

ORDINANCE 1397

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 13.10, Sections 13.10.010, 13.10.030, 13.10.070, 13.10.090, 13.10.110, 13.10.130, 13.10.160(B), OF TITLE 13 AND ADDING NEW SECTIONS 13.10.103, 13.10.105, 13.10.035, TO TITLE 13 OF THE PAYETTE MUNICIPAL CODE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.

WHEREAS, the City of Payette desires to incorporate recommendations from the Environmental Protection Agency (EPA) regarding amendments to its regulations for disposal of industrial wastewater as a result of the most recent NPDES permit renewal; and

WHEREAS, the City has submitted these proposed changes to the EPA for its pre-approval.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. Sections 13.10.010, 13.10.030, 13.10.070, 13.10.090, 13.10.110, 13.10.130, 13.10.160(B) of Title 13 of the Payette Municipal Code are hereby amended as follows:

13.10.010: PURPOSE AND POLICY:

This chapter sets forth uniform requirements for users of the publicly owned treatment works (POTWs) and enables the city to protect public health and the environment in conformity with all applicable local, state and federal laws relating thereto. This chapter provides for the regulation of users of the POTW through the enforcement of administrative regulations. This chapter authorizes the issuance of indirect discharge permits; authorizes monitoring, compliance and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program described herein. This chapter does not establish rates for sewer dischargers. Rates shall be established by the city in other chapter enactments.

The objectives of this chapter are:

- A. To prevent the introduction of pollutants into the POTW which will interfere with the normal operation of the system or contaminate the resulting municipal sludge.
- B. To prevent the introduction of pollutants into the POTW which do not receive adequate treatment and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system.
- C. To improve the opportunity to recycle and reclaim wastewater and sludge from the POTW.
- D. To protect the public using and the personnel operating the POTW.

~~E. To ensure all users pay their fair share of all treatment costs.~~

13.10.030: DEFINITIONS:

The definitions contained in chapter 13.08 of this code shall apply to this chapter.

The following terms shall mean:

ACT: The clean water act (33 USC 1251, et seq.), as amended.

APPLICABLE PRETREATMENT STANDARDS: For any specified pollutant, city prohibitive discharge

standards, city's specific limitations on discharge, state of Idaho pretreatment standards, or the national categorical pretreatment standards (when effective) whichever standard is appropriate or most stringent.

APPROVAL AUTHORITY: The term means the Director in an NPDES State with an approved State pretreatment program and the appropriate Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program.

BEST MANAGEMENT PRACTICES (BMPs): The term Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions in this ordinance. BMPs also 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.

BYPASS: The intentional diversion of waste streams from any portion of a user's treatment facility.

CATEGORICAL PRETREATMENT STANDARDS: Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with sections 307(b) and (c) of the act (33 USC 1317) which apply to a specific category of users and which appear in 40 CFR chapter 1, subchapter N, ~~parts 405-474.~~

CATEGORICAL USER: A user regulated by one or more of EPA's categorical pretreatment standards.

CITY: The city of Payette, a municipal corporation of the state of Idaho.

COMPOSIT SAMPLE: The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

COOLING WATER/NONCONTACT COOLING WATER: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

DOMESTIC USER(Residential User): Any person who contributes, causes, or allows the contribution of wastewater into the POTW that is of a similar volume and/or chemical make-up as that of a residential dwelling unit.

EFFLUENT LIMITATION: Any restriction imposed by the City on quantities, discharge rates, and mass or concentration of pollutants that are discharged by users into the POTW. Also referred to as a Local Limit.

EXISTING SOURCE: For a categorical industrial user, an existing source is any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

EXISTING USER: For noncategorical users an existing user is defined as any user that is discharging wastewater prior to the effective date of this ordinance.

GRAB SAMPLE: A sample which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and without consideration of time.

INDIRECT DISCHARGE: The discharge or the introduction of nondomestic pollutants into a POTW from a source regulated under section 307 (b), (c) or (d) of the Act.

Indirect Discharge Permit (Industrial Wastewater Discharge Permit, Discharge Permit). An authorization or equivalent control document issued by the City to users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this ordinance.

INDUSTRIAL USER OR USER: Any nonresidential user with an indirect discharge of effluent into a POTW by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches and all constructed devices and appliance appurtenant thereto. This term includes federal, state and local facilities as part of the regulated community, since such entities are subject to federal pretreatment regulations.

INDUSTRIAL WASTE: Solid, liquid or gaseous waste resulting from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources.

INTERFERENCE: A discharge which alone or in conjunction with a discharge or discharges from other sources, either: a) inhibits or disrupts the POTW, its treatment processes or operations; b) inhibits or disrupts sludge processes, use or disposal; or c) is the cause of a violation of the discharge permit, including an increase in the magnitude or duration of a violation 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 more stringent state or local regulations: section 405 of the clean water act, the solid waste disposal act (SWDA), including title II, more commonly referred to as the resource conservation and recovery act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA, the clean air act, and the toxic substances control act.

Maximum Allowable Industrial Loading (MAIL): The estimated maximum loading of a pollutant that can be received at the POTW headworks from all permitted industrial users and other controlled sources without causing pass through or interference.

MINOR INDUSTRIAL USER (MIU): A nonresidential user with an indirect discharge to the POTW which does not meet the criteria as a significant industrial user or a significant connecting user, but whose operation and discharge may warrant inspection to ensure compliance with discharge prohibitions, pretreatment facility operation, spill prevention measures and pollution prevention assistance.

NPDES: National pollutant discharge elimination system permit program as administered by the USA EPA or state.

NEW SOURCE:

A. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, and such building, structure, facility or installation:

1. Is constructed at a site at which no other source is located; or
2. Totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
3. Is constructed for production or wastewater generating processes which are substantially independent of an existing source at the same site, substantial independence being determined by factors such as: a) the extent to which the new facility is integrated with the existing plant; and b) the extent to which the new facility is engaged in the same general type of activity as the existing source.

B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subsection A2 or A3 of this definition, but otherwise alters, replaces or adds to existing process of production equipment.

C. For purposes of this definition, construction is deemed to commence when:

1. The owner or operator of the facility has 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 herein; or

2. When the following are begun as part of a continuous on site construction:

- a. Any placement, assembly or installation of facilities or equipment; or
- b. 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.

NEW USER (New Discharger): A new user is not a new source and is defined as a user that applies to the City for a new building permit or any person or business that occupies an existing building and plans to discharge wastewater to the City's collection system after the effective date of this ordinance.

OTHER WASTES: Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals and all other substances except sewage and industrial wastes.

PASS THROUGH: The occurrence of an indirect 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 POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

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

POTW: Any sewage treatment works owned and operated by the city and the sewers and conveyance appurtenances discharging thereto, whether or not owned by the city. The term also means the city since the U.S. environmental protection agency issues the NPDES permits to the city.

~~PASS-THROUGH: The occurrence of an indirect 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 POTW's NPDES permit, including an increase in the magnitude or duration of a violation.~~

POLLUTANT: Any substance discharged into a POTW or its collection system which is prohibited or limited by subsections 13.10.040 A, B and sections 13.10.050, 13.10.060 and 13.10.070 of this chapter. This term includes dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural wastes.

PRETREATMENT: The reduction of the amounts of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

PRETREATMENT REQUIREMENT: Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on an industrial user.

PRETREATMENT STANDARDS OR STANDARDS: Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, local limits and/or BMPs established by the City.

PROHIBITED DISCHARGES (Prohibited Discharge Standards): Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Sections 8-14-04 and 8-14-09 of this ordinance.

SEVERE PROPERTY DAMAGE: Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural

resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

SEPTIC TANK WASTE (Septage). Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE: Water carried human wastes or a combination of water carried wastes from residences, business buildings, institutions and industrial establishments.

SEWER: Any pipe, conduit, ditch or other device used to collect and transport sewage from the generating source.

SHALL: "Shall" is mandatory.

SIGNIFICANT CONNECTING USER (SCU): Any private, public or quasi-public reservation, compound, district, government installation, industrial, commercial or domestic complex which indirectly discharges to the POTW at single or multiple connection points to the city's sewer collection system wastewater mixed with nondomestic wastewater. Upon determination by the wastewater treatment plant superintendent, city clerk or designee that an SCU, as a result of the discharge of toxic pollutants or high strength sewage as measured by BOD and TSS, causes or has the potential to cause interference with the operation and maintenance of the POTW, including its wastewater collection system, causes or has the potential to cause pass-through of pollutants to the receiving waters, or causes or has the potential to cause interference with the treatment, disposal or beneficial reuse of the POTW's sludge, or that contributes greater than five percent (5%) of the total flow entering the POTW, the city may issue an indirect discharge permit to the SCU. Issuance of an indirect discharge permit may not be necessary if the SCU is regulated by an EPA approved pretreatment program.

SIGNIFICANT INDUSTRIAL USER (SIU):

A. All industrial users of the POTW subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR chapter 1, subchapter N.

B. Any other industrial user that discharges an average of twenty five thousand (25,000) gpd (gallons per day) or more of process wastewater to the POTW, excluding sanitary, noncontact cooling and boiler blowdown wastewater; contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity to the treatment facility receiving the waste; or is designated as such by the city as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential, either singly or in combination with other contributing industries, for adversely affecting the POTW's wastewater collection and treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system or for violating any pretreatment standard or requirement.

SIGNIFICANT NONCOMPLIANCE: For the purposes of this ordinance, significant noncompliance shall mean:

1. Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined or described in this ordinance;

2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a six-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined or described in this ordinance multiplied by the applicable factor [1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH]; Page 8 of 33 SUPPLEMENT NO. 56

3. Any other violation of a Pretreatment Standard or Requirement, including instantaneous limits or narrative Standard, that the City believes has caused, alone or in combination with other discharges, interference, pass through, or endangered the health and safety of City personnel or the general public;

4. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the City'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 indirect discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

6. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Any other violation(s), including a violation of BMPs, which the City determines will adversely

SLUG LOAD: Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in subsections 13.10.040A, B, and sections 13.10.050, 13.10.060 and 13.10.070 of this chapter or any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or a noncustomary batch discharge.

TOXIC POLLUTANTS: Pollutants or combination of pollutants listed as toxic in regulations promulgated by the administrator of the environmental protection agency under section 307 (33 USC 1317) of the act.

UPSET: An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the standards as set forth in subsections 13.10.040A, B, and sections 13.10.050, 13.10.060, 13.10.070 and 13.10.080 of this chapter due to factors beyond the reasonable control of the user, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance or careless or improper operation thereof.

USER: See definition of Industrial User Or User.

WASTEWATER: Industrial waste, sewage or any other waste, including that which may be combined with any groundwater, surface water or stormwater, that may be discharged to the POTW.

Whenever a reference is made to a rule, regulation, statute, code section, treatise, book, publication, manual, standard, CFR, ordinance or any other regulatory requirement, that reference shall be to the most updated or most recently amended version thereof.

13.10.070: LOCAL LIMITS:

The City shall from time to time establish quantitative or other limitations where necessary to protect against Pass Through and Interference and to provide for protection of the POTW, worker safety, public health, or environment.

A. Substances And Quantities: In addition to national categorical pretreatment standards referenced in section 13.10.050 of this chapter, no user shall discharge wastewater containing concentrations (and/or mass limitations) of substances exceeding the following local limits:

Parameter	Maximum Concentration (mg/l)
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Arsenic	0.05 mg/kg
Cadmium	0.01 mg/kg
Chromium (total)	0.05 mg/kg
Copper	1.00 mg/kg
Cyanide (total)	0.20 mg/kg
Fluoride	1.40 mg/kg
Lead	0.05 mg/kg
Mercury	0.002 mg/kg
Nickel	0.02 mg/kg
Silver	0.05 mg/kg
Zinc	5.00 mg/kg
Settleable solids	10 mg/l
Total chlorine residual	1 mg/l
pH	Not less than 6 nor more than 9
Total fats, grease and oils	250 mg/l

B. Where possible and appropriate, the City may establish and implement industry specific BMPs (best management practices) in conjunction with or in lieu of numerical local limits. Such BMP's shall be considered pretreatment standards and are fully enforceable under this ordinance.

C. Based upon assessment of need and on a user specific basis, the City may incorporate pollutant specific BMPs or concentration or mass limits into indirect discharge permits. Wherever a user is subject to both a national categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or pretreatment standard shall apply.

The City reserves the right to enter into special agreements with users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a categorical pretreatment standard or federal pretreatment requirement. However, the user may request a net gross adjustment to a categorical standard in accordance with 40 Page 14 of 33 SUPPLEMENT NO. 56 CFR 403.15. They may also request a variance from the categorical pretreatment standard from the Approval Authority in accordance with 40 CFR 403.13.

DB. Deadline For Compliance With Applicable Pretreatment Requirements: Compliance by existing users covered by categorical pretreatment standards shall be within one year of the date the standard is effective unless a shorter compliance time is specified in the appropriate standard. The city shall establish a final compliance deadline date for any existing user not covered by categorical pretreatment standards or for any categorical user when local limits for said user are more restrictive than EPA's categorical pretreatment standards.

New source dischargers are required to comply with applicable pretreatment standards within the shortest feasible time (not to exceed 90 days from the beginning of discharge). New sources shall install and have in operating condition, and shall start up all air pollution control equipment required to meet applicable

pretreatment standards before beginning to discharge. Any indirect discharge permit issued to a categorical user shall not contain a compliance date beyond any deadline date established in EPA's categorical pretreatment standards. Any other existing user or a categorical user that must comply with a more stringent local limit, which is in noncompliance with any local limits, shall be provided with a compliance schedule placed in an indirect discharge permit to ensure compliance within the shortest time feasible.

13.10.090: ACCIDENTAL DISCHARGES:

A. Each user shall provide protection from the accidental discharge of prohibited or regulated materials or substances established by this chapter. Where deemed necessary by the city, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's cost and expense. [Significant Industrial Users are required to notify the City immediately of any changes at its facility affecting potential for a Slug Load discharge. When required, An](#) accidental spill prevention plan (ASPP) showing facilities and operating procedures to provide this protection shall be submitted to the city for review and approval before construction of the facility or implementation of procedures. Each existing user shall complete and submit its ASPP within sixty (60) days after notification by the city.

B. Each user shall implement its ASPP as submitted after such ASPP has been reviewed and approved by the city. Review and approval of such plans and operating procedures by the city shall not relieve the user from the responsibility to modify its facility as necessary to meet the requirements of this chapter.

C. Any user required to develop and implement an ASPP shall submit a plan which addresses, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharges.
2. Description of stored chemicals.
3. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the standards in subsections [13.10.040A](#) and B, section [13.10.050](#) and section [13.10.060](#) of this chapter. [Accidental spill or slug load notification instructions shall be posted in conspicuous places on the user's premises advising employees whom to call.](#)
4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

D. Users shall notify the city wastewater treatment plant immediately upon the occurrence of the "slug load", or accidental discharge of substances prohibited by this chapter. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume and corrective actions. Any user who discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.

13.10.110: FEES:

A. Purpose: It is the purpose of this chapter to provide for the payment of fees from users to the city's wastewater disposal system to compensate the city for their costs associated with monitoring, inspection, surveillance and laboratory analysis required by the federal pretreatment program. [Sewer system connection and service charges and fees are established by a separate ordinance.](#)

B. Charges and Fees: If costs are incurred beyond normal operation through involvement with noncomplying users, the city shall charge the noncomplying user for monitoring, laboratory analyses, inspections and surveillance as required by federal pretreatment requirements and this chapter.

C. Reimbursement: The city shall be reimbursed by all significant industrial users, significant connecting users, developers or any other nonresidential users for all engineering costs incurred by the city in reviewing sewer related matters associated with that user.

13.10.130: WASTEWATER DISCHARGE DATA DISCLOSURE:

A. General Disclosure: All significant industrial and connecting users proposing to connect to or to discharge sewage, industrial wastes and other wastes to the POTW shall comply with all terms of this chapter.

B. Disclosure Forms: All significant industrial and connecting users shall complete and file with the city a data disclosure form prescribed by the city. Existing significant industrial and connecting users shall file data disclosure forms within sixty (60) days after notification by the city, and users shall file a data disclosure form a minimum of thirty (30) days before connecting to the POTW. This data disclosure form satisfies the requirement of the user baseline monitoring report as described in 40 CFR 403.12(b). The disclosure to be made by the user shall be made on written forms provided by the city and shall include:

1. Disclosure of name, address and location of the user.
2. Disclosure of standard industrial classification (SIC) number according to the "Standard Industrial Classification Manual, Bureau Of The Budget", 1972, as amended.
3. Disclosure of wastewater constituents and characteristics, including, but not limited to, those mentioned in this chapter, as appropriate, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, part 136, as amended.
4. Disclosure of time and duration of discharges, including copies of flow charts.
5. Disclosure of average daily and maximum daily wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any of all regulated or manufacturing process streams and other streams as necessary to allow use of the combined wastestream formula of 40 CFR 403.6(e). All flows shall be measured unless other verifiable techniques are approved by the city due to cost or nonfeasibility.
6. Disclosure of site plans, floor plans, plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size and location.
7. Description of activities, facilities and plant processes on the premises, including all materials which are or may be discharged to the sewers or works of the city and a brief description of the nature, average rate of production and standard industrial classification of the operations.
8. A statement regarding whether or not compliance is being achieved with this chapter on a consistent basis, and, if not, whether additional pretreatment is required for the user to comply with this chapter. The statement on compliance shall be certified to by a qualified professional and reviewed and signed by an authorized representative of the user.

13.10.160 (B): INDIRECT DISCHARGE PERMIT APPEALS:

B. Indirect Discharge Permit Modifications: The terms and conditions of an indirect discharge permit may be subject to modification by the city at any time as limitations or requirements are modified or other just cause exists. Any permit modifications which result in new conditions shall include a reasonable time schedule for compliance as determined by the city. Other reasons for modification include, but are not limited to, the following:

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 since the time of permit issuance or the last modification;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. To incorporate special conditions resulting from the issuance of a special order or an enforcement action; or
5. To correct typographical or other errors in the indirect discharge permit.
6. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
7. Violation of any terms or conditions of the wastewater discharge permit;
8. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
9. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.

Section 2. New Sections 13.10.035, 13.10.103, 13.10.105, are hereby added to Title 13 of the Payette Municipal Code as follows:

13.10.035: ABBREVIATIONS:

The following abbreviations shall have the designated meanings:

- A. ASPP - Accidental Spill Prevention Plan
- B. BMP - Best Management Practice
- C. BOD - Biochemical Oxygen Demand
- D. CFR - Code of Federal Regulations
- E. EPA - U.S. Environmental Protection Agency
- F. gpd - gallons per day
- G. IDP - Indirect Discharge Permit
- H. IU - Industrial User I. LEL - Lower Explosive Limit
- J. NPDES - National Pollutant Discharge Elimination System
- K. POTW - Publicly Owned Treatment Works
- L. RCRA - Resource Conservation and Recovery Act
- M. NAICS- North American Industrial Classification System
- N. SIC - Standard Industrial Classification

O. SWDA - Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)

P. TSS - Total Suspended Solids

Q. USC - United States Code

13.10.103 ADDITIONAL PRETREATMENT MEASURES:

Whenever deemed necessary, the Pretreatment Coordinator may require users to restrict their discharge during peak flow periods, designate that certain wastewaters be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW, personnel operating the POTW, the public health or to determine the user's compliance with the requirements of this ordinance.

13.10.105 INTERCEPTORS:

Suitable and adequate grease and oil, or sand interceptors shall be provided for the proper handling of wastewater containing grease, oil, sand or other substances prohibited by this ordinance; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be provided, inspected, cleaned regularly in accordance with established BMPs, and maintained in proper operating condition by the user and at the user's expense. The introduction of chemical, bacterial, enzyme, or any other additive into an interceptor, directly or indirectly, that causes interference with the normal operation of the unit or causes pass through of prohibited substances is prohibited. Interceptor maintenance and cleaning records shall be maintained by the user and made available to Pretreatment Inspectors for review upon request.

Section 3. This Ordinance may be published in summary form allowed by Idaho Code.

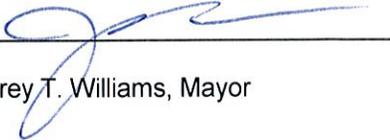
Section 4. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 5. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 6. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the
City of Payette, Idaho this 3rd day of November, 2015.

CITY OF PAYETTE, IDAHO

BY 

Jeffrey T. Williams, Mayor

ATTEST:



City Clerk