

ORDINANCE NO. 285

AN ORDINANCE PROVIDING FOR THE INDUSTRIAL USE OF SEWAGE TREATMENT FACILITIES, PENALTIES FOR VIOLATIONS, ESTABLISHMENT OF MAXIMUM CONCENTRATION LIMITS OF SUSPENDED SOLIDS AND BOD, ESTABLISHMENT OF SURCHARGES FOR EXCEEDING THE MAXIMUM ALLOWABLE LIMITS, PROCEDURES FOR COLLECTION AND ANALYSIS OF SUSPENDED SOLIDS AND BOD, AND DECLARING AN EMERGENCY.

BE IT ORDAINED, by the Mayor and Council of the City of Stilwell, Oklahoma:

SECTIONS:

1. Definitions
2. Notice to Correct Violations
3. Penalty for Failure to Correct Violations
4. Violator Liability for Stilwell Area Development Authority/City's Loss
5. General use of Public Sewer Treatment Facilities
6. General Discharge Prohibitions
7. Specific Discharge Pollutant Limitations
8. Compliance by Dilution Prohibited
9. Accidental Discharges
10. Storage of Dangerous Materials
11. Rejection, Pretreatment or Control of Discharge Rates
12. Use of Interceptors
13. Preliminary Treatment of Flow Equalizing Facilities
14. Installation of Control Manholes
15. Maximum Allowable Concentration of Suspended Solids and BOD
16. Surcharges for Exceeding the Maximum Concentrations of Suspended Solids and BOD
17. Procedures for the Collection and Analysis of Suspended Solids and BOD
18. General
19. Emergency Clause

**SECTION 1. DEFINITIONS.**

As used in this Ordinance, the following words and phrases shall have the meanings indicated, unless the context specifically indicates otherwise:

1. BOD: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C., expressed in milligrams per liter.
2. BUILDING SEWER: "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
3. CITY: Stilwell Area Development Authority.
4. DEQ: Oklahoma State Department of Environmental Quality or any subagency thereof.

5. EPA: "EPA" shall mean the state and or federal environmental protection agency.
6. GARBAGE: "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
7. INDUSTRIAL WASTES: "Industrial wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
8. INTERCEPTOR: "Interceptor" shall mean any device used to trap or divert greases, oils and grit prior to the entrance to the sanitary sewer.
9. NATURAL OUTLET: "Natural outlet" shall mean any outlet into a water-course, pond, ditch, lake or other body of surface or groundwater.
10. pH: "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
11. PLANTS MANAGER: "Plants Manager" shall mean the duly appointed officer in charge of the water and/or sewer department of the city, or other person designated by the Utilities General Manager.
12. PROPERLY SHREDDED GARBAGE: "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 ( $\frac{1}{2}$ ) inch (1.27 centimeters) in any dimension.
13. PUBLIC SEWER: "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
14. SADA: "Stilwell Area Development Authority"
15. SANITARY SEWER: "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
16. SEWAGE: "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.
17. SEWAGE TREATMENT PLANT: "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.
18. SEWAGE TREATMENT FACILITY: "Sewage treatment facility" shall mean all

facilities for collecting, pumping, treating and disposing of sewage.

19. SEWER: "Sewer" shall mean a pipe of conduit for carrying sewage.
20. SLUG: "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration of flows during normal operation.
21. STORM DRAIN: "Storm drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
22. SUSPENDED SOLIDS: "Suspended solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.
23. USER: "User" shall mean any, firm, company, association, institution, society, corporation or group.
24. WATERCOURSE: "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

**SECTION 2. NOTICE TO CORRECT VIOLATIONS.**

1. Any user found to be violating any provision of this Ordinance shall be served with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.
2. The offender shall, within the period of time stated in such notice, permanently cease all violations.

**SECTION 3. PENALTY FOR FAILURE TO CORRECT VIOLATIONS.**

1. Any user who shall continue any violation beyond the time limit provided for in Section 2 shall be guilty of a misdemeanor and on conviction thereof, may be fined in an amount not exceeding one hundred dollars for each violation.
2. Each day in which any such violation shall continue shall be deemed a separate offense.

**SECTION 4. VIOLATOR LIABLE FOR CITY'S LOSS.**

Any user violating any of the provisions of this Ordinance shall be come liable to the city for any expense, loss, or damage occasioned the city by reason of such violation. This shall include additional operating cost and/or any fines levied by state and federal agencies.

**SECTION 5. GENERAL USE OF PUBLIC SEWER TREATMENT FACILITIES.**

No user shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, noncontact cooling water or unpolluted industrial process waters into any sanitary sewer, but such waters shall be discharged into such sewers as are specifically designated as storm sewers or into a natural outlet. The discharge into any storm sewer or into an outlet of any waters which may have a deleterious effect upon the receiving stream is prohibited.

**SECTION 6. GENERAL DISCHARGE PROHIBITIONS.**

No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the sewer treatment facility, will have an adverse effect on the receiving stream, or will violate any of the provisions of this ordinance. These general provisions apply to all users of the city's sewer treatment facility whether or not the user is subject to national categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. A user shall not contribute any of the following substances to any sewer treatment facility:

1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or to be injurious in any other way to the sewer treatment facility or to the operation thereof. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and other substances with the city, the state, or EPA has notified the user is a fire hazard or a hazard to the system.
2. Any wastewater having a pH less than 6.0, or having a pH greater than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the sewer treatment facility.
3. Any solids or viscous material which could cause an obstruction to the flow in the sewers or in any way interfere with the treatment process. Examples of such materials include, but are not limited to: ashes, wax, paraffin, cinders, sand, mud, straw, shavings, wood and sawdust, bones, paunch manure, hair, hides, or fleshings, entrails, whole blood, feathers, lime slurries, beer and distillery slops, grain processing wastes, grinding compounds and residues from grinding operations, acetylene generation sludge, chemical residues, acid residues, plastics, tar, asphalt residues, and food processing bulk solids.
4. Any pollutants, including chlorine and oxygen demanding pollutants, released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the sewer

treatment facility. In no case shall a slug load have a flow rate or concentration or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24-hour concentration, quantities, or flow during normal operation.

5. Any wastewater having a temperature which will inhibit biological activity in the sewer treatment facility resulting in interference, but in no case wastewater with a temperature that raises the wastewater temperature of the influent to the sewer treatment facility to more than 20 degrees Celsius, and in no case any wastewater with a temperature in excess of 40 degrees Celsius, measured as it enters the sewer treatment facility.
6. Any noxious or malodorous liquids, gases, or solids which, either singly or by interaction with other wastes, are sufficient to prevent entry into the sewers for maintenance and repair.
7. Any wastewater containing toxic pollutants in quantity, either singly or by interaction with other pollutants, to constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the sewer treatment facility.
8. Any garbage that has not been properly shredded.
9. Any substance which will cause the sewer treatment facility to violate its DEQ permit or the receiving stream water quality standards.
10. Any substance which may cause the sewer treatment facility's effluent or any other product of the sewer treatment facility such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the sewer treatment facility cause the sewer treatment facility to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Federal Water Pollutant Control Act, as amended 33 USC 1251, et seq., any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to sludge management.
11. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
12. Any wastewater containing any radioactive wastes.
13. Any wastewaters containing materials which exert or cause unusual concentrations of solids or composition such as, for example, unusual concentrations of inert suspended solids such as, but not limited to, fuller's earth, lime slurries and lime residues, or unusual concentrations of dissolved solids such as, but not limited to, sodium chloride,

calcium chloride and sodium sulfate.

14. Any septic tank sludge.
15. Any wastewater which causes a hazard to human life or creates a public nuisance.

**SECTION 7. SPECIFIC POLLUTANT LIMITATIONS.**

No user shall discharge or cause to be discharged to the sewer treatment facility any wastewater containing the following substances:

1. Any heavy metal in excess of the following limits:

ELEMENT	MAXIMUM LIMIT (mg/l)
Arsenic.....	0.05
Barium.....	2.0
Boron.....	1.5
Cadmium.....	0.1
Chromium, total.....	0.2
Copper.....	2.0
Lead.....	0.1
Manganese.....	0.1
Mercury.....	0.0001
Nickel.....	2.0
Selenium.....	0.02
Silver.....	0.1
Zinc.....	1.0
Total metals.....	5.0

2. Any significant trace of the following that would constitute a hazard to human health, have an adverse effect on the water quality of the receiving stream or interfere with the operation of the sewer treatment facility:

Antimony	Molybdenum	Tellurium	Fungicides
Beryllium	Rhenium	Tin	Herbicides
Bismuth	Strontium	Uranylion	Pesticides
			Cobalt

3. Cyanide, measured as total cyanide, in connection of excess of 0.5 mg/l.
4. Phenols or other taste or odor producing substances in such concentrations that exceed the limits which may be established by the city as necessary to comply with state or federal regulations.
5. Greases, oils, fats or waxes, whether emulsified or not, in concentrations in excess of 100 mg/l.
6. Sulfides in concentrations in excess of 5.0 mg/l.

**SECTION 8. COMPLIANCE BY DILUTION PROHIBITED.**

No user shall increase the use of process water or, in any way, attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with the limitations of any pollutant-specific limitation developed by the city, state, or federal government.

**SECTION 9. ACCIDENTAL DISCHARGES.**

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this division. Upon request by the approving authority, a detailed plan showing facilities and operating procedures to provide this protection shall be submitted to the approving authority for review and approval. In the case of any accidental discharge, it is the responsibility of the user to immediately telephone and notify the sewer treatment facility of the incident. The notification shall include the cause of the discharge, the location of discharge, type of waste, concentration and volume, and corrective actions taken. The user shall submit to the approving authority within five days following the accidental discharge 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 person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liabilities which may be imposed by this article.

**SECTION 10. STORAGE OF DANGEROUS MATERIALS.**

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

**SECTION 11. REJECTION, PRETREATMENT OR CONTROL OF DISCHARGE RATES.**

1. If any waters or wastes are discharged or are proposed to be discharged into the public sewers, which waters contain the substances, which in the judgement of the approving authority may have a deleterious effect upon the sewer treatment facility, processes, equipment or receiving waters, or which otherwise creates a hazard to life or constitutes a public nuisance, the approving authority may reject the wastes, require pretreatment to any acceptable condition for discharge into the public sewers, and/or require control over the quantities and rates of discharge.
2. If the approving authority permits the pretreatment or equalization of waste flows to be discharged into the public sewer, the design and installation of the plants and equipment shall be subject to the review

and approval of the approving authority and subject to the requirements of all applicable codes, ordinances, state and federal regulations.

**SECTION 12. USE OF INTERCEPTORS.**

Grease, oil, and grit interceptors shall be provided when, in the opinion of the approving authority, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the approving authority and shall be located as to be readily and easily accessible for cleaning and inspection. Installation and maintenance of interceptors is the responsibility of the user.

**SECTION 13. PRELIMINARY TREATMENT OR FLOW EQUALIZING FACILITIES.**

Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

**SECTION 14. INSTALLATION OF CONTROL MANHOLES.**

Where required by the approving authority, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary matters 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 to be in accordance with plans approved by the approving authority. 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.

**SECTION 15. MAXIMUM ALLOWABLE CONCENTRATION OF SUSPENDED SOLIDS AND BOD.**

1. Six months after the passage of this Ordinance, normal sewage or waste water discharged into the City's sanitary sewer collection system or into the City's sewage treatment plant shall have no greater concentration or quantity of suspended solids than 280 ppm.
2. After the passage of this Ordinance, normal sewage or waste water discharged into the City's sanitary sewer collection system or into the City's sewage treatment plant shall have no greater concentration or quantity of biochemical oxygen demand than the following part per million at the indicated number of months after passage of this Ordinance:
  - a. Six months after passage of this Ordinance - 500 ppm.;
  - b. Twelve months after the passage of this Ordinance - 425 ppm.;
  - c. Eighteen months after the passage of this Ordinance - 350 ppm.



**SECTION 16. SURCHARGES FOR EXCEEDING MAXIMUM CONCENTRATION LIMITS FOR SUSPENDED SOLIDS AND BOD.**

1. Method of charging for suspended solids above normal shall be:  
  
Add five per cent (5%) of the normal sewage charge for each 50 ppm. or portion thereof in excess of 280 ppm.
2. Method of charging for biochemical Oxygen Demand above normal shall be:
  - a. Six months after the passage of this ordinance, add 5% to the normal sewage charge for each 50 ppm. or portion thereof in excess of 550 ppm.;
  - b. Twelve months after the passage of this ordinance, add 5% of the normal sewage charge for each 50 pm., or portion thereof in excess of 425 pm.;
  - c. Eighteen months after the passage of this ordinance, add 5% of the normal sewage charge for each 50 pm. or portion thereof in excess of 350 pm.
3. Upon written application to the Stilwell Area Development Authority, the Stilwell Utilities General Manager shall have the right to grant a 90 day grace period to any user, partnership, or corporation discharging sewage and waste waters into the City's sanitary sewage system, provided, however, that said user is actually constructing or can provide written plans with a definite date for beginning construction of systems and/or components designs to lower the concentration or quantity of suspended solids and of biochemical oxygen demand discharged into the City's sanitary sewage system.

**SECTION 17. PROCEDURES FOR THE COLLECTION AND ANALYSIS OF SUCH SUSPENDED SOLIDS AND BOD.**

The collection and analysis of effluent for determination if the same complies with the standards set out above and the additional charges also set out above for non-compliance with such standards shall be the responsibility of the SADA. Collection of said effluent discharge into the City's sewer system shall occur during the times a user of the sewer system or sewage treatment plant is in operation and with the frequency prescribed by the SADA. Collection and analysis of samples so taken shall be according to generally accepted scientific methods and costs thereof shall be borne by the SADA. In the event a disagreement arises between the City and a user of the sanitary sewer system or sewage treatment plant as to the accuracy of such analysis, such user shall have the right to choose another testing organization, approved by the SADA, to analyze the material it discharges. The City and the user shall both be bound by the findings of such other testing organization as to that particular sample collected and analyzed at that time and the user shall bear all costs involved for said alternative testing.

**SECTION 18. GENERAL.**

1. All industrial discharges to the municipal domestic treatment plant are prohibited.
  - A. There are no industrial discharges to the municipal domestic treatment plant. If an industrial user desires to discharge into the municipal domestic plant, a pretreatment system that meets EPA and state regulations would be installed and operated at the owner's expense prior to discharge into the municipal domestic treatment collection system.
2. The connection of building sewers into the public and industrial sewers systems shall conform to the BOCA Building Code and other applicable rules and regulations of the City of Stilwell.
3. All new sanitary sewage works shall be designed and constructed in accordance with the requirements of the Oklahoma State Department of Health, Department of Environmental Quality and/or any applicable rules and regulations of the City of Stilwell.
4. When a public sewer becomes available within 200 feet, the building sewer shall be connected to said sewer within sixty days.
5. The City of Stilwell reserves the right to terminate service to any customer that fails to pay bills when due or discharges any prohibited wastes into the sewer system.

PASSED by the Council this 2nd day of September, 1997.

W. Neil Morton  
Mayor

(Seal)

ATTEST: DEAN WATT  
City Clerk

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