Requirements for allowing the City or its agent to access any plant records;
 9. Requirements for notifying the city or its agent of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituent introduced into the POTW;
 10. Requirements for notifying the City or its agent of accidental discharges, as required in Section 41-80;
 11. Requirements for notifying the City or its agent of slug discharges;
 12. Requirements for controlling slug discharge;
 13. Requirements for BMPs; and
 14. Other conditions to insure compliance with this Division.
- (c) Within 15 days of receiving a permit issued pursuant to Section 41-121, a SIU may request reconsideration of the conditions contained in the permit. The SIU shall submit the request for consideration in writing and state the grounds supporting the request for reconsideration.

SECTION 10. That Chapter 41, Article III, Division 3, Section 41-133 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Sec. 41-133. – Permittee periodic compliance reports.

- (a) During the months of June and December of each year, every permittee or significant industrial user discharging into the POTW whether existing or new source, shall submit to the superintendent a compliance report indicating:
- (1) The nature and concentration of pollutants in the effluent which are limited by the categorical pretreatment standards or local requirements;

(2) A record of measured or estimated average and maximum daily flows of the reporting period for the discharge. Upon request of the POTW, the user shall provide more detailed reporting of flow;

(3) All monitoring results of any permitted wastewater constituents analyzed in accordance with approved 40 CFR 136 test methods.

- (b) The reports shall be based on sampling and analysis performed in the period covered by the report and done in accordance with the techniques described in 40 CFR part 136. The POTW may require the user to submit periodic compliance reports more frequently than bi-annually. Further, the months that the periodic compliance reports are due may be altered at the discretion of the superintendent in consideration of local high or low flow rates, holidays, budget cycles, etc.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 41-133. – Permittee periodic compliance reports.

- (a) Every June and December, a permittee or SIU shall submit a compliance report to the superintendent that indicates all of the following:
1. The nature and concentration of pollutants in the effluent that are limited by the categorical pretreatment standards or local requirements;
 2. A record of measured or estimated average and maximum daily flows of the reporting period for the discharge. Upon request of the POTW, the user shall provide more detailed reporting of flow; and
 3. All monitoring results of any permitted wastewater constituents analyzed in accordance with approved 40 CFR 136 test methods.
- (b) The reports shall be based on sampling and analysis performed in the period covered by the report and done in accordance with the techniques described in 40 CFR part 136. The POTW may require the user to submit periodic compliance reports more frequently than bi-annually. Further, the months that the periodic compliance reports are due may be altered at the discretion of the superintendent in consideration of local high or low flow rates, holidays, budget cycles, or other factors.
- (c) If this Division requires an industrial user to comply with a BMP, the industrial user shall submit documentation necessary for the superintendent to determine compliance with the requirement.

SECTION 11. This Ordinance shall take effect on July 4, 2016.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-744 was adopted by the Council of the City of Warren at its meeting held on June 14, 2016.

PAUL WOJNO
City Clerk

Published: June 29, 2016