

concentrations which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Authority's NPDES permit (including an increase in the magnitude or duration of a violation).

Section 37. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 38. "pH" shall mean a measure of the acidity or alkalinity of a substance, expressed in standard units.

Section 39. "Pollutant" shall mean any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics, of wastewater (including, but not limited to pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Section 40. "POTW" shall mean Publicly Owned Treatment Works as defined in Section 212 of the Clean Water Act.

Section 41. "Pretreatment" shall mean any reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to introduction into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants.

Section 42. "Pretreatment Program Supervisor" shall mean the Authority Administrator or his/her designated representative.

Section 43. "Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

Section 44. "Prohibited Discharges or Prohibited Discharge Standard" shall mean absolute prohibitions against the discharge of certain substances; these prohibitions appear in Article VI of this Ordinance.

Section 45. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.

Section 46. "Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.

Section 47. "Sanitary Sewer" shall mean a sewer which carries domestic sewage and admissible industrial waste and in which stormwater, surface water, and groundwater are not intentionally admitted.

Section 48. "Scavenger Wastes" shall mean putrid or offensive matter; the contents of all privies, septic tanks and cesspools.

Section 49. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

Section 50. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 51. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 52. "Shall" is mandatory; "May" is permissive.

Section 53. "Show Cause Order" shall mean any formal meeting requiring the IU to appear and demonstrate why the Control Authority should not take a proposed enforcement action against it. The meeting may also serve as a forum to discuss corrective actions and compliance schedules.

Section 54. "Significant Industrial User" shall apply to:

- a) Industrial Users subject to categorical pretreatment standards;
- b) Any other Industrial User that:
 - 1) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - 2) contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the Authority's treatment plant; or
 - 3) is designated by the Authority 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.
- c) Upon a finding that an Industrial User meeting the criteria in paragraph (b) of this Section has no reasonable potential for adversely affecting the Authority's treatment plant operation or for violating any pretreatment standard or requirement, the Authority

may at any time, on its own initiative or in response to a petition received from an Industrial User and in accordance with 40 C.F.R. 403.8(f)(6), determine that such Industrial User is not a significant Industrial User.

Section 55. "Significant Noncompliance" shall mean any violation which meets one or more of the following criteria:

- a) Chronic violations - Sixty-six (66) percent or more of the measurements exceed the same daily maximum limit or the same average limit for the same pollutant parameter in a six-(6-) month period (any magnitude of exceedance constitutes a violation).
- b) Technical Review Criteria (TRC) violations - Thirty-three (33) percent or more of the measurements exceed the same daily maximum limit or the same average limit for the same pollutant parameter by more than the TRC in a six-(6-) month period (exceeding the pretreatment limit by a factor of 1.4 for BOD, total suspended solids [TSS], fats, and oil and grease [O&G] and 1.2 for all other pollutants except pH) constitutes a TRC.
- c) Any other violation(s) of effluent limit (average or daily maximum) that the Authority believes has caused alone or in combination with other discharges, interference or pass-through or endangered the health of plant personnel or the public.
- d) Any discharge of a pollutant that has caused imminent endangerment to human health and welfare or to the environment and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.
- e) Violations of compliance schedule milestones contained in a local control mechanism or enforcement order for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.
- f) Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports, and periodic reports) within 30 days from the due date.
- g) Failure to accurately report noncompliance.
- h) Any other violations(s) that the Authority considers to be significant.

Section 56. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

Section 57. "Standard Industrial Classification (SIC) Code" shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the U.S. Office of Management and Budget.

Section 58. "Storm Drain" (or "Storm Sewer") shall mean a sewer which carries storm and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 59. "Surcharge" shall mean any charge for treating excessive pollutant loadings.

Section 60. "Total Suspended Solids" (TSS) means the total suspended matter that floats on the surface of, or is in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Section 61. "Toxic Pollutants" means any and all materials identified as toxic under any environmental law, including but not limited to pollutants identified pursuant to Sections 304 (a) and 307 (a) of the Clean Water Act and 40 C.F.R. Sections 401.15 and 413.02 (i).

Section 62. "Treatment Plant Effluent" shall mean any discharge of pollutants from the POTW into waters of the State.

Section 63. "Upset" shall mean an exceptional incident in which there is unintentional and temporary noncompliance with 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 careless or improper operation.

Section 64. "User" or "Industrial User" (IU) shall mean a source of indirect discharge.

Section 65. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 66. "Wastewater" shall mean any liquid and water-borne industrial wastes, and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Section 67. "Wastewater Discharge Permit" shall mean the Authority's control mechanism to implement the Authority's sewer use Ordinance.

Section 68. Abbreviations used in this Ordinance shall have the designated meanings:

- a) BOD₅: - Five Day Biochemical Oxygen Demand
- b) CFR: - Code of Federal Regulations
- c) COD: - Chemical Oxygen Demand
- d) EPA: - Environmental Protection Agency
- e) GPD: - Gallons Per Day
- f) IU: - Industrial User
- g) mg/l: - Milligrams Per Liter
- h) NPDES: - National Pollutant Discharge Elimination System
- i) O&M: - Operation and Maintenance
- j) POTW: - Publicly Owned Treatment Works
- k) RCRA: - Resource Conservation and Recovery Act
- l) SIU: - Significant Industrial User
- m) TKN: - Total Kjeldahl Nitrogen
- n) TSS: - Total Suspended Solids
- o) USC: - United States Code