





Sewers and Scwage Disposal

PART 17A

SEWERS AND SEWAGE DISPOSAL

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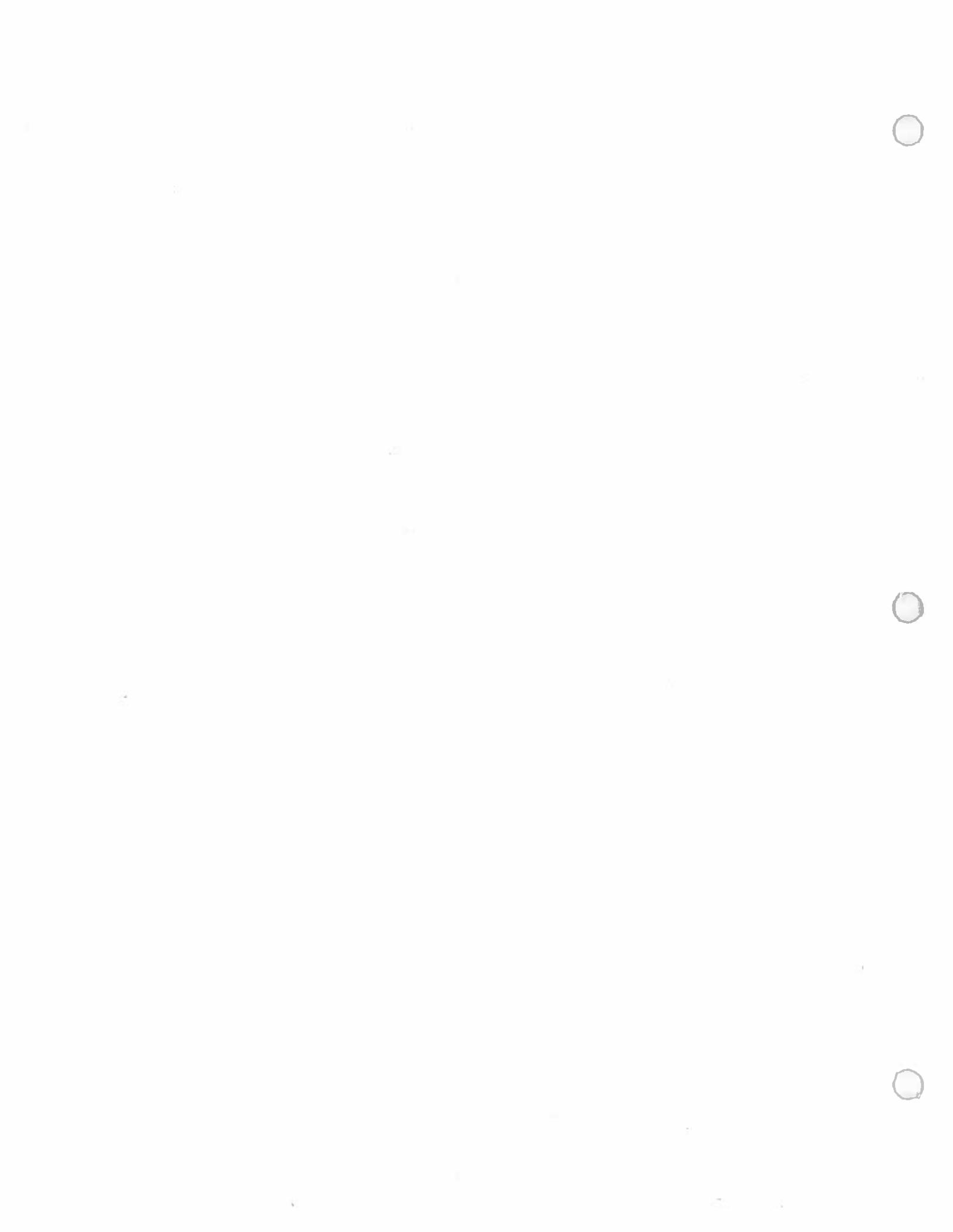
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ARTICLE I. IN GENERAL

SECTION 17A-1. DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(A.1) *Act* or *the Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et seq.

(A.2) *Approval authority* means the director in a national pollutant discharge elimination system (NPDES) State with an approved State pretreatment program and the appropriate Regional Administrator of the EPA in a non-NPDES State or NPDES State without an approved State pretreatment program. Currently, Oklahoma does have a NPDES State-approved pretreatment program.

(A.3) *Authorized representative of the industrial user.*

a. if the industrial user is a corporation, authorized representative means:

1. the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation;
2. the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000.00 (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. if the industrial user is a partnership, or sole proprietorship, an authorized representative means a general partner or proprietor, respectively;

c. if the industrial user is a Federal, State or local governmental facility, an authorized representative means a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee;

d. the individuals described in Paragraphs (a) through (c) above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the entity, and the written authorization is submitted to the City.

(B.1) *Biochemical oxygen demand 5 (BOD 5 or BOD5)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

(B.2) *Building sewer* means a sewer conveying wastewater from the premises of a user to the municipal sewage treatment facility.

(B.3) *Bypass* means the intentional diversion of waste streams from any portion of the industrial user's treatment facility.

(C.1) *Categorical pretreatment or categorical standard* means any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with § 307(b) and (c) of the Act (33 USC 1317), as amended, which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405 through 17A1, as amended.

(C.2) *City* means The City of Piedmont or any authorized person acting in its behalf.

(C.3) *Color* means the optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent transmittance is equivalent to zero optical density.

(C.4) *Composite sample* means the sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

(C.5) *Consistent removal* means reduction in the amount of pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in § 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution," promulgated pursuant to the Act.

(C.6) *Control authority* means the "approval authority," defined hereinabove, or the office of the Utilities Director.

(C.7) *Cooling water* means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

(C.8) *DEQ and HEALTH DEPARTMENT* means the Oklahoma State Department of Environmental Quality, its successors, designees and assigns.

(D.1) *Direct discharge* means the discharge of treated or untreated wastewater directly to the municipal wastewater collection and treatment system.

(D.2) *Director or Director of Utilities* means the person designated by the City to supervise the operation of the municipal wastewater collection and treatment system works and who is charged with certain duties and responsibilities by this chapter, or his duly authorized representative.

(E.1) *Environmental Protection Agency or EPA* means the United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

(E.2) *Existing source* means any source of discharge, the construction or operation of which commenced prior to the publication of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with § 307 of the Act.

(F.1) *Reserved.*

(G.1) *Grab sample* means an individual sample collected over a period of time not exceeding 15 minutes.

(H.1) *Holding tank waste* means any waste from holding tanks including, but not limited to vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(I.1) *Indirect discharge* or *discharge* means the introduction of pollutants into a POTW from any nondomestic source regulated under § 307(b) or (c) or (d) of the Act (33 USC 1317), as amended.

(I.2) *Industrial user* means a nondomestic source of indirect discharge which does not necessarily constitute a "discharge of pollutants" under regulations issued pursuant to the act.

(I.3) *Interference* means a discharge which alone or in conjunction with a discharge or discharges from other sources:

a. inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and

b. which causes a violation of the City's NPDES permit or prevents sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permit issued thereunder (or more stringent State or local regulations): § 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in the sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research Sanctuaries Act.

(J.1) *Reserved.*

(K.1) *Reserved.*

(L.1) *Reserved.*

(M.1) *Maximum allowable discharge limit* means the maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of a discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

(M.2) *Medical waste* means isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

(M.3) *Monthly average limit* means the numerical value by which a pollutant is limited to be discharged over any calendar month. Compliance with the monthly average limit shall be determined from the numerical value of all samples taken during any calendar month.

(M.4) *Municipal systems* means sanitary sewage collection systems constructed, operated or maintained by a municipality or trust for the benefit of such a municipality.

(N.1) *National Categorical Pretreatment Standard* or *pretreatment standard* means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with § 307(B) and (C) of the Act (33 USC 1346), as amended, which applies to industrial users. This term includes, but is not limited to, prohibitive discharge limits established pursuant to 40 CFR 403.5.

(N.2) *National pollution discharge elimination system permit* or *NPDES permit* means a permit issued pursuant to § 402 of the Act and 40 CFR 403.5 (33 USC 1342).

(N.3) *National prohibitive discharge standard* or *prohibitive discharge standard* means any regulation developed under the authority of § 307(b) of the Act and 40 CFR 403.5, as amended.

(N.4) *New source* means:

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

1. the building, structure, facility or installation is constructed at a site at which no other source is located; or
2. the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
3. the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

b. construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of Subsection a.2 or a.3 above but otherwise alters, replaces, or adds to existing process or production equipment.

c. construction of a new source as defined under the paragraph has commenced if the owner or operator has:

1. begun, or caused to begin as part of a continuous on-site construction program:

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

2. entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial

loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(N.5) *Noncontact cooling water* means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(N.6) *Normal production day* means a production day that conforms to information regarding the quantity and quality by which the discharge is permitted.

(O.1) *Reserved.*

(P.1) *Pass-through* means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, are a cause of a violation of any requirement of the City's NPDES permit (including but not limited to an increase in the magnitude or duration of a violation).

(P.2) *Person* means 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 or local governmental entities.

(P.3) *pH* means a measure of the acidity or alkalinity of a substance, expressed in standard units.

(P.4) *Pollutant* means any dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and the characteristics of the wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, chemical oxygen demand (COD), toxicity, odor).

(P.5) *Pollution* means the manmade or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

(P.6) *Pretreatment* or *treatment* means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature 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. This reduction or alteration can be obtained by physical, chemical or biological processes, or process changes, or other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

(P.7) *Pretreatment requirements* means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on an industrial user.

(P.8) *Pretreatment standards* or *standards* means all prohibitive discharge standards, categorical pretreatment standards, and local limits.

(P.9) *Prohibited discharge standards* or *prohibitive discharges* means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 17A-211 of this chapter.

(P.10) *Publicly owned treatment works (POTW)* or *municipal wastewater collection and treatment system* means a "treatment work" as defined by § 212 of the Act (33 USC 1292) which is owned in this instance by the City. This definition includes any devices or systems used in the collection,

storage, treatment, recycling and reclamation of sewage or industrial wastes and any conveyances which convey wastewater to a treatment plant. The term also means the municipal entity having jurisdiction over the industrial users and responsibility for the operation and maintenance of the treatment works. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the City who are, by contract or agreements with the City, users of the City's POTW.

(P.11) *POTW treatment plant* means that portion of the POTW designed to provide treatment of wastewater.

(P.12) *Peak day limit* means the concentration of a pollutant not to be exceeded when measured by an instantaneous grab sample taken at any time during a normal production day. If only one sample is taken during a calendar month, the peak day limit is not applicable to determine compliance, the monthly average limit will be used to determine user compliance.

(Q.1) *Reserved.*

(R.1) *Residential domestic user* shall mean any contributor to or user of the Piedmont sanitary sewer and wastewater system whose discharge is, determined by the Director to be, primarily of a character discharged into the sanitary sewer system of a residential or housekeeping unit. Any user discharging industrial waste as a part or portion of its regular discharge shall not be deemed a residential domestic user.

(R.2) *Residential or housekeeping unit* shall mean a unit or units which are maintained and operated solely for the use and benefit of the occupants dwelling in said unit or units as their primary place of residence, including, but not limited to, residential houses, multifamily residential houses, duplexes, triplexes, apartments, apartment complexes, condominiums, condominium complexes, mobile homes, and mobile home parks.

(S.1) *Septic tank waste* means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

(S.2) *Sewage* means human excrement and gray water (household showers, dishwashing operations, etc.).

(S.3) *Significant industrial user* means:

(a) industrial users subject to categorical pretreatment standards; and

(b) any other industrial user that:

(i) discharges an average of 25,000 gpd or more of process wastewater,

(ii) contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the treatment plant or,

(iii) is designated as significant by the City on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(S.4) *Slug load* means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 17A-211 of this chapter or any discharge of a

nonroutine, episodic nature, including, but not limited to, an accidental spill or noncustomary batch discharge.

(S.5) *Standard analysis methods* shall mean the examination and analytical procedures set forth in the latest edition at the time of analysis of "Methods for Chemical Analysis of Water and Wastes" as approved by the Environmental Protection Agency's Water Quality Control Laboratory, Cincinnati, Ohio, or other procedures set forth in the Federal regulations, 40 CFR 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants.

(S.6) *Standard industrial classification (SIC)* means a classification pursuant to the Standard Industrial Classification Manual issued by U.S. Office of Management and Budget.

(S.7) *Stormwater* means any flow occurring during or following any form of natural precipitation and resulting therefrom, including but not limited to rain, snow, sleet, hail and snow melt.

(S.8) *Sewage collection systems* includes gravity sewage collection lines not larger than 12 inches in diameter and except systems constructed in whole or in part with funds from EPA and/or administered by DEQ.

(S.9) *Small commercial sewage treatment system* means a sewage treatment system which serves a public or commercial establishment which exhibits a flow of not greater than 5,000 gallons per day. This includes such establishments as small restaurants, retail stores, and commercial office buildings, but does not include residential systems, alternative systems, lift stations, discharging systems, or land treatment systems.

(T.1) *Total suspended solids* or *suspended solids* means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

(T.2) *Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of § 307 of the Clean Water Act (33 USC 1317), as amended, or other acts or regulations promulgated by the United States or the State of Oklahoma.

(T.3) *Treatment plant effluent* means any discharge of pollutants from the POTW into waters of the State.

(U.1) *User* means any person who contributes, causes or permits the contribution of wastewater into the City's municipal wastewater collection and treatment system.

(V.1) *Reserved.*

(W.1) *Wastewater* or *sewage* means the liquid and water-carried industrial or domestic wastes from all sources, including, but not limited to, dwellings, commercial buildings, industrial facilities, manufacturing facilities, and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, and which flows into or is permitted to enter the municipal wastewater collection treatment system.

(W.2) *Wastewater discharge permit* has the meaning as set forth in this chapter and referenced in 40 CFR 403.8(f)(1)(iii).

(W.3) *Waters of the State* means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

(X.1) *Reserved.*

(Y.1) *Reserved.*

(Z.1) *Reserved.*

SECTION 17A-2. ABBREVIATIONS.

For purposes of this chapter, the following abbreviations shall have the designated meanings:

BOD --biochemical oxygen demand.

CFR --Code of Federal Regulations.

COD --chemical oxygen demand.

EPA --U.S. Environmental Protection Agency.

gpd --gallons per day.

l --Liter.

mg --milligrams.

mg/l --milligrams per liter.

NPDES --National Pollutant Discharge Elimination System.

O&M --operation and maintenance.

POTW --publicly owned treatment works.

RCRA --Resource Conservation and Recovery Act.

SIC --standard industrial classification.

SWDA --Solid Waste Disposal Act (41 USC 6901 et seq.).

TSS --total suspended solids.

USC --United States Code.

SECTION 17A-3. PURPOSE AND POLICY.

A. This chapter sets forth uniform requirements for users of the wastewater collection system and publicly owned treatment works (POTW) for the City and enables the City to comply with all applicable State and Federal laws, including but not limited to the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR 40 et seq.). The objectives of this chapter are:

- (1) to prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW or the disposal of municipal sludge or otherwise contaminate the resulting sludge;
- (2) to prevent the introduction of pollutants into the POTW which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
- (3) to ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations;
- (4) to protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public;
- (5) to improve the opportunity to recycle and reclaim wastewater and sludge from the POTW;
- (6) to provide for fees for the equitable distribution of the cost of operation, maintenance and improvement of the POTW; and
- (7) to enable the City to comply with its NPDES permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the POTW is subject.

B. This chapter shall apply to all industrial users of the POTW. Generally, this chapter authorizes the issuance of wastewater discharge permits; authorizes monitoring, compliance and enforcement activities; establishes administrative review procedures; requires industrial user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

C. This chapter shall apply to the City and to persons outside the City who are, by contract or agreement with the City, users of the City municipal wastewater collection and treatment system. Except as otherwise provided herein, the Director of Utilities shall administer, implement, and enforce the provisions of this chapter.

SECTION 17A-4. ADMINISTRATION.

Except as otherwise provided herein, the Director shall administer, implement and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Director may be delegated by the Director to other City personnel.

SECTION 17A-5. CONNECTIONS WITH STORM SEWERS OR NATURAL OUTLET.

No person shall deposit or discharge any wastewater, industrial waste, or other polluted waters or liquids on public or private property, in or adjacent to any natural outlet or any natural watercourse, or in any storm sewer within the City, or in any area under the jurisdiction of the City without the approval of the Environmental Protection Agency and the Department of Environmental Quality.

SECTION 17A-6. COSTS OF SEWERS IN PRIVATE DEVELOPMENTS.

A. Any sanitary sewer mains or submains serving or within any new subdivision shall be constructed to sufficient size and capacity to accommodate the anticipated conditions resulting from gravity flow from or to any mains or submains intended to serve that subdivision and any other property that may be connected into said mains or submains at a future date.

B. The property owner shall pay a proportionate share of the construction based on the cost of the project minus lift stations and plant cost divided by diameter of pipe used, all multiplied by 8. The construction of such sanitary sewer mains or submains in excess of the cost required to construct eight-inch-diameter mains or submains shall be borne by the City.

C. Participation by the City in any costs shall be subject to availability of voter-approved bond funds.

D. If the developer desires to award his own contract for any of the sanitary sewer facilities, then the entire cost shall be paid by the developer with no participation by the City.

E. Payment to the City for engineering services shall be in accordance with the General Schedule of Fees.

SECTION 17A-7. TAMPERING WITH SEWAGE WORKS PROHIBITED.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the sewage works.

**SECTION 17A-8. DEPARTMENT OF ENVIRONMENTAL QUALITY PERMIT
REQUIREMENT, EXEMPTIONS.**

A. The City adopts the rules and regulations of the Department of Environmental Quality for sanitary sewer line standards as part of the minimum standards and requirements for sanitary sewer lines, subject to any additional and/or more restrictive requirements or standards adopted or established by the City.

B. The Department of Environmental Quality has adopted rules and regulations that exempt certain sanitary sewer extensions from the requirement of having a State construction permit issued prior to construction, if the sanitary sewer system is in compliance with all Department of Environmental Quality requirements. The following categories of systems may receive the exemption: gravity sewage collection lines not larger than 12 inches in diameter. Any single submittal of a sewage collection system which includes a sewage pump station cannot be exempted from the permit requirement.

C. The City cannot grant approval of sanitary sewer extensions to sewage treatment plants, lift stations and interceptor lines which have reached their treatment or hydraulic capacities, both routinely or during peak demand periods.

D. All systems constructed in whole or in part with funds from United States Environmental Protection Agency and/or with other funds administered by this Department cannot be exempt from the permit requirement.

SECTION 17A-9. PROPER MAINTENANCE OF SEWER SYSTEM.

A. *Generally.* All persons and contracting parties utilizing or connecting to the City's sewer system, either directly or indirectly, shall exercise reasonable measures to prevent a break in or a leak from any private sewer line and to expeditiously repair any such defective private sewer line, and thereby prevent any threat to the health, safety, or welfare of the public by maintaining all private sewer lines in watertight and non-leaking condition and in accordance with all City standards and specifications.

B. *Public nuisance.* The Director is hereby authorized to declare a break in or a leak from a private sewer line, directly or indirectly connected to the City's sewer system, which causes a threat to the health, safety, or welfare of the public, to be a public nuisance. Upon said declaration by the Director that a public nuisance exists, the contracting party or a responsible person at the serviced premises shall be notified by the City that a public nuisance exists, that said nuisance must be remedied, and that any failure or refusal to make or to cause to be made the necessary repairs may result in the suspension of water service to all premises contributing to the public nuisance.

C. *Hearing.* Upon the notification of the contracting party or a responsible person at the serviced premises of the declaration of a public nuisance the contracting party, or another on his behalf, shall within 24 hours demonstrate to the Director that a licensed plumber has been retained or arrangements have been made with a licensed plumber for the purposes of remedying the public nuisance within a time period deemed reasonable by the Director or shall show other good cause why water service shall not be suspended pending the repair of the aforementioned defective private sewer line. Said necessary repairs or arrangements for repairs to the defective private sewer line must be reasonably verified by the licensed plumber to the Director within the aforementioned 24-hour notice period. Should said necessary repairs be made by a licensed plumber or should arrangements be made with a licensed plumber for said necessary repairs to be made within a reasonable time period acceptable to the Director, then service to said premises shall not be suspended hereunder.

D. Suspension of water service for failure to comply. If any contracting party fails or refuses to contact the Director to show cause why water service should not be suspended to the serviced premises, or to demonstrate that a licensed plumber has been retained or arrangements have been made with a licensed plumber to make the necessary repairs within a reasonable time, or if any contracting party fails or refuses to make or cause to be made such repairs as necessary to terminate the public nuisance within a reasonable time, or has failed or refused to have the licensed plumber verify the arrangement to make the necessary repairs hereunder by contacting the Director, such a failure or refusal shall be cause for the suspension by the City of water service at the serviced premises without further notice. In addition, should said necessary repairs not have been made within said reasonable time, or pursuant to the standards, specifications, and requirements of the City, or should said repair not have been made pursuant to said arrangements, then said water service to the serviced premises shall be suspended. Once suspended, water service to any serviced premises shall not be reinstated until such time as the aforementioned necessary repairs are completed and inspected by the City and costs paid, or good cause shown by the responsible party.

E. Responsible party. All repairs required under this article and all maintenance of private sewer lines, and any expense resulting therefrom, shall be the responsibility of the contracting party, the owner, or the occupant of the premises serviced by said private sewer line.

F. Addition to other regulations. This section shall be in addition to any other ordinance or regulation, or authority of the City or the Health Department to deal with a public nuisance.

G. Contract. This section shall be incorporated in and be a part of each and every contract for water or sewer service provided by the City within the City limits.

H. Denial of water connection. The Director is hereby authorized to deny initiation of water service to any serviced premises which has a defective private sewer line or system.

I. Definitions.

(1) **Costs** as referred to herein shall include all inspection fees, water service initiation and suspension charges, and any other fee provided for by this Code.

(2) **Serviced premises** as referred to herein shall include any and all premises which directly or indirectly contribute effluent to the defective private sewer line causing or contributing to the public nuisance.

(3) **Contracting party** as referred to herein shall include any person, party or parties, corporation, association, or other entity or entities which has contracted for or is requesting a contract for sewer service from or in the City.

SECTION 17A-10. MEASUREMENTS, TESTS AND ANALYSES OF WASTES.

A. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the procedures set forth in Section 17A-340 and Section 17A-341 and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole.

B. For purposes of reporting wastewater characteristics required under this section, the determination of measurements, tests, and analyses of wastes flow shall be made by an independent firm or laboratory approved by the City. The time of collection of the sample shall be at the sole discretion of the City, but at least on an annual basis for the purpose of determining the industrial wastewater contribution to the City's sewerage system.

SECTION 17A-11. CONTROL MANHOLES.

Where required by the City Engineer or the Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the City Engineer or Director. The manhole shall be installed by the owner, at his expense, and shall be maintained by him so as to be safe and accessible at all times. Each user discharging in excess of twenty-five thousand (25,000) gallons per day shall provide a suitable manhole as described herein.

SECTION 17A-12. REQUIRING BACKWATER VALVES.

A. A backwater valve must be installed and maintained on a sanitary sewer service line whenever the lowest sanitary sewer connection in any building or structure is lower than the next upstream manhole on the Piedmont sanitary sewer system.

B. A backwater valve must be installed whenever a sanitary sewer service line meeting the conditions in Paragraph (a) above is, directly or indirectly, connected or re-connected to the Piedmont sanitary sewer system.

C. A backwater valve must be installed whenever a sanitary sewer service line meeting the conditions in Paragraph (a) above is repaired, less and except should an operable backwater valve already be properly installed on that line. Provided, however, the removal of roots from inside the sanitary sewer service line shall not be considered a repair that requires the installation of a backwater valve under this subsection.

D. Backwater valves must be constructed and installed in accordance with the specifications established by the Utilities Director.

E. No person shall, directly or indirectly, connect or re-connect a sanitary sewer service line to the Piedmont sanitary sewer system or allow another to connect or re-connect a sanitary sewer service line to the Piedmont sanitary sewer system without the required permits and licenses having been obtained.

F. Any person repairing an inoperable backwater valve must repair or replace the backwater valve before reconnecting the sanitary sewer service line or reinstating service through such sanitary sewer service line.

G. The Piedmont sanitary sewer system is defined as the City owned sanitary sewer mains in an easement owned by Piedmont or a public right-of-way and the City owned wastewater treatment plants. The Piedmont sanitary sewer system does not include the sanitary sewer service line carrying sewage from any privately owned property, building, or structure nor does it include the riser, tap, wye, tapping saddle, or other connection attaching the sanitary sewer service line to the City sanitary sewer main.

H. The sanitary sewer service line is owned by the private property owner whose property, building, or structure is served or potentially served. The sanitary sewer service line includes the riser, tap, wye, tapping saddle, or other connection attaching the sanitary sewer service line to the City owned sanitary sewer main.

I. No person shall remove or render inoperable a backwater valve.

J. Once a backwater valve is installed, it is the responsibility of the property owner and any tenant or lessee to insure that any sanitary sewer service line has a backwater valve and to maintain the backwater valve in an operable condition.

K. No person shall sell real property without disclosing whether a backwater valve has been installed on the sanitary sewer service line.

L. Any person that utilizes or operates a sanitary sewer service line, which is required by this ordinance or any other ordinance or code to install and maintain a backwater valve, without an operable backwater valve shall be liable and responsible for any sewer backup onto the property or into any building or structure being served or potentially served by that sanitary sewer service line and for any costs, injuries, or losses resulting from such sewer backup.

ARTICLE II.

ADMINISTRATIVE ENFORCEMENT REMEDIES

SECTION 17A-31. NOTIFICATION OF VIOLATION.

Whenever the Director finds that any user has violated or is violating this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment requirement, the Director may serve upon said user a written notice of violation. Within the stated number of days, in no case more than five days, of the receipt 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 by the user to the Director. 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. Nothing in this chapter shall limit the authority of the City to take any action, including but not limited to emergency actions or any other enforcement action, without first issuing a notice of violation.

SECTION 17A-32. CONSENT ORDERS.

The Director is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such orders will include specific action to be taken by the user to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as the administrative orders issued pursuant to this chapter and shall be judicially enforceable.

SECTION 17A-33. SHOW CAUSE HEARING.

The Director may order any user which causes or contributes to violation(s) of this chapter, wastewater discharge permits, or orders issued hereunder, or any other pretreatment standard or requirement, to appear before the Director and 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, 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 or by registered or certified mail (return receipt requested) at least five days prior to the hearing. Such notice may be served on any authorized representative of the user. Whether or not the user appears as ordered, immediate enforcement action may be pursued following the hearing date. A show cause hearing shall not be a prerequisite for taking any other action against the user; taking enforcement action; or invoking an immediate emergency suspension of discharge where the discharge threatens imminent or substantial endangerment to the health, safety or welfare of persons.

SECTION 17A-34. COMPLIANCE ORDERS.

When the Director finds that a user has violated or continues to violate this chapter, wastewater discharge permits or orders issued hereunder, or any other pretreatment standard or requirement, the Director may issue an order to the user responsible for the discharge directing that the user come into compliance within the stated number of days, but in no case more than two days. If the user does not come into compliance within the stated number of days, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Federal pretreatment standard or requirement, nor does a compliance order release the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a prerequisite to taking any other action against the user.

SECTION 17A-35. CEASE AND DESIST ORDERS.

A. When the Director finds that a user is violating this chapter, the user's wastewater discharge permit, any order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Director may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- (1) immediately comply with all requirements.
- (2) take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or termination of the discharge.

B. Issuance of a cease and desist order shall not be a prerequisite to taking any other action against the user.

SECTION 17A-36. EMERGENCY SUSPENSIONS.

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

(1) any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Director shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, and its receiving stream, or endangerment to any individuals. The Director shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the City that the period of endangerment has passed, unless the termination proceedings set forth in Article II are initiated against the user.

(2) a user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the Director prior to the date of any show cause or termination hearing under Article II.

B. Nothing in this article shall be interpreted as requiring a hearing prior to any emergency suspension under this article. Nothing in this article shall be interpreted as precluding or limiting the authority of the City to take any action, including but not limited to other enforcement actions, without issuing a notice.

SECTION 17A-37. TERMINATION OF DISCHARGE.

A. In addition to those provisions in Section 17A-306 of this chapter, any user that violates the restrictions, prohibitions, requirements, conditions, wastewater discharge permits, or orders issued pursuant to this chapter is subject to discharge termination. Additionally, any user that violates the following is subject to termination of discharge:

- (1) violation of wastewater discharge permit conditions.
- (2) failure to accurately report the wastewater constituents and characteristics of its discharge.
- (3) failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge.
- (4) refusal of reasonable access to the user's premises for the purpose of inspection, monitoring and sampling.
- (5) violation of the pretreatment standards in this chapter.

B. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 17A-33 why the proposed action should not be taken.

SECTION 17A-38. PRETREATMENT ENFORCEMENT RESPONSE GUIDE.

The Director is hereby authorized to establish an administrative procedure or plan to be known as the Pretreatment Enforcement Response Guide for the administration of this chapter and the enforcement of compliance with the provisions of this chapter. The Director may amend the Pretreatment Enforcement Response Guide from time to time as may be necessary to enforce compliance.

SECTIONS 17A-39–17A-60. RESERVED.

ARTICLE III.

JUDICIAL ENFORCEMENT REMEDIES

SECTION 17A-61. INJUNCTIVE RELIEF.

Whenever a user has violated a pretreatment standard or requirement or continues to violate the provisions of this chapter, wastewater discharge permits or orders issued hereunder, or any other pretreatment requirement, the Director may petition the Canadian County District Court through the Municipal Counselor for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the industrial user. Such other action as appropriate for legal and/or equitable relief may also be sought by the City. A petition for injunctive relief need not be filed as a prerequisite to taking any other action against a user.

SECTION 17A-62. CIVIL PENALTIES.

A. Any user which has violated or continues to violate any provision of this chapter, any order or wastewater discharge permit hereunder, or any other pretreatment standard condition or requirement shall be liable to the City for damages to the extent permitted under State law. In the case of a monthly or other longterm average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The City may seek to recover reasonable attorney's fees, court costs, and other expenses associated with civil damages or enforcement activities, including but not limited to sampling and monitoring expenses, attorney fees, court costs, interest, expenses and the cost of any actual damages incurred by the City.

C. In determining the amount of civil liability, the City may allege all relevant circumstances including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

D. Filing a suit for civil damages shall not preclude nor be a prerequisite for taking any other action against a user.

SECTION 17A-63. CRIMINAL PROSECUTION.

A. Any user who is found to have violated or failed to comply with any permit provision, order of the Director, any provision of this chapter, or with any order, rule, regulation or permit issued hereunder, and any user or person who has introduced into the POTW any substance which causes personal injury or property damage, or knowingly made any false statements, representations, or certifications in any application, record, report, plan or other documentation filed or required to be maintained, pursuant to this chapter, wastewater discharge permit or order, and any user or person who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter, shall be guilty of an offense against the City. Each and every day on which a violation or failure 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 reporters' fees and other expenses of litigation by appropriate suit at law or in equity against the person found to have violated or failed to comply with this chapter or any order, rule, regulation or permit issued hereunder. The issuance or collection of an administrative fee or charge or the assessment or collection of costs, as may also be provided for in this Code, shall not be a bar to or be a prerequisite for taking any other administrative or criminal action against the user or person.

B. Any person violating any provision of this chapter shall, upon conviction, be guilty of an offense punishable by a fine not to exceed \$500 plus court costs and fees.

State law references: Penalties for ordinance violations, 11 O.S. § 14-111.

SECTION 17A-64. REMEDIES NONEXCLUSIVE.

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

SECTIONS 17A-65--17A-90. RESERVED.

ARTICLE IV.

SUPPLEMENTAL ENFORCEMENT ACTION

SECTION 17A-91. PERFORMANCE BONDS.

The Director may decline to reissue a wastewater discharge permit to any user which has failed to comply with the provisions of this chapter, any orders, or a previous wastewater discharge permit issued hereunder, unless such user first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Director to be necessary to achieve consistent compliance.

SECTION 17A-92. LIABILITY INSURANCE.

The Director may decline to reissue a wastewater discharge permit to any user which has failed to comply with the provisions of this chapter, any order, or a previous wastewater discharge permit issued

hereunder, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

SECTION 17A-93. WATER SUPPLY SEVERANCE.

Whenever a user has violated or continues to violate the provisions of this chapter, orders, or wastewater discharge permits issued hereunder, water service to the user may be severed. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply; adequate assurance of future compliance; and payment of any charges, fines, fees or penalties due.

SECTION 17A-94. PUBLIC NUISANCES.

Any violation of this chapter, wastewater discharge permits, or orders issued hereunder, may be declared a public nuisance by the City and shall be corrected or abated as directed by the City. Any person(s) creating a public nuisance shall be subject to the provisions of the City Code governing such nuisances, including but not limited to reimbursing the City for any costs incurred in removing, abating or remedying said nuisance.

SECTION 17A-95--17A-120. RESERVED.

ARTICLE V.

AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

SECTION 17A-121. UPSET.

A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards and/or local pretreatment standards because of factors beyond the reasonable control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or intentional, careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards and/or local pretreatment standards if the requirements of Paragraph (c) are met.

C. An industrial user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) an upset occurred and the industrial user can identify the cause(s) of the upset.
- (2) the facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.
- (3) the industrial user has submitted the following information to the City within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):

- (a) a description of the indirect discharge and cause of noncompliance.

(b) the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue.

(c) steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.

(d) In an enforcement proceeding, the industrial user seeking to establish the occurrence of an upset shall have the burden of proof.

(e) Industrial users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards and/or local pretreatment standards.

(f) The industrial user shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards and/or local pretreatment standards upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

SECTION 17A-122. GENERAL/SPECIFIC PROHIBITIONS.

An industrial user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general and specific prohibitions of this chapter if it can prove that it did not know or have reason to know that its discharge, alone or in conjunction with discharges from other sources, would cause pass-through or interference and that either: (a) a local limit exists for each pollutant discharged and the industrial user was in compliance with each limit directly prior to, and during, the pass-through or interference, or (b) no local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

SECTION 17A-123. BYPASS.

A. For purposes of this section:

(1) *Bypass* means the intentional diversion of waste streams from any portion of an industrial user's treatment facility.

(2) *Severe property damage* means substantial physical damage to property, damage to the treatment facilities which causes the facilities 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.

B. An industrial user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Paragraphs (c) and (d) of this section.

(c) (1) if an industrial user knows in advance of the need for a bypass, it shall submit prior notice to the City, at least ten days before the date of the bypass if possible.

(2) an industrial user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the City within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the industrial user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass. The City may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(d) (1) bypass is prohibited, and the City may take enforcement action against an industrial user for a bypass, unless:

a. bypass was unavoidable to prevent loss of life, personal injury or severe property damage.

b. there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. the industrial user submitted notices as required under Paragraph (c) of this section.

(2) the Director may approve an anticipated bypass, after considering its adverse effects, if the determines that the industrial user will meet the three conditions listed in Paragraph (d)(1) of this section.

SECTION 17A-124--17A-150. RESERVED.

ARTICLE VI.

CONNECTIONS TO PUBLIC SEWERS

DIVISION 1. GENERALLY

SECTION 17A-151. REQUIRED.

A. The owners of all lots lying alongside or abutting upon any alley or street upon which a lateral of the City's system of sanitary sewers is now, or hereafter will be laid, shall connect all water closets, urinals, sinks, or other places where refuse, slops, wastewater or domestic waste of any kind is accumulated or deposited, within 30 days after the completion of said lateral, except said connection may not be required of abutting owners who have existing septic systems which have been duly inspected, approved and authorized by the Health Department. The costs of such inspection shall be borne by the property owner. Such exception to connection to the City's sanitary sewer system may be granted only so long as the existing septic system meets the requirements of existing law.

B. No owner or occupant of such lots shall use any privy or urinal, or allow any refuse, slops, wastewater or domestic waste of any kind to accumulate upon such lots, until such connection with said system of sanitary sewers shall have been made as required in Subsection (a) above.

C. Any person violating any of the provisions of this section shall, upon conviction thereof, be fined for each offense, and each 24 hours continuance of such offense shall be deemed a separate offense.

SECTION 17A-152. CONNECTIONS TO LATERALS ONLY.

No private sewer connection, whether or not within the City limits, shall be made to any sewer line directly or indirectly connected with the City's sewer system other than to a lateral constructed to serve the private premises in question, except by special contract approved by the Public Works Director.

SECTION 17A-153. NOTICE TO MAKE CONNECTION.

The Code Enforcement Officer shall cause to be served on the owner or occupant of any buildings or establishments with any sewer connections that do not conform to the Provisions of this chapter, a notice in writing stating that the sewer connection must be made as required, giving 30 days time in which to make the proper connection. If, after 30 days from the day of the service of said notice, the proper connection has not been made, then no person shall maintain or use any sewer connection not conforming to the provisions hereof.

SECTION 17A-154-17A-180. RESERVED.

DIVISION 2. PERMIT AND INSPECTION

SECTION 17A-181. REQUIRED.

A. No person shall make or attempt to make any connection to a sewer:

- (1) without first obtaining a sewer permit.
- (2) until the sewer connection has been properly inspected as provided in this chapter.

B. If a sewer connection is made without a sewer permit and without inspection, then said connection shall be closed and disconnected from such sewer by order of the Public Works Director.

SECTION 17A-182. REIMBURSEMENT OF ASSESSMENT PAID BY CITY.

A. Whenever the construction cost of sanitary sewers has been or may be levied and assessed against the property abutting thereon, as provided by the laws of the state, and the City has paid or may be liable to pay such assessments in whole or in part from City funds, then any owner or occupant of any property abutting such sewers who makes application for permission to tap such sewers shall not be issued a permit unless he shall:

- (1) have paid to the City the amount of the assessments that have been paid by the City prior to the issuance of the permit.
- (2) agree in writing with the City that:

a. any unpaid or unmatured assessments levied against the property shall be or remain a lien against the property so long as the assessments remain unpaid; and

b. from the date of the issuance of the permit the unpaid assessments shall become and remain a lien in the same manner and form as is provided for in levying assessments against property abutting upon lateral sewers under the laws of the state, as if the same had been originally levied under the laws of the state. Such lien shall remain in force and effect until the assessments shall be fully paid and satisfied as provided by the statutes relating to the construction of lateral sewers.

B. The property owner or occupant shall be required:

(1) to pay the actual cost of the construction of the sewer properly chargeable to the abutting property, as provided under the laws of the state, and any interest that the City has been required to pay.

(2) to assume the payment of interest on outstanding and unpaid assessments.

C. Upon payment to the City of the assessment, a permit shall be issued to the owner or occupant to tap and use the sanitary sewer in the manner provided by the existing ordinances of the City relating to such connections.

SECTION 17A-183. CONNECTIONS WHERE NO SPECIAL ASSESSMENT MADE.

A. Whenever sanitary sewer mains or submains have been constructed, and the City has paid charges in whole or in part out of funds of the City, other than those charges provided for in Section 17A-182, and when any owner or occupant of any property abutting upon such sanitary sewer main or submain makes application for connecting to such sewer with a private line, no permit shall be issued to any abutting owner or occupant until such owner or occupant shall have paid to the City, prior to the issuance of such permit, his proportionate share of the cost of such sanitary sewer main or submain, which share, for each residential tap, shall be as established in Chapter 60, the General Schedule of Fees, and for each nonresident tap shall be 1/2 of the cost of the line abutting the property.

B. Such cost to the nonresidential property owner or occupant shall be determined by the following formula:

(1) cost of the project minus lift stations and plant cost, divided by the product of the linear feet of the project times pipe diameter in inches, all multiplied by half the number of linear feet abutting the main or submain times eight inches.

(2) where an owner or occupant has a large lot in excess of 150 linear feet abutting on a sanitary sewer main or submain, the lot size shall be computed on the basis of a maximum lot size of 150 linear feet on such main or submain.

(3) where any owner of property abutting upon a proposed sanitary sewer main or submain donates to the City an easement or right-of-way 20 feet in width over all his property abutting the alignment of the main or submain and said donation is 50 feet or fraction thereof in length, such owner for said proposed sewer shall in exchange for the donated easements or right-of-way receive a \$100.00 credit for the first 50 feet or fraction thereof in length of donated easement or right-of-

way toward reducing the amount due for the connection permit charges set forth herein. This credit shall expire if not exercised by the donor prior to his transfer of the fee to said property.

The costs herein provided shall be in addition to all other fees.

SECTIONS 17A-184-17A-189. RESERVED.

DIVISION 3. STATE PERMIT EXEMPTION

SECTION 17A-190. MUNICIPAL SYSTEMS.

A. *Purpose.* The purpose of this division is to qualify for exemptions from the Department of Environmental Quality construction permit requirement for wastewater collection systems, pursuant to Chapter 655 of the Oklahoma Administrative Code, entitled "Water Pollution Control Construction Standards," adopted by the Board of Environmental Quality on November 24, 1993. Gravity sewage construction lines not larger than 12 inches in diameter and small sewage treatment systems are the only systems eligible for the exemption from the requirements of issuance of State construction permits, provided all systems constructed in whole or in part with funds from the United States EPA and/or with funds administered by the DEQ shall not be exempt from the requirement of obtaining a State construction permit.

B. *System and connection requirement.* All municipal systems and any connection thereto must be constructed in compliance with the applicable regulations, rules and requirements of the DEQ or the regulations, rules and requirements regulations of the City, whichever standard is more stringent.

C. *Approval required.* All sewer line extensions to sewage treatment plants, lift stations, and interceptor lines must be approved by the Director prior to actual construction.

D. *Approval withheld.* Approval shall be withheld if the sewage treatment plant, lift station or interceptor line to which the sewer line extension is to attach has reached or, with the addition of the proposed sewer line extension, would reach treatment or hydraulic capacities. Further, approval shall also be withheld if the sewer line extension does not meet or exceed the standards of the DEQ and the City, or may be withheld for any other reason.

E. *Review and approval of plans and specifications for sewage collection systems.* Prior to construction, plans and specifications for sewage collection systems must be reviewed, approved and signed by a professional engineer licensed by the State of Oklahoma and designated by the Director as being in responsible charge of connections to the sewage collection system for the municipality. All approved plans and specifications must be signed by said designated professional engineer indicating approval to proceed with construction in accordance with the approved plans and specifications. No sewage collection system construction shall proceed until plans and specifications have been reviewed and approved in this manner.

F. *Listing of projects.* The Director must supply DEQ with one copy of all such approved plans and specifications together with a listing of all approved projects monthly, on or before the fifteenth of each month following approval by the plans and specifications for each project. The listing shall include the name, location and date of approval of each such project.

G. Inspection. The City Engineer shall inspect each approved project and shall prohibit commencement of any sewage collection systems construction or connection prior to approval of plans and specifications in accordance with this division.

H. System operation. The City shall operate its wastewater system in compliance with the applicable rules of DEQ.

I. System capacity exception. Should any proposed City sewer line extension bring a connected lift station, interceptor line or sewage treatment plant to its design capacity, the construction or connection of the proposed sewer line extension may still be allowed, to the extent approved by DEQ, under the following circumstances:

- (1) the City must apply, in writing, to the DEQ for a variance allowing the specified construction to proceed within the area.
- (2) the application must detail what the City will do to ensure that the construction or connection will not worsen problems or treatment capacity, flow or bypassing of sewage.
- (3) the application must include timetables for correcting any stated problems, prior to the connection of any additional loadings or flows, as a result of the construction for which approval is sought.
- (4) the application, if approved, will become a condition of any permit issued for such construction by the DEQ.
- (5) approval of construction in an area at design capacity, which has not received such a variance from the DEQ, will result in revocation of the City's overall sewer line permit exemption status, as provided by the rules and regulations of DEQ.

SECTION 17A-191. SMALL SEWAGE TREATMENT SYSTEMS.

Small sewage treatment systems may be installed, without the necessity of obtaining a permit from the DEQ, under the following circumstances:

- (1) small sewage treatment systems must be constructed in accordance with the requirements of the DEQ; and
- (2) if a subsurface system or lagoon is to be installed: (a) a soil percolation test is required; (b) soil percolation tests must be performed by registered professional sanitarians, registered professional engineers or registered land surveyors and submitted to the DEQ at the State or local office; and (c) the soil percolation tests must follow the procedure set forth by the DEQ; and
- (3) prior to backfilling a subsurface system or placing a lagoon into service, final inspection and approval by the DEQ is required.

SECTIONS 17A-192--17A-210. RESERVED.

ARTICLE VII.

INDUSTRIAL OR HARMFUL DISCHARGES

DIVISION 1. GENERALLY

SECTION 17A-211. PROHIBITED DISCHARGE STANDARDS.

A. No industrial 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 industrial 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. Furthermore, no industrial user may contribute the following substances to the POTW:

- (1) pollutants which create a fire or explosive hazard in the municipal wastewater collection and POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees (60 degrees Celsius) using the test methods specified in 40 CFR 261.21, as amended.
- (2) any wastewater having a pH less than 5.0 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment, or endangering City personnel.
- (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 1/2 inch in any dimension.
- (4) any wastewater containing 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 either the POTW, or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals.
- (5) any wastewater having a temperature greater than 104 degrees Fahrenheit (40 degrees Celsius), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees (40 degrees Celsius).
- (6) any discharge of nonpolar or saturated oil, nonbiodegradable cutting oil, or products of mineral oil origin which is greater than 100 mg/l or in amounts that will cause interference or pass-through.
- (7) any 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) any trucked or hauled pollutants, except at discharge points designated by the City in accordance with 40 CFR 403.5(b)(8).
- (9) any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other substances, to injure or interfere with any wastewater treatment process or to create a toxic effect in the receiving waters of the municipal wastewater collection and/or treatment system.
- (10) any 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, a hazard to life, or to prevent entry into the sewers for maintenance and repair.
- (11) any wastewater which imparts color which cannot be removed by the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.

(12) any wastewater containing any radioactive wastes or isotopes except as specifically approved by the Director, in compliance with applicable State or Federal regulations.

(13) stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, noncontact cooling water, and unpolluted industrial wastewater, unless specifically authorized by the Director, or as defined in 17A-1(W.1).

(14) any sludges, screenings, or other residues from the pretreatment of industrial wastes.

(15) any medical wastes, except as specifically authorized by the Director in a wastewater discharge permit.

(16) any wastewater causing the treatment plant's effluent to fail a toxicity test.

(17) any wastes containing detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.

(18) any discharge of polar or nonsaturated fats, oils or greases which is greater than 200 mg/l, or in amounts that will cause interference or obstruction of the POTW.

(19) any substance which causes a hazard to human life or creates a public nuisance.

(20) any garbage from categorical or non-categorical users that has not been properly shredded. The installation and operation of any garbage grinder or garbage disposal equipped with a motor of three-fourths horsepower or greater shall be subject to review and approval of the Director.

B. At no time shall two readings on an explosion hazard meter at any point of discharge into the POTW, or at any point in the POTW, be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter.

C. When the Director determines that a user is contributing to the municipal wastewater collection and treatment system any of the above enumerated substances in such amounts as to interfere with the operation of the municipal wastewater collection and treatment system, the Director shall:

(1) advise the user of the impact of the contribution on the municipal wastewater collection and treatment system; and

(2) inform said user that the user has two days to correct the interference with the municipal wastewater collection and treatment system.

D. Wastes prohibited by this article shall not be processed or stored in such a manner that the wastes could be discharged to the POTW. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the POTW or have spill control measures approved by the Director installed and operational.

SECTION 17A-212. FEDERAL CATEGORICAL PRETREATMENT STANDARDS.

The national categorical pretreatment standards found at 40 CFR, Chapter I, Subchapter N, Parts 405 through 17A1, and all amendments thereto, are hereby incorporated.

SECTION 17A-213. STATE REQUIREMENTS.

Local, State, or Federal requirements and limitations on discharges shall apply in any case where they are more stringent than requirements and limitations in this chapter. The City shall notify all affected users of any change in the above-described requirements or limitations, including the promulgation and/or date of effectiveness of national categorical pretreatment standards.

SECTION 17A-214. SPECIFIC POLLUTANT AND IMPURITIES LIMITATIONS AND SPECIAL CONDITIONS.

A. *Limits.* The following pollutant limits are established to protect against pass-through and interference. No person shall discharge wastewater containing in excess of the following maximum allowable discharge limits:

TABLE INSET:

Monthly Average mg/L	Peak Day mg/L	
0.35	0.70	mg/l arsenic
0.07	0.14	mg/l cadmium
1.95	3.90	mg/l chromium
1.66	3.32	mg/l copper
0.21	0.42	mg/l cyanide
1.05	2.10	mg/l lead
0.02	0.04	mg/l mercury
0.79	1.58	mg/l molybdenum
3.98	7.96	mg/l nickel
0.06	0.12	mg/l selenium
1.91	3.82	mg/l silver
2.17	4.34	mg/l zinc
	*	mg/l BOD
	*	mg/l suspended solids
	100	mg/l saturated or nonpolar oil and grease
	200	mg/l nonsaturated or polar oil and grease

*The Director shall set limits for biochemical oxygen demand (BOD) and suspended solids (TSS).

B. Concentrations. Concentrations apply at the point where the industrial waste is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. At his discretion, the Director may impose mass limitations in addition to or in place of the concentration based limitations above.

C. Organic pollutants. At the discretion of the Director, the City may establish organic pollutant discharge limits for industrial users. Industrial users identified for organic pollutant discharge limits may be required to submit an organic compounds control plan containing such information as required by the Director.

The explosivity and worker health and safety limit will be considered along with other environmental criteria such as allowable headworks loading and/or maximum allowable headworks loading for a specific POTW in the establishment of organic pollutant discharge limits for industrial users. Worker health and safety criteria is established pursuant to the O.S.H.A. or N.I.O.S.H. standards.

D. Additional limitations and conditions for extrajurisdictional users.

(1) *Permit limits and special conditions.* The permit limits and special conditions to be imposed in the pretreatment permit will be issued at the discretion of the Director after reviewing the permit application. The Director reserves the right to reject a permit application and deny connection to the Piedmont sewer system based on the type of discharge; information in the permit application; protection of City facilities; and the ability of City facilities to maintain compliance with environmental requirements. The permittee shall be subject to all provisions of the City sewer use ordinances and policies of the Piedmont industrial pretreatment program. The Director reserves the right to terminate services to any user outside City limits when in his/her opinion the discharge from facilities outside the City limits begins to adversely impact either City facilities or permit compliance. The Director reserves the right to reopen any permit to a user outside the City limits at any time due to impacts to City Facilities or changes in environmental requirements.

(2) *Maximum wastewater impurity concentration limits.*

TABLE INSET:

Maximum TDS Concentration =	6,000 mg/L
Maximum Chloride Concentration =	1,000 mg/L
Maximum Sulfate Concentration =	1,000 mg/L

E. Special conditions for City users and extrajurisdictional users.

(1) permittee shall be responsible for any damage to City facilities caused by or contributed to by the discharge of pollutants or impurities from permittee's facility. In order to minimize damage to City's facilities, the permittee may be required through surcharges or permit fees to pay for modifications to City facilities to minimize the impact of TDS, chlorides, and sulfates. These impacts may include, but not limited to include the design of a diffuser for rapid mixing of high

TDS wastewater into the City's wastewater treatment and collection facilities, which will minimize damage from corrosion and the primary clarifier from density interference with the removal of BOD and TSS.

(2) in accordance with the City's discharge control policy, the permittee is being informed that at some time in the future additional pretreatment may be required to control the discharge of TDS, chloride, and sulfate from permittee's facility. These revised permit requirements will contain a compliance schedule with milestones for design and installation of pretreatment facilities.

(3) permittee shall provide, in its permit application, estimates of water requirements and wastewater based on operational controls at its facility. Permit limits have been developed for the permittee as not exceed concentration limits and monthly average mass limits. These not to exceed limits will allow the permittee flexibility in the design and operation of its facility within these limits. The permittee must be in compliance with discharge limits at all times. If the permittee must be in compliance with discharge limits at all times. If the permittee desires to change discharge flow and/or strength above its established permit limits, a new permit application shall be submitted to the City for review and approval prior to any changes.

(4) the City is under no obligation to grant approval of a revised permit that increases flow or strength. The City reserves the right to make any individual permit limits or discharge standards more restrictive. The City reserves the right to establish discharge standards and permit limits that are more restrictive for outside City users than for inside City users. The City reserves the right to make any individual permit limits or discharge standards more restrictive in order to meet any changes or modifications to State or Federal law or as it may determine to be in the best interest of The City of Piedmont and its users.

SECTION 17A-215. CITY'S RIGHT OF REVISION.

The City reserves the right to establish by ordinance or in wastewater discharge permits more stringent standards or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in this chapter or the general and specific prohibitions in this chapter.

SECTION 17A-216. SPECIAL AGREEMENTS.

A. The City reserves the right to enter into special agreements with industrial users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a pretreatment standard or requirement. However, the industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15, as amended. The industrial user may also request a variance from the categorical pretreatment standard from the EPA. Such a request will be approved only if the industrial user can prove that factors relating to its discharge are fundamentally different from the factors considered by the EPA when establishing that pretreatment standard. An industrial user requesting a fundamentally different factor variance must comply with the procedural and substantive provisions in 40 CFR 403.13, as amended.

B. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, that contain the substances or possess the characteristics enumerated in this chapter and that in the judgment of the Director may have a deleterious effect upon the wastewater works, processes, equipment, or receiving waters, or that otherwise create a hazard to life or constitute a health hazard or public nuisance, the Director may:

- (1) reject the wastes;
- (2) require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) require control over the quantities and rates of discharge; and/or
- (4) require a variance agreement to treat such wastes; said agreement shall remain in effect for a period of one year and shall be renewable at the discretion of the Director. Payment to cover the cost of handling and treating the wastes shall be under the provision of Chapter 60 the General Schedule of Fees.

If the Director permits the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Director and subject to the requirements of all applicable codes, ordinances, and laws.

SECTION 17A-217. DILUTION.

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

SECTION 17A-218. WAIVERS AND VARIANCES.

A. An Industrial User may submit to the Director of the Utility a written request for a waiver or variance of specific pollutant limitations. All requests will be evaluated by the Director and, on a case-by-case basis, a determination will be made within 60 days of receipt of the request. All limits shall be met until the Industrial User receives written approval from the Director granting the request. The Director may deny any request for a waiver. The following conditions shall apply to all waivers granted:

- (1) waiver of applicable Federal Categorical Pretreatment Standards or the pollutants outlined in Paragraph 17A-214 (a) is prohibited.
- (2) capacity at the Wastewater Treatment Facility must be available for the requested pollutant(s).
- (3) the duration of the waiver will be specified and shall in no event exceed five years. Application for renewal of the waiver must be made at least 60 days before expiration.
- (4) any violation of the Industrial Waste Discharge Permit or Special Use Authorization conditions may result in the immediate revocation of the waiver.
- (5) the waiver will be issued to a specific user for a specific operation. A waiver shall not be reassigned, transferred, or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Director.
- (6) notwithstanding the language in any individual permit or any individual waiver, all permit waivers are subject to revocation or modification by the Director subsequent to any periodic review of the technically based local limits.
- (7) the Industrial User will bear the cost of any testing or evaluation deemed necessary by the Director in evaluating any waiver or the impact of any waiver or class of waivers upon the POTW.

B. Upon the request of any permitted commercial laundry, the Director may grant a variance in the discharge requirements to permit discharge up to a pH of 11.0. Notwithstanding the language in any individual permit or any individual variance, all permit variances are subject to revocation or modification by the Director subsequent to any period review of the technically based local limits.

SECTION 17A-219--17A-240. RESERVED.

DIVISION 2. PRETREATMENT OF WASTEWATER

SECTION 17A-241. PRETREATMENT FACILITIES.

A. Industrial users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in 17A-211 and Federal categorical pretreatment standards within the time limitations as specified in this chapter and by the Federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this article.

Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

B. All records relating to compliance with pretreatment standards shall be made available to officials of the Environmental Protection Agency or approval authority upon request.

SECTION 17A-242. ADDITIONAL PRETREATMENT MEASURES.

A. Whenever deemed necessary, the director may require industrial users to restrict their discharge peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and other conditions as may be necessary to protect the POTW and determine the industrial user's compliance with the requirements of this article.

B. Grease, oil and sand interceptors shall be provided by the user when, in the opinion of the director, the interceptors are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interceptor units shall be of type and capacity approved by the director and shall be so located to be easily accessible for cleaning and inspection. Interceptors may be periodically inspected by the director. The interceptors shall be cleaned and repaired regularly, and as otherwise needed, by the user at the owner's expense.

SECTION 17A-243. ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS.

A. Each user shall provide facilities which the City deems adequate to protect the municipal wastewater collection and treatment system from accidental discharge of prohibited materials or other substances regulated by this chapter. 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 within 90 days of the initial approval of this chapter by the Environmental Protection Agency. No user who commences contribution to the municipal wastewater collection and treatment system after the initial approval of this article by the Environmental Protection Agency shall be permitted to introduce substances 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 article. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the Director or his designated representative of the incident. The notification shall include date, time, and location of discharge, type of waste, concentration and volume, and corrective actions.

B. Written notice. Within five days following an accidental discharge, the user shall submit to the Director 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 municipal wastewater collection and treatment system, 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.

C. Notice to employees. A notice shall be permanently posted on the user's bulletin board or other prominent and accessible place advising employees whom to call in the event of a dangerous

discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

SECTION 17A-244. TENANT RESPONSIBILITY.

Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this chapter.

SECTION 17A-245. HAULED WASTEWATER.

A. Septic tank waste may be accepted into the POTW at a designated receiving structure within the treatment plant area, and at such times as are established by the Director, provided such wastes do not violate the provisions of this chapter or any other requirements established or adopted by the City. Wastewater discharge permits for individual vehicles to use such facilities shall be issued by the Director.

B. The discharge of hauled industrial wastes as "industrial septage" requires prior approval and a wastewater discharge permit from the City. The Director shall have authority to prohibit the disposal of such wastes, if such disposal would interfere with the treatment plant operation. Waste haulers are subject to all other sections of this chapter.

C. Fees for dumping septage will be established as part of the industrial user fee system as established in Chapter 60, the General Schedule of Fees.

SECTION 17A-246. VANDALISM.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the POTW. Any person found in violation of this requirement shall be subject to the fines, imprisonment and sanctions set forth in this chapter.

SECTION 17A-217A--17A-270. RESERVED.

DIVISION 3. WASTEWATER DISCHARGE PERMIT ELIGIBILITY

SECTION 17A-271. WASTEWATER SURVEY.

When requested by the Director, all industrial users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The Director is authorized to prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the industrial user and shall be considered a violation of the provisions of this chapter.

SECTION 17A-272. WASTEWATER DISCHARGE PERMIT REQUIREMENT.

A. It shall be unlawful for any significant industrial user to discharge wastewater into the City's POTW without first obtaining a wastewater discharge permit from the Director. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and

subjects the wastewater discharge permittee to the fines, imprisonment and sanctions set forth herein. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal, State and local pretreatment standards or requirements or with any other requirements of Federal, State and local law.

B. The Director may require other industrial users, including liquid waste haulers, to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.

SECTION 17A-273. WASTEWATER DISCHARGE PERMIT FOR EXISTING CONNECTIONS.

Any significant industrial user which discharges industrial waste into the POTW prior to October 1, 1992, and who wishes to continue such discharges in the future, shall, within 30 days after said date, apply to the City for a wastewater discharge permit in accordance with this article and shall not cause or allow discharges to the POTW to continue after 30 days of October 1, 1992, except in accordance with a wastewater discharge permit issued by the Director.

SECTION 17A-274. WASTEWATER DISCHARGE PERMIT FOR NEW CONNECTIONS.

Any significant industrial user proposing to begin or recommence discharging industrial wastes into the POTW must obtain a wastewater discharge permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit must be filed at least 45 days prior to the date upon which any discharge will begin.

SECTION 17A-275. WASTEWATER DISCHARGE PERMIT FOR EXTRAJURISDICTIONAL INDUSTRIAL USERS.

A. Any existing significant industrial user located beyond the City limits shall submit a wastewater discharge permit application, in accordance with this article, within 30 days of October 1, 1992. New significant industrial users located beyond the City limits shall submit such applications to the Director 90 days prior to any proposed discharge into the POTW.

B. Alternately, the Director may enter into an agreement with the neighboring jurisdiction in which the significant industrial user is located to provide for the implementation and enforcement of pretreatment program requirements against said industrial user.

SECTION 17A-276. WASTEWATER DISCHARGE PERMIT APPLICATION CONTENTS.

A. In order to be considered for a wastewater discharge permit, all industrial users required to have a wastewater discharge permit must submit the information required by Division 5 of this article. The Director shall approve a form to be used as a permit application. In addition, the following information may be requested:

- (1) description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.
- (2) number and type of employees, hours of operation, and proposed or actual hours of operation of all facilities.

- (3) each product produced by type, amount, process or processes, and rate of production.
- (4) type and amount of raw materials processed (average and maximum per day).
- (5) the site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge.
- (6) time and duration of the discharge.
- (7) any other information as may be deemed necessary by the Director to evaluate the wastewater discharge permit application.

B. Incomplete or inaccurate applications will not be processed and will be returned to the industrial user for revision.

SECTION 17A-277. APPLICATION SIGNATORIES AND CERTIFICATION.

All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

SECTION 17A-278. WASTEWATER DISCHARGE PERMIT DECISIONS.

The Director will evaluate the data furnished by the industrial user and may require additional information. Within 45 days of receipt of a complete wastewater discharge permit application, the Director will determine whether to issue a wastewater discharge permit. If no determination is made within this time period, the application will be deemed denied. The Director may deny any application for a wastewater discharge permit.

SECTIONS 17A-279-17A-300. RESERVED.

DIVISION 4. WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

SECTION 17A-301. WASTEWATER DISCHARGE PERMIT DURATION.

Wastewater discharge permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a specific date, at the discretion of the Director. Each wastewater discharge permit will indicate a specific date upon which it will expire.

SECTION 17A-302. WASTEWATER DISCHARGE PERMIT CONTENT.

A. Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Director to prevent pass-through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the POTW.

B. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable chapters, ordinances, user charges and fees established by the City. Wastewater discharge permits shall contain the following conditions:

- (1) the unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW.
- (2) limits on the average and maximum wastewater constituents and characteristics.
- (3) limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- (4) requirements for installation and maintenance of inspection and sampling facilities.
- (5) specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
- (6) compliance schedules.
- (7) requirements for submission of technical reports or discharge reports.
- (8) requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the City, and affording City access thereto.
- (9) 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 constituents being introduced into the municipal wastewater collection and treatment system.
- (10) requirements for notification of slug discharges as provided in this chapter.
- (11) upon changes or increases in discharge, as determined by the water and wastewater utilities Director, the Director may require the user to reapply or amend its permit.
- (12) a notice that any permittee who is found to have violated an order of the Director, or who violated or failed to comply with any permit provision, any provisions of Chapter 17A of this Code, or the orders, rules, regulations and permits issued pursuant to Chapter 17A of the Code shall be guilty of an offense against the City and may be prosecuted in Municipal Court.
- (13) other conditions as deemed appropriate by the Director or the City to ensure compliance with this chapter.

State law references: Penalty for ordinance violations, 11 O.S. § 14-111.

SECTION 17A-303. WASTEWATER DISCHARGE PERMIT APPEALS.

Any person, including the industrial users, may petition the Director, or his designated representative, to reconsider the terms of a wastewater discharge permit within 30 days of its issuance.

- (1) failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (2) in its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection and the alternative conditions, if any, it seeks to place in the wastewater discharge permit.
- (3) the effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- (4) if the Director, or his designated representative, fails to act within 45 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit, shall be considered final administrative action for purposes of judicial review.
- (5) aggrieved parties who have exhausted their administrative remedies may seek judicial review of the final administrative wastewater discharge permit decision by filing a complaint with the district court for Canadian County within appropriate State statute of limitations.

SECTION 17A-304. WASTEWATER DISCHARGE PERMIT MODIFICATION.

A. The Director may modify the wastewater discharge permit for good cause, including, but 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 industrial user's operation, processes, or wastewater volume or character since the time of 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 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, as amended.
- (8) to correct typographical or other errors in the wastewater discharge permit.

(9) to reflect a transfer of the facility ownership and/or operations to a new owner/operator.

B. The filing of a request by the permittee for a wastewater discharge permit modification does not stay any wastewater discharge permit condition.

SECTION 17A-305. WASTEWATER DISCHARGE PERMIT TRANSFER.

A. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the director. Changes in operation or processing which result in a change in the permit conditions, limitations, or requirements will require a new permit, and the existing permit will not be reassigned. Any succeeding owner or user shall comply with the terms and conditions of the existing permit.

B. Wastewater discharge permits may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least 30 days advance notice to the director, the permit premises have not changed, the processes and operations at the premises have not changed, and the director approves the wastewater discharge permit transfer. The notice to the director must include a written certification by the new owner and/or operator which:

- (1) states that the new owner and/or operator have no immediate intent to change the facility's operations and processes.
- (2) identifies the specific date on which the transfer is to occur.
- (3) acknowledges full responsibility for complying with the existing wastewater discharge permit.

C. Failure to provide advance notice of a transfer renders the wastewater discharge permit voidable on the date of the facility transfer.

SECTION 17A-306. WASTEWATER DISCHARGE PERMIT REVOCATION.

(a) Wastewater discharge permits may be revoked for the following reasons:

- (1) failure to notify the City of significant changes to the wastewater character prior to discharge.
- (2) failure to provide prior notification to the City of changed condition pursuant to Division 5 of this article.
- (3) misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application.
- (4) falsifying self-monitoring equipment.
- (5) tampering with monitoring equipment.
- (6) refusing to allow the City timely access to the facility premises and records.
- (7) failure to meet effluent limitations.

- (8) failure to pay fines.
- (9) failure to pay sewer charges.
- (10) failure to meet compliance schedules.
- (11) failure to complete a wastewater survey or the wastewater discharge permit application.
- (12) failure to provide advance notice of the transfer of a permitted facility.
- (13) violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or the provisions of this chapter.

B. Wastewater discharge permits shall be voidable upon non-use, cessation of operations, or transfer of business ownership without prior approval of the Director of a permit transfer. All wastewater discharge permits are void upon the issuance of a new wastewater discharge permit.

SECTION 17A-307. WASTEWATER DISCHARGE PERMIT REISSUANCE.

A significant industrial user shall apply for wastewater discharge permit reissuance a minimum of 30 days prior to the expiration of the industrial user's existing permit.

SECTION 17A-308. WASTEWATER DISCHARGE PERMIT NOTIFICATION.

The terms and conditions of the wastewater discharge permit may be subject to modification by the Director during the term of the permit as limitations or requirements as identified in this chapter are modified or if other just cause exists. The industrial user shall be informed by certified mail of any proposed changes in his permit at least 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. Upon determination by the Director that a user's contribution to the POTW has changed or increased, the Director may require the user to reapply for a permit or amend the user's existing permit.

SECTION 17A-309. POTENTIAL TO DISCHARGE PERMIT REQUIRED.

All categorical and noncategorical users who claim no process discharge, total recycling of categorical and/or noncategorical waste or the separate disposal of all categorical and/or noncategorical wastes are hereby required to obtain a permit for potential to discharge. Provided however, that should the Director determine that the categorical or noncategorical user is discharging categorical or noncategorical waste into the POTW then the potential to discharge permit shall be revoked and the user shall be required to obtain the appropriate permit and meet the applicable requirements of this chapter. A fee for a potential to discharge permit for users with is set forth the General Schedule of Fees.
§§ 17A-310–17A-330. Reserved.

DIVISION 5. REPORTING REQUIREMENTS

SECTION 17A-331. BASELINE MONITORING REPORTS.

A. Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), as amended, whichever is later, existing significant industrial users subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall be required to submit to the City a report which contains the information listed in this division. At least 45 days prior to commencement of their discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical standard, shall be required to submit to the City a report which contains the information listed in this division. A new source shall also be required to report the method of pretreatment it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.

B. The industrial user shall submit the information required by this section, including:

- (1) *Identifying information.* The name and address of the facility, including the name of the operator and owners.
- (2) *Wastewater discharge permits.* A list of any environmental control wastewater discharge permits held by or for the facility.
- (3) *Description of operations.* A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- (4) *Flow measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e), as amended.
- (5) *Measurement of pollutants.*
 - a. identify the categorical pretreatment standards applicable to each regulated process.
 - b. submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the standard or by the City) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long-term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in this division.
 - c. sampling must be performed in accordance with procedures set out in this division.
- (6) *Certification.* A statement reviewed by the industrial user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(7) *Compliance schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in 40 CFR 403.12(B)(7) and (C), as amended.

(8) *Baseline monitoring reports.* All baseline monitoring reports must be signed and certified in accordance with Division 3 of this article.

SECTION 17A-332. COMPLIANCE SCHEDULE PROGRESS REPORT.

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

SECTION 17A-333. REPORT ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE.

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any industrial user, subject to such pretreatment standards and requirements, shall submit to the City a report containing the information required for the baseline monitoring report. For industrial users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), as amended, this report shall contain a reasonable measure of the industrial user's longterm production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the industrial user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with EPA signatory requirements for industrial users.

SECTION 17A-334. PERIODIC COMPLIANCE REPORTS.

A. Any categorical industrial user subject to a pretreatment standard shall, at a frequency determined by the Director, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with EPA signatory requirements for industrial users.

B. All wastewater samples must be representative of the industrial 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 an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge.

C. If an industrial user subject to the reporting requirement in this article monitors any pollutant more frequently than required by the City, using the procedures prescribed in 40 CFR 403.12(g)(5), as amended, the results of this monitoring shall be included in the report.

SECTION 17A-335. REPORT OF CHANGED CONDITIONS.

Each industrial user shall notify the Director promptly of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least 30 days before the change.

- (1) the Director may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.
- (2) the Director may issue a wastewater discharge permit or modify an existing wastewater discharge permit.
- (3) no industrial user shall implement the planned changed condition(s) until and unless the Director has responded to the industrial user's notice in writing.
- (4) for purposes of this requirement, flow increases of ten percent or greater, and the discharge of any previously unreported pollutants, shall be deemed significant.

SECTION 17A-336. REPORTS OF POTENTIAL PROBLEMS.

A. In the case of any discharge including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load which may cause potential problems for the POTW (including a violation of the prohibited discharge standards in this chapter), it is the responsibility of the industrial user to immediately telephone and notify the City of the incident. This notification shall include the location of discharge, type of waste, concentration and volume, if known, and corrective actions taken by the industrial user.

B. Within five days following such discharge, the industrial user shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this chapter.

C. Failure to notify the City of potential problem discharges shall be deemed a separate violation of this chapter.

D. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in Paragraph (a) above.

Employers shall ensure that all employees, who may cause or suffer such a discharge to occur, are advised of the emergency notification procedure.

SECTION 17A-337. REPORTS FROM SIGNIFICANT NON-CATEGORICAL USERS AND NONSIGNIFICANT INDUSTRIAL USERS.

A. The control authority shall require appropriate reporting from those industrial users with discharges that are not subject to categorical pretreatment standards. Significant non-categorical industrial users shall submit to the control authority at least once every six months (on dates specified by the control authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the control authority. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR 136, and amendments thereto. Where 40 CFR 136, does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the City or other persons, approved by the Administrator. This sampling and analysis may be performed by the control authority in lieu of the significant non-categorical industrial user. Where the City itself collects all the information required for the report, the non-categorical significant industrial user will not be required to submit the report.

B. All industrial users not subject to categorical pretreatment standards and not required to obtain a wastewater discharge permit shall provide appropriate reports to the City as the Director may require.

SECTION 17A-338. NOTICE OF VIOLATION/REPEAT SAMPLING AND REPORTING.

If sampling performed by an industrial user indicates a violation, the industrial user must notify the City within 24 hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the control authority within 30 days after becoming aware of the violation. The industrial user is not required to resample if the City performs monitoring at the industrial user's site at least once a month, or if the City performs sampling between the industrial user's initial sampling and when the industrial user receives the results of this sampling.

SECTION 17A-339. NOTIFICATION OF DISCHARGE OF HAZARDOUS WASTE.

A. Any industrial user who commences the discharge of hazardous waste shall notify the City, the EPA Regional Waste Management Division Director and state hazardous waste authorities (ODEQ) in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261, as amended. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, as amended, the EPA hazardous waste number, and the type of discharge (continuous, batch or other). If the industrial user discharges more than ten kilograms of such waste per calendar month to the City, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted to the Director. The notification requirement in this

section does not apply to pollutants already reported under the self-monitoring requirements of this chapter.

B. Dischargers are exempt from the requirements of this article during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), as amended. Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification.

Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

C. In the case of any new regulations under § 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the City, the EPA Regional Waste Management Waste Division Director and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

D. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

SECTION 17A-340. ANALYTICAL REQUIREMENTS.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report, shall be performed in accordance with the techniques prescribed in 40 CFR 136, as amended, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR 136, as amended, does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA.

SECTION 17A-341. SAMPLE COLLECTION.

A. Except in Subsection (b) below, where flow is sufficient, wastewater compliance samples shall be a composite sample of at least four (4) grab samples of equal proportion taken at equal time intervals during a users normal production day. The Director may use production records and flow data to establish a users normal production day, and may require grab samples to be taken at greater intervals to prepare a composite sample. An instantaneous grab sample shall be used to determine compliance on batch or intermittent discharge. The monthly average limit shall apply to batch or intermittent discharge in determining user compliance.

B. Samples for oil and grease, temperature, pH, cyanide, phenols, toxicity, sulfides and volatile organic chemicals must be obtained using grab collection techniques.

SECTION 17A-342. DETERMINATION OF NONCOMPLIANCE BY USE OF GRAB SAMPLE.

The Director may use a grab sample(s) to determine noncompliance with pretreatment standards.

SECTION 17A-343. DATE OF SUBMITTAL.

For purposes of this division, written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the U.S. postal service, the date of receipt of the report shall govern.

SECTION 17A-344. RECORDKEEPING.

A. Industrial users shall retain and make available for inspection and copying all records and information required to be retained under this chapter. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning compliance with this article, or where the industrial user has been specifically notified of a longer retention period by the Director.

B. Provision governing fraud and false statements. The reports and other documents required to be submitted or maintained under this chapter shall be subject to:

- (1) the provisions of 18 USC 1001, as amended, relating to fraud and false statements;
- (2) the provisions of § 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and
- (3) the provisions of § 309(c)(6) of the Act, as amended, regarding responsible corporate officers.

SECTIONS 17A-345–17A-370. RESERVED.

DIVISION 6. COMPLIANCE MONITORING

SECTION 17A-371. INSPECTION AND SAMPLING.

The City shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this article, and any permit or order issued hereunder, is being met and whether the industrial user is complying with all requirements thereof. Industrial users shall allow the Director or his representatives ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- (1) where an industrial user has security measures in force which require proper identification and clearance before entry into its premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the City, State and EPA will be permitted to enter without delay for the purposes of performing their specific responsibilities.
- (2) the City, State and EPA shall have the right to set up on the industrial user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- (3) the City may require the industrial user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the industrial user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated periodically to ensure their accuracy.

(4) any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be borne by the industrial user.

(5) unreasonable delays in allowing City personnel access to the industrial user's premises shall be a violation of this chapter.

SECTION 17A-372. SEARCH WARRANTS.

If the Director has been refused access to a building, structure or property, or any part thereof, and if the Director has demonstrated probable cause to believe that there may be a violation of this chapter or that there is a need to inspect as part of a routine inspection program of the City designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then upon application by the Municipal Counselor, the Municipal Court Judge of the City shall issue a search and/or seizure warrant describing therein the specific location subject to the warrant. The warrant shall specify what, if anything, may be searched and/or seized on the property described. Such warrant shall be served at reasonable hours by the Director in the company of a uniformed police officer of the City. In the event of an emergency affecting public health and safety, inspections shall be made without the issuance of a warrant.

SECTIONS 17A-373--17A-390. RESERVED.

DIVISION 7. CONFIDENTIAL INFORMATION

SECTION 17A-391. CONFIDENTIAL INFORMATION OR DATA.

Information and data on an industrial user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from City inspection and sampling activities, shall be available to the public without restriction unless the industrial user specifically requests, and is able to demonstrate to the satisfaction of the City, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State law. The City reserves that right to have a court of competent jurisdiction review the request and the availability of the information under State law. When requested and demonstrated by the industrial user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302, as amended, will not be recognized as confidential information and will be available to the public without restriction.

SECTIONS 17A-392--17A-410. RESERVED.

**DIVISION 8. PUBLICATION OF LIST OF INDUSTRIAL USERS IN SIGNIFICANT
NONCOMPLIANCE**

**SECTION 17A-411. PUBLICATION OF LIST OF INDUSTRIAL USERS IN SIGNIFICANT
NONCOMPLIANCE.**

The City shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the industrial users which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term "significant noncompliance" shall mean:

- (1) chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of wastewater measurements taken during a six-month period exceed the daily maximum limit or the monthly average limit for the same pollutant parameter by any amount.
- (2) technical review criteria (TRC) violations, defined here as those in which 33 percent or more of wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the daily maximum limit or the average limit 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 discharge violation that the City believes has caused, alone or in combination with other discharges, interference or pass-through (including endangering the health 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 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.
- (6) failure to provide, within 30 days after the due date, any required reports, including baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- (7) failure to accurately report noncompliance.
- (8) any other violation(s) which the City determines will adversely affect the operation or implementation of the local pretreatment program.

SECTIONS 17A-412-17A-430.

RESERVED.

DIVISION 9. SURCHARGE COSTS*

***Cross references: Industrial waste surcharge, § 17A-521 et seq.**

SECTION 17A-431. GENERALLY.

A schedule of charges for surcharge costs may be established. The amount of such charges shall be as established the General Schedule of Fees.

SECTION 17A-432. SURCHARGE FOR BOD AND SUSPENDED SOLIDS.

There is hereby levied a schedule of charges for surcharge costs for BOD and suspended solids. The amount of such charges are set forth in the General Schedule of Fees.

SECTIONS 17A-433-17A-450. RESERVED.

DIVISION 10. MISCELLANEOUS PROVISIONS

SECTION 17A-451. CHARGES AND FEES GENERALLY.

A. The City may adopt reasonable charges and fees for reimbursement of costs of setting up and operating the City's pretreatment program which may include:

- (1) fees for wastewater discharge permit applications, including the cost of processing such applications.
- (2) fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing an industrial user's discharge, and reviewing monitoring reports submitted by industrial users.
- (3) fees for reviewing and responding to accidental discharge procedures and construction.
- (4) fees for filing appeals.
- (5) other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this article and are separate from all other fees, fines and penalties by the City.

B. The City may adopt additional charges and fees for (i) consistent removal by the City of pollutants otherwise subject to Federal pretreatment standards; and (ii) other fees as the City may deem necessary to carry out the requirements of the pretreatment program.

SECTION 17A-452. SCHEDULE OF FEES.

There is hereby levied a schedule of fees for certain permits, inspections, appeals, duplications and reproductions. The amount of such fees shall be as established in Chapter 60, the General Schedule of Fees.

SECTION 17A-453. ADDITIONAL CHARGES AND FEES.

The City may adopt additional charges and fees for:

- (1) consistent removal by the City of pollutants otherwise subject to Federal pretreatment standards; and
- (2) other fees as the City may deem necessary to carry out the requirements of the pretreatment program.

SECTIONS 17A-454--17A-480.

RESERVED.

ARTICLE VIII.

RATES, CHARGES, BILLING AND COLLECTION PROCEDURES*

DIVISION 1. GENERALLY

SECTION 17A-481. BILLING.

Billings for sewer service shall be rendered at the same time and on the same bills issued for water service, but shall be shown as a separate item from the charge for water. If sewer service is commenced or terminated during a period for which bills will be rendered, billing shall be prorated on a daily basis.

SECTION 17A-482. DUE DATE AND PAYMENT GENERALLY.

The sewer service charge shall be due and payable from and after the date on the bill on which such charge is shown. Payment shall be made to the City Treasurer, but the Treasurer shall not accept payment for any sewer service charge without payment of the water bill on which said charge is shown, nor shall he accept payment of any water bill without payment also of any sewer service charge shown thereon.

SECTION 17A-483. USE OF WATER DEPOSITS FOR PAYMENT OF SEWER SERVICE CHARGES.

All deposits made by users of City water, as required by ordinance to guarantee payment of water bills, may also be applied to pay delinquent or defaulting sewer service charges of the user who made the deposit.

in whole or in part with water from wells or any source other than the City water system, such wells or other source of supply shall be registered with the Utilities Department. If the water from said wells or other supply is not measured by water meter, the owner or occupant shall, at his own cost, install and maintain a meter on said supplies in such a location and in such a manner as is satisfactory to the Utilities Department. These meters shall serve as a control for the establishment of the sewer service charge and shall be read monthly or bimonthly. If, in the opinion of the Director, the installation of a meter would be impractical, water consumption will be estimated at 100 gallons per capita per day or by the use of the winter period consumption base as defined in Section 17A-502 as determined by the Director.

E. *Basis for sewer user charge to be reviewed annually.* The basis for determining the sewer user charge shall be reviewed annually and shall be adjusted to reflect any increase or decrease in sewer and wastewater treatment costs based on the previous experience.

F. *Charge for metered sewage.* Any sewer user installing a meter to measure its actual sewage flow shall be charged as provided in Subsection (a).

G. *Non residential domestic users.*

(1) *Defined.* A nonresidential domestic user is any customer who does not meet the requirement for a residential domestic sewer user as defined in this section

(2) *How charged.* Nonresidential domestic users, who do not directly measure their sewer discharge but who measure water consumption as required by the Director, shall be charged for sewer service based upon actual or estimated water consumption as provided in Subsection (a).

SECTION 17A-502 WINTER PERIOD CONSUMPTION BASE.

The sewer user charge for each residential or housekeeping unit of a residential domestic user may be calculated, based upon a "winter period consumption base."

(1) *Established accounts.* For established accounts, said winter period consumption base shall be the average amount of water consumed by a residential or housekeeping unit during four months falling between October 1 of any one year and March 31 of the subsequent year. Said first four months shall be the four consecutive monthly billing periods or two consecutive bimonthly billing periods each and every day of which falls within the six months between October 1 and March 31. The winter period consumption base shall be recalculated annually and shall become effective after the last billing period of the base setting months.

(2) *New accounts.* If a residential domestic sewer user does not have a winter period consumption base at his current residential or housekeeping unit, for whatever reason, and had not relocated within the service area as provided in Subsection (3), a winter period consumption base of 7,000

SECTION 17A-484

SPECIAL PROVISIONS FOR RESALE OF WATER.

If water is sold by the City and metered to a person for resale to water consumers who are users of the City's sewerage system, such first purchasers shall be responsible to the City for the billing and collecting of all sewer service charges of such consumer and shall account to the City for all such sewer service charges at the time such first purchaser pays his water bill. If requested by the Director of Finance, a purchaser of water for resale to consumers shall furnish and certify the number and addresses of all of his water customers who are users of the City's sanitary sewerage system.

SECTION 17A-485

TERMINATION OF WATER OR SEWER SERVICE.

Failure to pay a sewer service charge in accordance herewith shall be cause for discontinuing and disconnecting either the sewer connection or water connection, or both.

SECTIONS 17A-486--17A-500

RESERVED.

DIVISION 2. USER CHARGES

SECTION 17A-501

SANITARY SEWER FEES.

A. Sewer User Charge. Rules and Regulations of the Piedmont Municipal Authority, including, but not limited to the regulation of rates and payment procedures associated with usage of the sanitary sewer system, are hereby adopted and incorporated herein by reference, applicable as if set out in full herein. Any violation of the rules and regulations of the Authority shall be punishable as provided in Section 1-108 of this Code.

(1) provided, however, that where billing is not based on actual sewer metering, the calculation of the volume discharge may be based upon the water flow or usage or a "winter period consumption base" for a residential domestic user as provided in Section 17A-502, when applicable.

(2) provided, however, there is an additional surcharge established for certain discharges as provided in this chapter. Provided further, this chapter prohibits certain discharges. The amount of such charge shall be as established in Chapter 60, the General Schedule of Fees.

B. Residential domestic user. For the purpose of this division, the "winter period consumption base" for a multiple unit "residential or housekeeping unit" shall be established per occupied unit, with 17A-71 each structure or portion of a structure which contains a self-sufficient dwelling with all facilities necessary for habitation considered to be a single unit.

C. Water from private source. Water used from private sources shall be metered in accordance with City standards to enable sewer service to be established and billed accordingly.

D. Water wells. In the event a lot, parcel of land, premises, or facility discharging sewage, industrial waste, water or other liquids, either directly or indirectly, into the City's sanitary sewer system, or which ultimately enters the sanitary sewer system, is supplied either

gallons shall be assigned for his new residential or housekeeping unit until a winter period consumption base, as provided in Subsection (1) above, shall be established for said user at said residential or housekeeping unit.

(3) *Customers relocating within the service area.* A residential domestic sewer user relocating within the service area to a similar residential or housekeeping unit during or after his winter period consumption base has been established shall be charged on the basis of either the winter period consumption base established at his previous premises or facility, or a winter period consumption base of 7,000 gallons, or a winter period consumption base in accordance with similar uses at similar premises, until such time as the new winter period consumption base is established for said residential or housekeeping unit as stated in Subsection (1). The Director, or his designated representative, shall decide which base would provide a reasonable sewer user charge for the new unit.

(4) *Multiple unit customers.* Multiple residential or housekeeping unit customers who have not established a "winter period consumption base" for each and every unit shall be charged as determined by the Director.

SECTION 17A-503. SPECIAL PROVISIONS FOR NONRESIDENTIAL USERS.

Nonresidential accounts shall have the user charge applied to total water usage or consumption. For nonresident users of the City's sewer system, the following conditions apply.

(1) *Sewer service charge.* All users of the City's sanitary sewer system having connections serving property without the City boundaries shall be charged according to the same schedule of rates on all water consumed or used per month, as set forth in the City's ordinances.

(2) *City not obligated to provide service.* the City does not obligate itself to furnish sanitary sewer service to any person whomsoever, but will furnish such service as is reasonable within its financial ability to do so.

(3) *Other municipalities.* All municipalities whose residents are served by any Piedmont sewer treatment facility shall enact sewer ordinances which are compatible with this chapter and all amendments thereto.

SECTION 17A-504. SPECIAL PROVISIONS FOR USERS HAVING PRIVATE WATER SERVICE.

If a user of the sanitary sewerage system does not use City water, but depends wholly or in part on wells or other private water supplies, estimated water consumption, as set forth in Section 17A-501, Subsection (d), shall determine the amount of water used for the purpose of computing the sewer service charge, or such user may install a meter acceptable to the Director, and the readings thereof shall govern.

SECTION 17A-505. ESTABLISHMENT OF WINTER PERIOD CONSUMPTION BASE FOR RESIDENTIAL DOMESTIC USERS APPLICABLE FOR THE PERIOD FROM APRIL 1, 2006 TO MARCH 31, 2007.

For the winter period October 1, 2005 through March 31, 2006, winter period consumption base will be established as follows:

(1) established winter period consumption base for 2004-5 shall be compared to the winter period consumption base for 2005-6 as calculated under the existing ordinance.

(a) where the single-family, duplex, tri-plex and four-plex winter period consumption base average increased by more than 1,000 gallons over the winter period consumption base of 2004-5, the winter period consumption base for winter period 2005-6 shall be 1,000 gallons more than the previous established 2004-5 winter period consumption base.

(b) where the winter base consumption base decreased, the winter period consumption base for winter period 2005-6 will be recalculated in the same manner as other years.

(c) where the winter base consumption base for apartment complexes larger than four-plex increased, the Superintendent of Utilities Customer Services will review the change and establish a wastewater average for that customer based on the customer's history.

(2) new accounts without an existing winter period consumption base will be calculated in accordance with the existing ordinance.

(3) in any month in which a customer's water use is less than the established winter period consumption base, the customer will be billed for sewer use at the water volume used that month.

(4) for the winter period October 1, 2005 through March 31, 2006, in order to provide adequate time for implementation of changes described in subsection (1) above, the winter period consumption base established during the winter period 2004-5 shall be extended and effective for bills issued by the City in April of 2006.

(5) except as expressly provided for in this ordinance, the applicability, establishment, and application of winter base consumption bases to sewer customers shall not change from the existing ordinance.

SECTIONS 17A-506--17A-520.

RESERVED.

DIVISION 3. INDUSTRIAL WASTE SURCHARGE*

SECTION 17A-521. REQUIRED.

If the Director determines that an industrial waste is acceptable under the discretionary power given him under this chapter, the contributor of the industrial waste shall be charged and assessed a surcharge, in addition to any sewer user charges, if these wastes have concentrations greater than domestic wastewater.

SECTION 17A-522. CHARGE SUPPLEMENTAL.

When either or both the total suspended solids or BOD of water or waste accepted for admission to the City's sewerage works exceeds the values of these constituents for normal domestic sewage, the industrial user shall pay the industrial user surcharge in addition to any sewer user charges.

SECTION 17A-523. FORMULA FOR CALCULATION.

(a) The industrial user's surcharge shall be calculated by the following formula:

$$Cu = (Qu)(Qr) + (Bu)(Br) + (Su)(Sr)$$

Where:

TABLE INSET:

Cu	=	annual user surcharge
Qu	=	user's annual flow in millions of gallons
Qr	=	unit cost for flow in dollars per million gallons
Bu	=	user's annual discharge of excess BOD in pounds
Br	=	unit cost for BOD in dollars per pound
Su	=	user's annual discharge of excess suspended solids in pounds
Sr	=	unit cost for suspended solids in dollars per pound

and excess BOD is defined as the BOD contributed at a concentration greater than 250 milligrams per liter; excess suspended solids is defined as the suspended solids contributed at a concentration greater than 300 milligrams per liter.

(b) Unit costs shall be calculated as follows:

$$Qr = 0.5(OCt) + OCs/Qt$$

$$Br = 0.3(OCt)/Bt$$

$$Sr = 0.2(OCt)/St$$

Where:

TABLE INSET:

OCt	=	annual operating cost of wastewater treatment plants
OCs	=	annual operating cost of sewer collecting systems
Qt	=	annual flow rate to the wastewater treatment plants in millions of gallons
Bt	=	annual total BOD loading to the wastewater treatment plants in pounds
St	=	annual total suspended solids loading to the wastewater treatment plants in pounds.

SECTION 17A-524. AMOUNT.

The surcharge for industrial users shall be in such amount as established in the General Schedule of Fees.

SECTION 17A-525. METERS AND ADJUSTMENTS FOR UNPOLLUTED WASTES.

A. When the public water supply is used exclusively, the water consumption during the previous month, as determined from the meter records of the City, shall be the valid basis for computing a sewage flow, with reference to the surcharge for industrial users, unless actual sewage flow is measured by a recording meter of a type to be approved by the City. The owner shall maintain such device in proper condition to accurately measure such flow. Upon failure to do so, the water consumption shall be the basis for charges.

B. In cases where all or part of the water consumed is obtained from private supplies, wells, etc., such person shall provide and maintain at all times suitable metering devices, approved by the Director, in connection with all sources of private water unless the control manhole provided for in the preceding subsection shall be equipped with an approved volume measuring device. The volume of private water consumed during the previous month, together with the consumption of public water as determined from the records of the City, shall be the basis for computing the sewage volume, or the owner may install, at his expense, a approved metering device to accurately measure sewage flow as before mentioned.

C. When water is contained in a product, or is evaporated, or is discharged as unpolluted waste in an uncontaminated condition to surface drainage, an application may be made for a reduction in the volume of waste discharge to the public sewer; provided, that supporting data satisfactory to the Director are furnished. This data shall include a flow diagram, destination of the water supply or wastes and shall be supported by submetering data of a type satisfactory to the Director installed on such process piping at the expense of the private owner.

SECTION 17A-526. CHARGES FOR INITIAL YEAR; REPORTS AND ANNUAL REVIEW.

A. The surcharge for biochemical oxygen demand and suspended solids shall be based upon the analyses as determined in Section 17A-340. The applicable surcharge determined by such tests shall be assessed and shall continue for 12 months unless subsequent tests determine that the surcharge should be further increased or decreased. During the first year for new or existing industries required to file reports under Article VII, Division 5 of this chapter, the applicable surcharge shall be determined from a weighted average of the analyses reported and based upon the charges stated in Section 17A-524.

B. The basis for determining the surcharge shall be reviewed annually and shall be adjusted to reflect any increase or decrease in wastewater treatment costs based on the previous year's experience.

SECTION 17A-527. BILLING.

Billing of the industrial waste surcharge shall be by the month or bimonthly, shall be shown as a separate item on the regular bill for water and sewer charges, and shall be paid monthly or bimonthly in accordance with existing practices.

§§ 17A-528-17A-550. Reserved.

DIVISION 4. INDUSTRIAL COST RECOVERY

SECTION 17A-551. GENERALLY.

For the purpose of providing funds to reimburse the Federal Government for that portion of the construction of the treatment works which is allocable to the treatment of industrial wastes to the extent

attributable to the Federal share of the cost of construction, each industrial or commercial user, discharging more than the equivalent of 25,000 gallons per day of sanitary waste, shall be and charged an industrial cost recovery charge in proportion to each industrial user's contribution of flow, BOD, and suspended solids. The industrial cost recovery charge is in addition to the applicable user charge and any surcharges.

SECTION 17A-552. FORMULA FOR CALCULATION.

a. The industrial cost recovery charge shall be calculated by the following formula:
 $Cr + (Qu)(Qi) + (Bu)(Bi) + (Su)(Si)$

Where:

TABLE INSET:

Cr	=	annual cost recovery charge
Qu	=	user's annual flow in millions of gallons
Qi	=	unit cost for flow in dollars per million gallons
Bu	=	user's annual discharge of BOD in pounds
Bi	=	unit cost for BOD in dollars per pound
Su	=	user's annual discharge of suspended solids in pounds
Si	=	unit cost for suspended solids in dollars per pound

B. Unit costs shall be calculated as follows:

$Bi = Fb \ Xb/Bt$

$Si = Fs \ Xs/St$

$Qi = Fq \ Xf + Yf/Qt$

Where:

TABLE INSET:

Fb	=	ratio of industrial BOD to total BOD
Fs	=	ratio of industrial suspended solids to total suspended solids
Fq	=	ratio of industrial flow to total flow
Xb	=	Federal contribution to cost in dollars for treatment facilities attributable to BOD
Xs	=	Federal contribution to cost in dollars for treatment facilities attributable to suspended solids
Bt	=	design BOD loading to the wastewater treatment facilities in pounds
St	=	design suspended solids loading to the wastewater treatment facilities in pounds
Xf	=	Federal contribution to cost in dollars for treatment facilities attributable to flow
Yf	=	Federal contribution in dollars for sewer collection systems attributable to flow
Qt	=	design flow rate to the wastewater treatment facilities in millions of gallons.

SECTION 17A-553. BASIS FOR DETERMINATION.

A. The basis for determining the industrial cost recovery charges for each industrial user shall be the annual flow and the annual contributions of BOD and suspended solids as determined from the analyses required in Section 17A-340.

B. The basis for determining the industrial cost recovery charges shall be reviewed annually and shall be adjusted to reflect any increase or decrease in each industrial user's contribution based on the previous year's experience. A new basis shall be established each year, and the charges so established shall be charged to users for billing periods starting in July of that year and for each billing period thereafter until and including billing periods ending in the month of June next following.

SECTION 17A-554. AMOUNT OF FEES.

The amount of fees assessed to reimburse the Federal Government shall be as established in the General Schedule of Fees.

SECTION 17A-555. BILLING.

Billing for the industrial waste recovery charge shall be by the month, bimonthly, or annually, shall be shown as a separate item on the regular bill for water and sewer charges, and shall be paid monthly, bimonthly or annually in accordance with existing practices.

SECTION 17A-556. LUMP SUM PAYMENTS.

Any industrial user who so desires may fulfill its industrial cost recovery obligation by making a lump sum payment for its entire share of the cost of construction of the treatment works at any time. Such payments shall relieve the industrial user of further industrial cost recovery payments, except that if the industrial wastewater flow or load of the industrial user shall increase, such industrial user shall be obligated to additional future payments for the increased flow or load.

SECTION 17A-557. TERMINATION.

If an industrial user discontinues use of the treatment works, the industrial cost recovery for such industrial user shall cease, and no further payments for such industrial user shall be due. The industrial cost recovery allocation for any industrial user that discontinues use of the treatment works shall not be reallocated to other industrial users of the system.

SECTIONS 17A-558-17A-580. RESERVED.

ARTICLE IX.

SEWERS OUTSIDE CITY

SECTION 17A-581. COMPLIANCE WITH CHAPTER.

No sanitary sewer constructed outside the City's boundaries, the flow of which is discharged or is to be discharged into the sanitary sewerage system of the City, shall be connected with the sanitary sewerage system of the City unless such sanitary sewer shall have been constructed in compliance with all the applicable terms of this chapter. After the sewer has been connected with the sanitary sewerage system of the City, all the applicable terms of this chapter shall be in full force and effect and shall apply to all persons in the district served by such sanitary sewer.

SECTION 17A-582. APPROVAL OF PLANS.

A. Whenever it is proposed to construct any sanitary sewer outside the City's boundaries and connect with the sanitary sewerage system of this City, the complete plans, specifications, and estimate of costs of such sewer shall be submitted to the Public Works Director.

B. If the Public Works Director finds from an examination of such plans and specifications that the proposed sanitary sewer complies with the laws of this State and that the design of the sewer is such that it will be practical to connect the same with the sanitary sewerage system of the City, then he shall authorize the construction of such sewerage system.

SECTION 17A-583. ENGINEERING AND INSPECTION FEES.

For any sanitary sewer to be constructed outside the City's boundaries, if such sewer is to be connected directly or indirectly with the sanitary sewerage system of the City, an inspection and engineering fee shall be paid to the City Treasurer at the time of the submission of the plans and specifications of such sewer to the Public Works Director. Such fee shall be an amount based on the estimated cost of such construction and inspection and shall be as established in Chapter 60, the General Schedule of Fees.

SECTION 17A-584. INSPECTION AND APPROVAL BY CITY.

A. Whenever the owner of a proposed sanitary sewer shall commence the construction of such sewer, he shall notify the Public Works Director, and the Public Works Director shall thereupon place a qualified inspector on such construction job; the inspector shall remain on duty at all times during the construction of such sanitary sewer.

B. Such inspector shall see that such sewer is constructed in compliance with the laws of this State and in accordance with the plans and specifications as approved by the Public Works Director.

C. When such sewer is completed, if the Public Works Director finds that such sewer has been in all respects constructed as provided for in this chapter and that all fees provided for in this chapter have been paid, then the Director, upon the request of the owner of such sewer, shall authorize the connection of such sewer with the sanitary sewerage system of the City.

SECTION 17A-585. Filing of original tracings of sewer plans.

Upon the completion, final acceptance by the Public Works Director, and the connection of a sewer with the sanitary sewerage system of the City, the original tracings of all plans and profiles for the construction of such sanitary sewer shall be corrected by the engineer who prepared the same to show such sewer as it is actually built, and all of such original tracings of the plans and profiles shall be filed in the office of the Public Works Director.

SECTION 17A-586. SPECIAL PROVISIONS FOR MUNICIPALITIES.

A. When the sanitary sewer that is proposed to be connected to the sanitary sewerage system of the City is to be constructed by an incorporated City or town, such City or town shall have the option of using the engineering and inspection services of the Public Works Director, upon payment of the fees provided for herein, or such City or town may provide its own engineering and inspection services.

B. If the City or town elects to provide its own engineering and inspection services, then such engineering inspection shall be performed by a registered professional engineer, and the construction shall be equal to the standard specifications of this City.

SECTION 17A-587. MAINTENANCE.

The City shall assume no liability or obligation for the operation and maintenance of a sanitary sewer system as long as the district served by such sewer remains outside the City's boundaries. Prior to the authorization provided in this article, the person desiring to construct the sewer shall enter into a contract with the City in which such person agrees to provide for the operation of that portion of the sewer which is not within the City's boundaries.

SECTION 17A-588. SEWER CONNECTION PERMIT.

A. No person shall connect or authorize to be connected any premises that are located outside the City's limits to or with any sanitary sewer that shall connect directly or indirectly with the sanitary sewer system of the City without first obtaining a special sewer connection permit.

B. Any person desiring to obtain a special sewer connection permit shall make application to the Public Works Director and furnish to him a detailed plan of the desired connection. After inspection of the plan and existing sewer facilities the Public Works Director shall present the application with his recommendations thereon to the City Council. Special sewer connection permits shall be issued only with the approval of the City Council.

C. Upon approval by the City Council of the issuance of the permit, the applicant therefor shall first pay to the City Treasurer the fee established in the General Schedule of Fees.

SECTIONS 17A-589--17A-620.

RESERVED.

ARTICLE X.

SEPTIC TANKS

DIVISION 1. GENERALLY

SECTION 17A-621. DEFINITIONS AND INTERPRETATION.

A. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Director of Health* means the Director of the Health Department or his designated representative.
- (2) *Small sewage treatment system* includes septic tanks, subsurface absorption fields, and total retention lagoons as described in the State Department of Environmental Quality Standards for Water Pollution Control Facilities, Chapter 120, or Oklahoma State Department of Health Bulletin No. 600.

B. No provision of this chapter which is not contained in this article shall be applicable to the provisions of this article.

SECTION 17A-622. COMPLIANCE WITH STATE STANDARDS.

Any small sewage treatment systems installed, constructed, repaired or extended under this article shall comply with the minimum specifications and requirements of the most recent edition and amendments to the Oklahoma Department of Environmental Quality Standards for Water Pollution Control Facilities, Chapter 120, or Oklahoma State Department of Health Bulletin No. 600, whichever is applicable, copies of which are on file in the office of the City Clerk.

SECTION 17A-623. PERCOLATION TESTS.

Prior to installing or constructing any small sewage treatment system with a subsurface absorption system, the installer thereof shall submit to the Director of the Health Department the results of a percolation test made at the site of the proposed installation and conducted by a qualified registered professional sanitarian or a registered professional engineer. The Director of health may perform the percolation test upon request and upon payment of the fee established by the Health Department of Canadian County.

SECTION 17A-624. INSPECTIONS.

No part of a small sewage treatment system shall be covered or concealed in any manner unless it has been inspected for compliance with the applicable provisions of this article by the Director of the Health Department or his authorized representative. No person shall use or operate any small sewage treatment system installed, constructed, repaired or extended under this article without it first having been inspected and approved by the Director of the Health Department. The cost for the inspection shall be included in the percolation test fee as established by the Health Department.

SECTIONS 17A-625--17A-650. RESERVED.

DIVISION 2. LICENSING AND CERTIFICATION OF CONTRACTORS*

SECTION 17A-651. REQUIRED.

No person shall install, construct, repair or extend any small sewage treatment system within the City, unless he has been certified and licensed to install small sewage treatment systems, in accordance with the provisions of this article; provided, however, that this license shall not be required of any person holding a current plumbing contractor's certificate of registration as provided for by ordinance.

SECTION 17A-652. EXAMINATION.

The Director of health is hereby authorized to prepare and administer an examination for applicants for a license to install small sewage treatment systems and determine whether each applicant has adequate knowledge of the design, construction, operation and use of small sewage treatment systems for the purpose of installing, constructing or repairing such systems. If it is determined from such examination that an applicant is qualified, the Director of health shall issue a certificate to that effect.

SECTION 17A-653. ISSUANCE AND FEES.

The City Clerk shall, upon application, and receipt of the fee established in Chapter 60, the General Schedule of Fees, issue a license for the installation of small sewage treatment systems to any person who holds a certificate from the Director of health to the effect that such applicant is qualified for the license; provided, however, that a bond has been secured by the applicant as provided in Section 17A-655.

SECTION 17A-654. TERM AND RENEWAL.

A license issued pursuant to the provisions of this division shall expire as provided in Section 26-11, unless sooner suspended or revoked. Such a license may be renewed without penalty within 90 days after its expiration.

SECTION 17A-655. BOND.

A. Before a license to install a small sewage treatment system is issued or renewed, each applicant shall secure a bond with approved sureties, running to the City, and shall keep it in force for the entire duration of the license. The bond shall be in the amount of \$1,000.00 and shall be conditioned that the licensee shall comply with the provisions and requirements of this Code and other ordinances and regulations of the City. All bonds shall provide that the principal and licensee shall save the City harmless from any and all damage resulting from or in any way growing out of any injury or damage received by anyone due to negligence or unskilled work on the part of the licensee, his agents, or employees. All bonds shall be approved by the Municipal Counselor as to form and by the City Council as to sufficiency and shall then be filed with the City Clerk.

B. No bond shall be required of:

- (1) a person installing a small sewage treatment system for the personal use and benefit of that person and his family; and
- (2) plumbing contractors bonded pursuant to other ordinances.

SECTIONS 17A-656--17A-680. RESERVED.

DIVISION 3. SEPTIC TANK CLEANERS*

*State law references: Septic tank cleaners, 27A O.S. § 2-6-801.

Part A. General Provisions

SECTION 17A-681. SANITATION STANDARDS.

The Director of Health shall provide minimum sanitation specifications for vehicles and equipment owned or operated by the licensee or applicant for the license required by the provisions of this division and for disposal areas. The specifications shall not in any event be less than the standards of sanitation as set forth by applicable health laws of the State or this Code.

SECTION 17A-682. DISPOSAL OF SEPTIC TANK MATERIALS.

All equipment and trucks cleaning and servicing septic tanks, except septic tanks servicing a produce house or packing plant, shall dispose of all materials therefrom at a site to be designated by the Director. A list of authorized sites shall be kept on file with the Wastewater Quality Division of the Department.

SECTION 17A-683. DISCHARGE OF SEPTIC TANKERS.

A. Septic tank haulers shall pay the total of a sewer user surcharge and the current user fee as established in Chapter 60, the General Schedule of Fees, for all effluent discharged directly or indirectly into The Piedmont System.

B. Each and every discharge shall be metered in the presence of the Utilities Director or his designated representative.

C. Should any septic tanker be discharged in the absence of the aforementioned supervision by the Utilities Director or his designated representative, the septic tanker shall be presumed full and a fee shall be charged accordingly.

D. Failure to meet any of the requirements of this section shall be deemed a violation hereof.

E. Each and every violation of this section shall be a separate offense.

F. The Municipal Court shall have original jurisdiction to hear and determine all prosecutions when a violator of this section is charged.

G. The maximum punishment which may be levied for violation of this section shall be a fine not exceeding \$1,000.00 excluding costs, and imprisonment not to exceed six months in the City Jail or both such fine and imprisonment.

H. The Utilities Director, or his designated representative, is authorized, after notice and a hearing, to revoke any permit or license to haul or discharge septic tankers upon a judicial determination that said hauler, his agent or employee, has violated this section.

SECTION 17A-683.1. SECURITY DEPOSIT, SEPTIC.

A. Every applicant for a septic sanitation service license, or for renewal of said license, shall be required to maintain a security deposit with the City as a pre-condition to issuance, reissuance or renewal of the septic sanitation service license. The amount of the security deposit shall be as provided in Chapter 60, the General Schedule of Fees.

B. The Director is hereby authorized to waive the security deposit for any person who demonstrates and continues to demonstrate a good record of payment of sewer user fees and surcharges. Provided, however, the Director may reinstate the security deposit requirement for any person who fails to maintain a good payment record.

C. The security deposit shall guarantee payment of all sewer user fees and sewer user surcharges for discharging septic materials into the City sewer system. The security deposit shall be paid to the City Treasurer. The City Treasurer and the Director are each authorized to apply all or a portion of said security deposit, at any time, to any delinquent fees or charges or interest thereon owed by the licensee.

D. The holder of the septic sanitation service license shall be entitled to return of the deposit, or the remainder thereof not applied as provided in this section, without interest, upon request, after the holder has permitted his septic sanitation service license to expire and after payment of all outstanding fees, surcharges, and any interest or late charges thereon due for septic materials discharged by the holder while engaging in business under the license.

SECTION 17A-684. DISPOSAL OF MATERIALS FROM PRIVIES.

A. Material from pit privies, privy vaults, unsewered privies, and septic tanks serving a produce house, or packing plant, shall not be dumped into a manhole but shall be disposed of by dumping into a hole or trench dug for this purpose and shall be immediately covered with not less than 24 inches of dirt.

B. A person holding a license issued pursuant to the provisions of this division shall first designate the location of disposal of the said material to the Director of Health and obtain the approval of the location by the Director of Health, whether the place of disposal be located within or without the City's limits.

SECTION 17A-685. Time of disposal.

All material from any receptacles included within this article shall be disposed of only during the daylight hours whether it be dumped into a designated manhole or any other disposal location.

SECTION 17A-686. INSPECTIONS.

A. The Director of Health shall have the right of inspection of all equipment, trucks and disposal areas of a person to whom a license is issued pursuant to the provisions of this division at any reasonable hour that he desires to make the inspection.

B. Failure of the equipment or trucks to meet the required sanitation requirements shall be grounds for revocation of any licenses to operate the same. Failure of any disposal area to meet the required sanitation standards shall be grounds for immediate disapproval of the further use of the disposal area by the Director of Health.

SECTION 17A-687. SERVICE GENERALLY.

The holder of a septic sanitation service license shall be required to perform the service of cleaning and servicing privy vaults, septic tanks, pit privies, unsewered privies or similar receptacles upon request of any person who desires the service and who promises or tenders payment for the services. Refusal to clean or service any privy vaults, septic tanks, pit privies, unsewered privies or similar receptacles without good cause shall be grounds for revocation by the Director of Health of the license issued to such person.

SECTIONS 17A-688-17A-700. RESERVED.

Part B. License*

SECTION 17A-701. REQUIRED.

No person shall engage in the business of cleaning and servicing privy vaults, septic tanks, unsewered privies, pit privies or similar receptacles until he has first procured a septic sanitation service license to do so issued by the City Clerk.

SECTION 17A-702. INSPECTION OF EQUIPMENT.

No septic sanitation service license shall be issued to any person until the applicant has first filed with the Director of Health a description of the equipment owned or operated by the applicant. The Director of Health shall inspect the equipment, and, if it meets the standards of sanitation required by this division, the Director of Health shall authorize the issuance of a license to the applicant and certify the same to the City Clerk.

SECTION 17A-703. FEE.

A person who must obtain a septic sanitation service license shall pay to the City Treasurer the fee established in the General Schedule of Fees.

SECTION 17A-704. TERM.

A license issued pursuant to the provisions of this division shall expire on June 30th of each year, unless sooner suspended or revoked.

SECTION 17A-705. IDENTIFICATION OF LICENSE ON EQUIPMENT AND TRUCKS.

All equipment and vehicles owned or operated by the holder of a septic sanitation service license shall have the name and the registration number of the licensee painted on both sides of the tank in a color easily discernible and in letters and numbers of not less than four inches in height.

ARTICLE XI

INDIVIDUAL AEROBIC WASTEWATER SYSTEMS

SECTION 17A-731. INDIVIDUAL AEROBIC WASTEWATER SYSTEMS.

"Individual aerobic wastewater systems" shall mean an individually owned wastewater system that sprays wastewater effluent into the air. "Individually owned" shall mean a wastewater system, which is not a publicly owned treatment works as defined in this chapter. Properties served by an individual aerobic wastewater system shall not be connected to the publicly owned treatment works except upon disconnection from the individual aerobic wastewater system and payment of all expenses, costs, and fees related to the expansion, transmission, extension and/or connection to the municipal wastewater collection and treatment system to serve that property whether incurred prior or subsequent to connection to the POTW.

SECTION 17A-732. DISCHARGE OF WASTEWATER EFFLUENT PROHIBITED.

No person shall spray wastewater effluent from an individual aerobic wastewater system upon a public street, public property or property owned by another person. No property owner shall permit wastewater effluent from an individual aerobic wastewater system to be sprayed upon children's toys, public streets, public property or property owned by another person. A minimum setback of 25 feet shall be maintained from the surface application area to adjoining public street, public property, or property owned by another person.

SECTION 17A-733. REQUIREMENTS FOR INSTALLATION, OPERATION, AND MAINTENANCE.

Any person operating an individual aerobic wastewater system or permitting another to operate an individual aerobic wastewater system on his or her property must:

- (1) obtain and maintain all applicable permits from the Oklahoma Department of Environmental Quality for the installation, operation, and maintenance of an individual aerobic wastewater system;
- (2) obtain and retain the services of a maintenance company licensed by the Oklahoma Department of Environmental Quality for maintenance of the individual aerobic wastewater system to assure that it is operated and maintained in accordance with manufacturers recommendations and requirements and those of the Oklahoma Department of Environmental Quality;
- (3) maintain such landscaping, signs, and security fencing around the individual aerobic wastewater system as may be required from time to time by the City;
- (4) provide subsequent property owners a copy of the log and notice of these requirements; and
- (5) keep a log showing the individual aerobic wastewater system was installed, operated, and maintained in accordance with this section.

SECTION 17A-734. ESTABLISHING RESPONSIBILITY FOR COMPLIANCE AND VIOLATION.

The property owner(s) and the occupant(s) of property served by an individual aerobic system shall each be responsible for the proper installation, operation, and maintenance of the individual aerobic wastewater system and shall each be subject to citation for violation of any provision of this article.

SECTIONS 17A-735-17A-799.

RESERVED.

ARTICLE XII

PRETREATMENT FACILITY SERVICE AND WASTEWATER TRANSPORTING AND DISPOSAL

DIVISION 1. GENERAL PROVISIONS

SECTION 17A-800. DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Department*, as used or referenced in this article, means the Utilities Department of the City of Piedmont and its designated representatives.
- (2) *Director*, as used or referenced in this article, means the Director of the Utilities Department or his designated representatives.
- (3) *Disposal, disposing or dispose*, as used or referenced in this article, means the receiving, depositing, disposing, storing, discharging, or otherwise putting wastewater from a pretreatment facility in a receptacle, vehicle, or place other than the pretreatment facility of origin or the initial transporting container or vehicle.
- (4) *Grease*, as used or referenced in this article, means wastewater which includes petroleum oil, fats, oils or greases of animal or vegetable origin and wastewater from a pretreatment facility designed for grease removal.
- (5) *Industrial user or user*, as used or referenced in this article, means a source of direct or indirect discharge of industrial waste which does not necessarily constitute a "discharge of pollutants" under regulations issued pursuant to the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended. 33 U.S.C. 1251 et seq.
- (6) *License*, as used or referenced in this article (unless otherwise specifically qualified), means an annual pretreatment facility service and wastewater transporting license established by this article. Licensee shall mean a person holding a valid current license issued in his name.
- (7) *Piedmont-County Health Department*, as used or referenced in this article, means the legal entity by that name established, pursuant to Title 63 of the Oklahoma Statutes, and its designated representatives.

(8) *POTW*, as used or referenced in this article, means that portion of the publicly owned treatment works designed to provide treatment of wastewater.

(9) *Pretreatment facility or pretreatment facilities*, as used or referenced in this article, means any facility or receptacle which is required by any provision of this Code to collect, filter, or pretreat nondomestic wastewater.

(10) *Service*, as used or referenced in this article, means the inspecting, cleaning, constructing, installing, operating or maintaining of a pretreatment facility, or any portion thereof. Provided, however, service as defined in this subsection shall not include installation or maintenance of pretreatment facilities by licensed plumbers under the BOCA Code.

(11) *Transport, transporting or transportation*, as used or referenced in this article, means the transporting, hauling, moving or otherwise removal of wastewater from a pretreatment facility.

(12) *Wastewater*, as used or referenced in this article, means the liquid and water-carried industrial or domestic wastes, including but not limited to grease, from all sources, including, but not limited to, dwellings, commercial buildings, industrial facilities, manufacturing facilities, and institutions, and any groundwater, surface water, or storm water that may be present, whether treated or untreated, and which flows directly or indirectly into, or is permitted to enter, the municipal wastewater collection treatment system.

(13) All terms used or referenced in this article but not defined in this article shall have the meaning set forth for said term in this Code.

SECTION 17A-801. PRETREATMENT FACILITY SERVICE AND WASTEWATER TRANSPORTING LICENSE.

A. Persons who engage in: (1) servicing wastewater pretreatment facilities or (2) the removal or transportation of wastewater from pretreatment facilities must first procure an annual license which shall be issued by the City Clerk. However, any person may dispose of wastewater from a grease trap, as provided in Section 17A-811(d).

B. Persons who engage in the disposal of wastewater from pretreatment facilities must have all requisite State and local licenses and registrations. The license is not intended to supersede or waive any State requirement or regulation upon persons who engage in the handling of hazardous waste. However, owners and operators of authorized disposal sites shall not be required to obtain a license to receive wastewater pursuant to this article.

C. Whenever any person shall be charged for engaging, without a license, in the servicing of a wastewater pretreatment facility; for the removal or transporting of wastewater from a pretreatment facility; or for disposal of wastewater from a pretreatment facility, subsequent renewal, issuance or reissuance of the license shall not be a defense.

SECTION 17A-802. IDENTIFICATION.

A. All persons who drive vehicles for the purpose of transporting or disposing of wastewater must obtain any appropriate State driver's license.

B. Any person engaging in the cleaning or servicing of pretreatment facilities or transporting or disposing of wastewater from pretreatment facilities must bear his license and/or plumbing license, and a current driver's license or other picture identification.

SECTION 17A-803. LICENSE FEE.

A person who must obtain a license shall pay to the City Treasurer the fee prior to obtaining or renewing the license as provided in the General Schedule of Fees. The license shall be for one calendar year, provided, however, any person may in December purchase a license for the next calendar year.

SECTION 17A-804. EQUIPMENT, VEHICLES AND RECEPTACLES.

A. All equipment and vehicles operated by or utilized to transport or dispose of wastewater must meet the applicable State equipment and vehicle standards. All equipment and vehicles utilized to transport or dispose of wastewater must annually be inspected and approved by the County Health Department and registered with the City. Provided, however, that on request, the wastewater transporter shall permit the Director and/or the representatives of the County Health Department to inspect any vehicle or receptacle used to transport wastewater or grease.

B. No person shall transport: hazardous wastewater; nonhazardous wastewater from pretreatment facilities; wastewater from a septic tank in the same receptacle at the same time. All persons must provide separate receptacles or provide for separate compartments within a receptacle to prevent commingling of hazardous wastewater; nonhazardous wastewater from pretreatment facilities; and/or wastewater from a septic tank, or must transport hazardous wastewater, nonhazardous wastewater and wastewater from septic tanks as separate loads.

C. The Director and/or the County Health Department may inspect any vehicle owned or utilized by a licensee at any time to determine whether the vehicle meets the requirements of this article.

D. Only a licensee may operate or drive a vehicle for the purpose of transporting wastewater from a pretreatment facility.

E. No person shall store wastewater in a vehicle for more than a maximum of three working days.

F. A licensed plumber or a licensee may pump nonhazardous wastewater from a pretreatment facility into a metal drum during maintenance of said facility. However such temporary storage for said purpose may not exceed 24 hours. All wastewater removed from the pretreatment facility for this purpose must, be returned to the facility or disposed of in accordance with the provisions of this article.

G. No person shall transport wastewater from a pretreatment facility in a vehicle or equipment unless the vehicle or equipment has been inspected and approved by the Piedmont-County Health Department and registered with the City, as provided in this article.

H. All equipment and vehicles utilized to transport wastewater from a pretreatment facility shall have the City registration number painted on both sides of the tank in a color easily discernible and in numbers and letters not less than four inches in height.

I. All equipment and vehicles utilized to transport wastewater from a pretreatment facility to be inspected by the County Health Department must annually meet City and State standards for transporting sanitary septic material and the provisions of this article. Notwithstanding any other provision of this article, an inspection and registration of a vehicle or equipment any time in January shall be retroactively effective to January 1st of that year. Upon presentation to the City in January of a current valid registration as required by this article, citations issued pursuant to this article during said same January for use of an unregistered vehicle or equipment shall be dismissed. However, vehicles and equipment inspected and registered after January 31st shall not be retroactive in effect and shall not affect any citations issued hereunder.

J. Equipment and vehicles inspected and registered pursuant to this chapter for the purpose of transporting wastewater from septic tanks are also required to be inspected and registered pursuant to this article. If presented for both inspections at the same time, the licensee shall pay both the standard fee for inspection and registration of vehicles and equipment transporting sanitary septic material, as required in this chapter, and the fee set forth in Section 17A-805(b) for inspection and registration pursuant to this article. If equipment or vehicle transporting wastewater is required to be inspected and registered pursuant to this article, but is presented separately from the inspection and registration required for equipment and vehicles transporting sanitary septic material, then the owner shall pay both the fee set forth in Section 17A-805(a) and the applicable standard fee for inspection and registration of vehicles and equipment transporting sanitary septic materials set forth in this chapter upon presentation for same.

K. Equipment and vehicles failing to meet the requirements of this article may be re-inspected during said same year without additional charge or fee. No equipment or vehicle which fails the inspection required by this article shall be registered until the equipment or vehicle is inspected and has passed same.

SECTION 17A-805. INSPECTION AND REGISTRATION FEE.

All equipment and vehicles to be utilized in: the servicing of wastewater pretreatment facilities; the removal or transportation of wastewater from pretreatment facilities; or the disposal of wastewater from pretreatment facilities, must be inspected and registered annually as provided in this article. The owner or operator shall pay to the City Treasurer the appropriate inspection and registration fee prior to so utilizing the equipment or vehicle, as provided in the General Schedule of Fees.

SECTION 17A-806. DISPOSAL OF WASTEWATER.

A. The disposal of wastewater must be by a licensee:

- (1) into a sanitary landfill and/or a land application site as authorized and approved by the Director; or
- (2) into a private waste reclamation facility as authorized and approved by the Director; or
- (3) into the City wastewater system as authorized and approved by the Director.

B. The Director and the County Health Department are hereby authorized to designate authorized and approved landfills, private waste reclamation facilities and other authorized disposition of wastewater. The Director may withdraw such designation should the owner or operator of the disposal site violate any provision of this article. A list of the authorized disposal sites shall be on file with the Wastewater Quality Division of the Department.

C. The disposal of wastewater from a pretreatment facility other than as provided in the Code, is expressly prohibited and shall be a violation by both the industrial user and/or its licensee.

D. Any wastewater unacceptable for discharge into the City's sanitary sewer system must meet applicable State requirements for transportation and disposal.

SECTIONS 17A-807–17A-810. RESERVED.

DIVISION 2. RECORD KEEPING AND REPORTING

SECTION 17A-811. INDUSTRIAL USERS CONTRACT FOR SERVICES, TRANSPORTATION AND DISPOSAL.

A. All industrial users required by this Code to provide wastewater pretreatment shall maintain and, when requested, deliver to the Director a copy of each agreement or contract for service of the pretreatment facility and a copy of each agreement or contract for the removal, transporting or disposal of wastewater from the pretreatment facility.

B. Should an industrial user assume the responsibility for servicing its wastewater pretreatment facilities or for removing, transporting or disposing of its wastewater from its pretreatment facilities, the industrial user shall so state in a letter delivered to the Director prior to performing any such service. Nothing herein shall be deemed to waive the requirements of this article except as provided in Subsection (d) of this section.

C. No industrial user shall service or permit any person to service its wastewater pretreatment facilities or to remove, transport or dispose of wastewater therefrom without a current valid license except as provided in Subsection (d) of this section.

D. A user with an existing inside grease trap may, upon the prior written consent of the Director, dispose of grease from said grease trap upon the conditions and as authorized by the Director. Authorization may be revoked by the Director at any time upon notice.

SECTION 17A-812. RECORD KEEPING LOGS AND FORMS.

A. All persons involved in the discharging, generating, transporting or disposal of grease shall cooperate and participate in the logging and tracking of grease from the pretreatment facility. The handling and disposition of grease shall be tracked and logged from the pretreatment facility of origin to final disposal in an authorized site.

B. The Department shall promulgate and generate all forms pursuant to this Code. Forms are available in the Wastewater Division of the Department upon payment of the fees and required deposits as established in Chapter 60, The General Schedule of Fees. The licensee must utilize forms promulgated by the Department.

C. Each licensee must return all unused forms upon cessation of business. The licensee shall be responsible for all outstanding forms and the use of said forms.

D. Each licensee purchasing a set of forms must make a deposit which shall be returned, without interest, upon the return of all unused forms, if any, should the licensee decide to cease engaging in business. The licensee shall demonstrate and certify, to the satisfaction of the Director, his return or use of all forms purchased as a pre-condition to return of the deposit. Should the licensee use the last of the forms obtained hereunder and continue to engage in business, then the deposit may be rolled over to guarantee return of a subsequently purchased set of forms.

E. Log forms shall only be provided to licensees.

F. The appropriate log shall be made and kept readily and immediately available by the licensee to the Director, the City, the City-County Health Department and the approval authority upon request. Upon request by the Director or any of the aforementioned public entities, the licensee shall provide a copy of the log for any service provided within the past two years.

G. The licensee shall provide annually, with its application or request for renewal of its license, a copy of all logs and service contracts for the past two years.

H. A copy of all logs since the last submitted to the City, signed by the user and the licensee, shall be provided to the Piedmont-County Health Department for its records and the records of the City as a part of the periodic health inspection conducted by the Piedmont-County Health Department.

I. The licensee shall maintain the appropriate logs and copies of all contracts to service a pretreatment facility for two years.

J. Failure of the user to maintain or provide logs or the service contracts as required hereby shall be grounds to terminate wastewater and/or water service; to suspend, revoke, or deny renewal of the industrial discharge permit; and/or such other enforcement penalty as provided in this article for violation of any provision.

K. The user shall permit the Director and/or the representatives of the County Health Department to inspect its grease traps and other pretreatment facilities upon request during regular operating hours.

SECTION 17A-813. SERVICE LOG FOR INDUSTRIAL USERS.

Any person required by this Code to monitor grease in their discharge or provide wastewater pretreatment facilities for grease removal and any person permitted to provide service hereunder shall keep a service log of all persons who service their pretreatment facilities. The service log shall include:

- (1) the name and industrial discharge permit number of the industrial user;
- (2) the address of the pretreatment facility;
- (3) the date and hour of service;
- (4) the nature of the service;
- (5) the volume of wastewater, if any, removed or discharged from the pretreatment facility;

- (6) the name and license number of the service provider; and
- (7) the authorizing signature of the industrial user and the service provider.

SECTION 17A-814. TRANSPORTATION LOG FOR INDUSTRIAL USERS.

Any person required by this Code to monitor grease in their discharge or provide wastewater pretreatment facilities for grease removal and any person permitted to provide transportation hereunder shall keep transporting logs of all persons who remove, transport or dispose of their wastewater. The transporting log shall include:

- (1) the name and industrial discharge permit number of the industrial user whose pretreatment facilities were the source of the wastewater;
- (2) the address of the pretreatment facilities which was the source of the wastewater;
- (3) the date and hour wastewater was removed from the pretreatment facility;
- (4) the approximate volume of wastewater removed;
- (5) the name and license number of the transporter;
- (6) the State registration numbers of the transporter's vehicle; and
- (7) the authorizing signature of the industrial user and the transporter.

SECTION 17A-815. DISPOSAL LOG.

Any person transporting or disposing of wastewater from a pretreatment facility and any person authorized to receive wastewater hereunder shall keep disposal logs. The disposal log shall include a copy of the transport log and the following:

- (1) the date and hour of disposal;
- (2) the volume of wastewater disposed;
- (3) the name and address of the authorized disposal site; and
- (4) the authorizing signature of the transporter and the operator of the disposal site.

The transporter shall provide the operator of the authorized disposal site two copies of the disposal log. The operator of the authorized disposal site shall maintain one copy of each disposal log for two years and mail the other to the City weekly. Failure of the operator of the authorized disposal site to maintain or provide such disposal logs shall be a violation of this Code. Acceptance of wastewater at a disposal site without a copy of the transport log shall be a violation of this Code.

SECTION 17A-816--17A-819. RESERVED.

DIVISION 3. SITE INSPECTIONS

SECTION 17A-820. INSPECTION OF WASTEWATER SOURCE OR SITE.

Should any person request the assistance of the City in determining the nature of waste or wastewater to be removed from a source or site in the City for removal, transportation or disposal, in accordance with this Code, the Director may inspect the source or site and witness the sampling of said waste or wastewater. The requesting person shall pay such inspection fees as established in Chapter 60, The General Schedule of Fees. Provided, however, any costs of testing or analysis of said waste or wastewater shall not be borne by the City.

SECTIONS 17A-821-17A-829. RESERVED.

DIVISION 4. ENFORCEMENT AND PENALTIES

SECTIONS 17A-830-17A-841. RESERVED.

SECTION 17A-842. LICENSE, DENIAL, REVOCATION OR SUSPENSION.

A license may be denied, revoked or suspended, or renewal denied, as provided in the Code.

SECTION 17A-843. ENFORCEMENT AUTHORITY.

The Director is hereby authorized to issue citations for the enforcement of any provision of this article.

ARTICLE II

SEWER SYSTEM GENERAL SCHEDULE OF FEES.

SECTION 17B1. TITLE AND PURPOSE.

This chapter shall be known as the "General Schedule of Fees" and shall contain the dollar amounts of all fees, except taxes and certain other fees, authorized in the Piedmont Municipal Code for Sanitary Sewer Services.

SECTION 17B2. FEE SCHEDULE

SECTION 17B3. RESERVED.

SECTION 17B4. AUTHORIZATION TO CODIFIER TO AMEND WORDING.

As pages of the Piedmont Municipal Code are necessarily pulled for supplementation, wherever the language "the amount of the fee shall be adopted by separate or independent ordinance" or similar language appears, such wording shall be changed to read, "The amount of such fee shall be as established by the General Schedule of Fees."

SECTION 17B5. PAYMENT REQUIRED.

All persons required by the Piedmont Municipal Code to pay a fee for a license, permit, certificate, inspection, action, use, or other service shall pay to the City the amount established in the General Schedule of Fees.

SECTION 17B6. CITY CLERK TO MAINTAIN COPIES.

At least three copies of the General Schedule of Fees shall be kept in the office of the City Clerk for public use, inspection and examination. The City Clerk shall keep copies of said schedule for distribution or sale at a reasonable price.

TITLE 17B. SEWERS AND SEWAGE DISPOSAL

Article I. In General

SECTION 17B17A-1. PERMIT TO MAKE CONNECTION TO SEWER.

A. Reserved

B. All other sewer connections:

fee where no special assessment has been made, residential taps . . . \$ _____
to public sewer where no special assessment made

SECTIONS 17B17A-17-17B17A-20. RESERVED.

Article VII. Industrial or Harmful Discharges

SECTION 17B17A-2. INDUSTRIAL PRETREATMENT FEE STRUCTURE.

TABLE INSET:

item #	fee for	annual cost
1.	categorical pollutant discharge permit (new)	\$500.00
2.	categorical pollutant discharge permit (renewal, existing modified)	250.00
3.	noncategorical pollutant discharge permit (new)	50.00
4.	noncategorical pollutant discharge permit (renewal)	25.00
5.	filing appeals	100.00
6.	categorical pollutant permit (potential to discharge new)	250.00
7.	categorical pollutant permit (potential to discharge, renewal, modified) 17A-95	125.00

8.	noncategorical pollutant potential to discharge permit (new)	50.00
9.	noncategorical pollutant potential to discharge permit (renewal or existing modified)	25.00
10.	private water/sewer meter inspection verification, reverification	50.00
11.	emergency industrial waste disposal inspection	50.00
12.	requested categorical pretreatment facility inspection	50.00
13.	duplication of an approved permit	10.00
14.	change of name/permittee due to change in ownership (with no change in operations)	25.00
15.	reproduction of Federal regulations/other requested material	0.25 ea. one-sided page 8 1/2 x 11 or 8 1/2 x 14

Provided however, the fee for any permit issued for a term of less than one year shall be a proportionate amount of the above referenced annual fee.

SECTION 17B17A-3. PERMIT FOR DISCHARGE OF INDUSTRIAL WASTE.

Fee to be established.

SECTION 17B17A-4. SANITARY SEWER USER CHARGES.

The sanitary sewer users shall be charged and shall pay sanitary sewer user charges consisting of a sanitary sewer volume charge for sanitary sewer services and, wherever applicable, such surcharges, monthly service charges, and deduct meter charges as set forth in this article. The sanitary sewer volume charge shall be the volume of discharge into the Piedmont Sanitary Sewer System times the applicable sanitary sewer volume rate per thousand gallons for the user's customer class. In addition, users who are non-City water customers or whose discharge exceeds certain quality or composition standards shall be charged and shall pay surcharges as established in this Code.

