Chapter 13.07
STORM AND SANITARY SEWER REGULATIONS

Old

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13.07.010 Purpose. It is determined and declared to be necessary for the protection of the environment and public health, safety and welfare to regulate the type and amount of discharge permitted into the sewer system of the City. (Ord. 2012-0256; S-39108, 1979).

13.07.020 Definitions. The following definitions shall apply to this chapter:

1. "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the bio-chemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, results are expressed in milligrams per liter.

2. "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer, the building sewer beginning outside the outer wall of the building.

3. "Bypass" means the intentional diversion of wastestreams from any portion of an industrial users treatment facility.

4. "City" means the City of Sioux City, Iowa.

5. "Contributor" means any person, firm or corporation, except a significant industrial user, owning, renting or operating any lot, parcel of real estate or buildings where liquid or solid waste or sewage is produced which is discharged in the sewer system of the City.

6. "Debris" means something that has been broken into pieces such as garbage, trash and/or waste.

7. "Dilution" means increasing the use of process water, or in any other way attempting to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement.

8. "Director" means the Utilities Director of the City, or his authorized representative.

9. "Domestic strength" means wastewater which has a total suspended solids (TSS) concentration less than three hundred parts per million (300 mg/L), a five-day biochemical oxygen demand (BOD) concentration less than two hundred fifty parts per million (250 mg/L), and a fats, oil and grease (FOG) concentration less than one hundred parts per million (100 mg/L).

10. "Fats, oil and grease (FOG)" means fats, oil and grease present in a contributors discharge measurable by standard laboratory extraction, results are expressed in milligrams per liter.

11. "Groundwater remediation" means wastewater generated in connection with investigating and/or remediating polluted groundwater or soil due to contamination.

12. "Industrial wastewater" means the wastewater entering the sanitary sewer system resulting from any manufacturing or industrial operation or process.

13. "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

a. Inhibits or disrupts the WWTP, its treatment processes or operations, or its sludge processes, use or disposal and,

b. Therefore is a cause of a violation of any requirement of the WWTP's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

14. "Pass through" means a discharge which exits the WWTP into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the WWTP's NPDES permit (including an increase in the magnitude or duration of a violation).

15. "pH" means the logarithm of the reciprocal of hydrogen ion concentration in gram atoms per liter, used to express the acidity or alkalinity of a solution on a scale of 0 -14, where less than 7 represents acidity, 7 neutrality, and more than 7 alkalinity.

16. "Property" means any piece or portion of real estate.

17. "Public sewer" means a sewer which is controlled by the City.

18. "Sanitary sewage" means the waste from water closets, urinals, lavatories, sinks, bathtubs, household laundries, cellar floor drains, garage floor drains, bars, soda fountains, refrigerator drains, drinking fountains, swimming pools, stable floor drains and all other liquids not classified as industrial wastes that enter the sanitary sewer systems.

19. "Sanitary sewer" means the collection of pipes and trunk mains designed to carry sewage and wastewater from houses and businesses to the WWTP for treatment and disposal.

20. "Sewage" means a combination of the water-carried wastes from property to the WWTP for treatment and disposal.

21. "Sewer" means a pipe or conduit for carrying sewage.

22. "Sewer user charge" means any and all rates, charges, fees or rentals levied against and payable by contributors and significant industrial users.

23. "Shall" is mandatory. "May" is permissive.

24. "Significant industrial user (SIU)" means:

a. All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

(1) Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the WWTP (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the WWTP Treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the WWTP's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

b. The Control Authority may determine that an Industrial User subject to categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

(1) The Industrial User, prior to the Control Authority's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

(2) The Industrial User annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and

(3) The Industrial User never discharges any untreated concentrated wastewater.

c. Upon a finding that an Industrial User meeting the criteria in paragraph (45)(a) of this section has no reasonable potential for adversely affecting the WWTP's operation or for violating any Pretreatment Standards or requirement, the Control Authority may at any time, on its own initiative or in response to a petition received from an Industrial User or WWTP, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

25. "Slug discharge" means any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the WWTP regulations, local limits or permit conditions.

26. "Storm sewer" means the collection of pipes and trunk mains designed to carry stormwater, surface water, and drainage, but excludes sewage and industrial wastewater, other than unpolluted cooling water.

27. "Total suspended solids (TSS)" means the total suspended matter that floats on the surface of or is suspended in water, wastewater or other liquid that is removable by laboratory filtering, results are expressed in milligrams per liter.

28. "WWTP" means the wastewater treatment plant owned and operated by the City. (Ord. 2012-0256; 2006-0835, 2000-9673; 98/U-6424; 90/T-9020; 83/T-2039)

13.07.030 Uniform plumbing code reference. The City has, pursuant to Chapter 20.14 of this code, adopted the Uniform Plumbing Code to govern the construction of utility systems on private property. The City has also adopted Standard Specifications for the Construction of Sanitary and Storm Sewers which has been approved by and are on file with the Iowa Department of Natural Resources. All construction of sewer facilities located in public right-of-way shall be in accordance with these specifications, which by this reference are made a part hereof as though fully set forth herein. Before using any type of plastic pipe it shall be the responsibility of the consumer or installer to verify the absence of any contaminated soil which may negate the option of PVC or polyethylene pipe. If specified levels of contamination are discovered, the use of PVC or polyethylene pipe is prohibited. Information on contamination levels at which PVC or polyethylene pipe use is prohibited is available through the city engineering department. (Ord. 2012-0256; 2006-0835, 99-8054; S-39108, 1979)

13.07.035 Low pressure sewage systems. The following regulations apply to premises with low pressure sewage pumps connected to low pressure sewage collection systems within the City:

1. No low pressure sewage system shall connect to a City sewer without obtaining a special permit from the City. No permit shall be issued for a low pressure sewage system until the owner of the property to be served has given to the City an easement to permit pump replacement as hereinafter provided.
2. All low pressure sewage systems must comply with specifications prepared and approved by the city engineer
3. Installation of the necessary pipes and pump and maintenance of the low pressure sewage system is the responsibility of the property owner except at hereinafter provided.
4. In addition to the regular fees for the treatment of sewage, a low pressure sewage system owner shall enroll in the service protection plan offered by the provider working in conjunction with the City. The owner shall be billed for the service protection plan in accordance with the agreement between the City and the provider of the plan. If a low pressure sewage system owner wishes to opt out of the service protection plan, approval must be obtained from the city manager or their designee. In opting out of the service protection plan, the owner will be solely responsible for all maintenance or replacement costs associated with the low pressure pump system. Anyone violating the provisions of this ordinance is guilty of a municipal infraction and shall upon conviction, be punished as provided in Section 1.04.100 of the Sioux City Municipal Code. (Ord. 2014-0832; 2012-0256; 2007-0319)

13.07.040 Prohibited discharges into sanitary sewers.

1. Discharge of untreated sewage:

a. It is unlawful to discharge into any storm sewer within the City or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter.

2. Discharge of stormwater into the sanitary sewer;

a. No contributor shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters into any sanitary sewers unless otherwise authorized by the Director.

b. Stormwater and all other unpolluted drainage shall be discharged into storm sewers approved by the Director. Industrial cooling water or unpolluted process waters may be discharged into a storm sewer or natural outlet; such discharges must have a discharge permit issued by the Environmental Protection Agency or the Iowa Department of Natural Resources.

3. General prohibitions. These general prohibitions and the specific prohibitions of this chapter apply to each contributor introducing pollutants into a WWTP whether or not the contributor is subject to other National Pretreatment Standards or any national, state, or local pretreatment requirements.

a. No contributor may introduce into a WWTP any pollutant(s) which cause pass through or interference.

4. Specific prohibitions. The following pollutants shall not be introduced into the sanitary sewer and/or WWTP;

a. Pollutants which create a fire or explosion hazard in the WWTP, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;

b. Pollutants which will cause corrosive structural damage to the sanitary sewer and/or WWTP,

c. Pollutants which have a discharge pH lower than 5.0 s.u. or greater than 11.5 s.u.

d. Any pollutant released in a discharge at a flow rate and/or pollutant concentration which will cause interference or pass through at the WWTP,

e. Any discharge with heat in such quantities that the temperature at the WWTP exceeds 40 degrees Centigrade or 104 degrees Fahrenheit which inhibits the biological activity of the WWTP and causes interference or pass through,

f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin,

g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the sanitary sewer and/or WWTP in a quantity that may cause acute worker health and safety problems,

h. Any trucked in or hauled pollutants, except at discharge points designated by the WWTP,

i. Any debris which causes a restriction or blockage within the collection system,

5. No contributor shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

a. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

b. Any waters or wastes containing carcinogenic, toxic or poisonous solids, liquids or gases in sufficient quantity to either singly or by interaction with other wastes, injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create a hazard in the receiving waters of the sewage treatment plant,

c. Any discharge prohibited by 40 CFR 403.5,

d. Any discharge prohibited by 40 CRR 403.6,

e. Any combination of discharges that cause the WWTP to exceed it influent capacity,

f. Any combination of discharges that cause the WWTP to exceed its regulated NPDES effluent discharge limits to the Missouri River.

6. Waters or wastes containing substances which are not amenable to treatment or reduction by the WWTP processes employed, or are amenable to treatment only to such degree that the WWTP effluent cannot meet the requirements of the issued NPDES permit to the Missouri River. (Ord. 2012-0256; S-39108, 1979).

13.07.050 Prohibited connections to the sanitary sewer.

1. No contributor shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer.

2. No contributor shall bypass or dilute any wastestream in lieu of adequate treatment or monitoring. (Ord. 2012-0256; S-39108, 1979).

13.07.060 Permitted discharges into public sewers at the discretion of the Director.

1. Contributors may discharge the following wastes upon expressed written permission from the Director. If the Director finds that the identified wastestreams will not harm the public sewers, the WWTP processes or equipment, not have an adverse effect on the receiving stream or otherwise endanger life, limb, public property or constitute a nuisance then permission to discharge may be granted. These discharges include, but are not limited to:

a. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit or sixty-five degrees Centigrade;

b. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit or zero degrees and sixty-five degrees Centigrade;

c. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions;

d. Any waters or wastes containing metals, toxic organics and/or similar objectionable pollutants contained in 40 CFR 403.5,

e. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with the applicable state or federal regulations;

f. Any waters or wastes having a pH less than 5.0 s.u. or in excess of 11.5 s.u.;

g. Materials which exert or cause:

(1) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions),

(2) Any slug load resulting in unusual treatment requirements in such quantities as to constitute a significant load on the WWTP,

h. Any waters or wastes having:

(1) A BOD concentration greater than two hundred fifty parts per million (250 mg/L) by weight;

(A) Contributors discharging in excess of domestic strength may be subject to additional treatment costs as discussed in 13.08 of this chapter.

(2) A TSS concentration more than three hundred fifty parts per million (300 mg/L) by weight;

(A) Contributors discharging in excess of domestic strength may be subject to additional treatment costs as discussed in 13.08 of this chapter.

(3) A FOG concentration more than one hundred parts per million (100 mg/L); and/or

(A) Contributors discharging in excess of domestic strength may be subject to additional treatment costs as discussed in 13.08 of this chapter.

(4) An average daily flow greater than two percent of the average sewage flow of the WWTP;

i. Any waters or wastes containing dissolved sulfides in excess of 0.5 mg/L.

j. Septic tank waste.

2. Contributors may discharge wastewater generated from groundwater remediation sites involving groundwater and/or soil contamination upon expressed written permission from the Director. These discharges may include, but are not limited to:

a. Volatile organic compounds (VOC)

b. Chlorinated solvents
c. Hydrocarbons
d. Metals
e. Base neutral and acid extractables
f. Semi-Volatile organic compounds
g. Pesticides

(Ord. 2012-0256; S-39108, 1979).

13.07.070 Discharges into public sewers - Significant Industrial User regulations.

1. The preceding regulations ensure the following in accordance with 40 CFR 403.2:

a. Prevent the introduction of pollutants in the sanitary sewer system which will interfere with the operations of the WWTP, including interference with its use or disposal of municipal sludge,

b. Prevent the introduction of pollutants to the sanitary sewer system which will pass through the WWTP or otherwise be incompatible with such operations, and/or

c. Improve opportunities to recycle and reclaim municipal and industrial wastewaters and/sludges for reuse or sale.

2. Permit Application/Renewal.

a. Any contributor considered a SIU shall be required to submit a permit application to the director prior to discharging. Information obtained in the permit application shall include but is not limited to:

(1) Name, address and contact information of the applicant,

(2) Location and legal description of the property to be covered by the permit,

(3) A general statement of the type of operations conducted at the facility.

(4) A plat of the property showing accurately the sewers and drains, including sanitary and stormwater,

(5) A complete profile of all process waters in excess of domestic strength waste produced or expected to be produced for discharge from the property, including:

(A) A description of the character of each waste,

(B) The daily volume and maximum rates of discharge,

(C) Representative analysis of the proposed wastestream if possible;

(6) Each SIU shall furnish the City with information regarding the volume of wastewater per unit of production and the resulting discharge according to the production rate.

b. All applications shall require the applicant to agree to:

(1) Furnish at the request of the Director any additional information relating to the installation or use of the industrial sewer for which the permit is sought,

(2) Accept and abide by all provisions of this chapter and all other pertinent ordinances and regulations which may be adopted in the future,

(3) Operate and maintain any wastewater pretreatment facilities, as may be required, as a condition of the acceptance to discharge into the public sewers, of the waste involved, in an efficient manner at all times, and at no expense to the City,

(4) Cooperate at all times with the Director in the inspecting, sampling and studying of any wastestreams generated by the permittee and in the inspecting of any facilities,

(5) To notify the Director immediately in the event of any accident, negligence or other occurrence which results in the discharge of pollutants not covered by permit into the sanitary sewer, and

(6) To provide and submit notices and reports as required by 40 CFR 403.12.

c. Each SIU shall be required to submit a Slug Control Plan as part of the permit application/renewal process. This plan will include but is not limited to:

(1) A detailed plan of the procedures and policies which are in place to prevent the occurrence of a slug discharge,

(A) The plan should also detail the steps to control and report discharges in the event that a slug discharge occurs.

(B) The plan shall be updated upon permit renewal or as part of a significant process or pretreatment modification.

d. After examination by the Director, of the information contained in the submitted permit application, it is determined:

(1) That the characteristics of the proposed discharge do not conflict with the provisions of this chapter and/or the operation of the WWTP, a permit shall forthwith be issued allowing the discharge of such waste to the public sewers.

(2) That the characteristics of the proposed discharge are not compliant with the provisions of this chapter and/or are not compatible with the operation of the WWTP, the application shall be denied and the applicant forthwith in writing of the steps which must be taken to ensure compliance with the provisions of this chapter, which may include, but are not limited to:

(A) Rejection of the wastes, no alternative,

(B) Require pretreatment to an acceptable concentration for discharge into the public sewers. To this end, the Director may require pretreatment to less than domestic strength.

(i) if pretreatment is required the design shall be certified by an engineer as best available technology for the nature of the discharge prior to the installation and shall be subject to review and approval of the Director;

(ii) a compliance schedule may be required for the design, construction and installation of equipment for such pretreatment.

(iii) All projects shall be subject to the requirements of all applicable codes, ordinances and laws, and

(iv) The cost of the all pretreatment facilities shall be paid by the applicant contributing the wastes.

(C) Require control over the volume and rates of discharge, and/or

(D) Require payment to cover the added cost of handling and treating wastes not covered by existing taxes or sewer user charges under the provision of this chapter.

e. Each permitted SIU, ninety (90) days prior to the expiration of said permit, shall submit a permit renewal application to the Director.

f. Any SIU that identify information provided in a permit application or permit renewal as "Confidential Information" shall restrict the availability of said information in accordance with Chapter 68A of the Code of Iowa and other applicable state and federal law.

3. General Requirements.

a. All permitted SIUs shall install a suitable sampling station for the collection and evaluation of discharges. Sampling stations shall include, but are not limited to:

(1) Be constructed at a common outfall after all process wastewater is combined,

(2) Flow metering capabilities for reporting representative flow data during high and low flow,

(A) Flow meter calibrations shall be coordinated and scheduled by the City every six (6) months, with the appropriate charges paid for by the SIU as part of the Sampling Fee (13.08.060);

(B) In the event that the City is unable to provide such service, the SIU shall be required to complete this requirement and submit the appropriate reports to the Director in accordance with reporting requirements.

(3) Sampling equipment capable flow paced sampling to ensure fluctuations in operation are represented in the composite sample collected for analysis,

(A) Sampler maintenance and calibrations shall be completed by the SIU in accordance with the operation manual for said equipment.

(4) Sink with hot water to ensure the sampling equipment can be cleaned between sampling events,

(5) Sampling stations shall be safe and accessible by the Director at any given time for the purpose of discharge monitoring,

(A) In the event that a sampling station is not accessible or provided, samples shall be collected, if necessary, from the nearest downstream manhole of the sewer from the point at which the building sewer is connected;

(6) The sampling station shall be installed and maintained by the contributor, at the contributor's expense.

b. All permitted SIUs shall communicate to the Director prior to, or immediately preceding any of the following:

(1) Process changes including but not limited to;

(A) Increases or decreases in operation/production that would affect the volume and/or concentration of wastewater discharging from the facility,

(B) Chemical changes that may affect the integrity of the wastewater being contributed,

(C) Addition or reduction of pretreatment processes that may affect the integrity of the wastewater being contributed.

(2) Slug discharges that have the potential to impact the collection system and/or the operation of the WWTP,

(3) Spills that have the potential to impact the collection system and/or the operation of the WWTP,

(4) Shut downs scheduled or unscheduled that will affect the volume and/or concentration of wastewater discharging from a facility, and/or

(5) Any internal contact changes.

c. All SIUs shall utilize best management practices to ensure pollutant prevention and control of pollutant concentrations discharging including by not limited to:

(1) Appropriate maintenance and operation of existing pretreatment systems.

(2) Settling pit monitoring should be performed through the use of a sludge judge. Settling pits/tanks should be pumped or cleaned out prior to the amount of solids and/or grease amounting to 25% of the available pit volume.

(3) Standard operating procedures shall be utilized, where applicable, to ensure control of pollutants discharging from facility operations,

(4) High strength waste is controlled and/or disposed of appropriately,

(5) Dry clean up is utilized internally as much as possible prior to clean up/sanitation, and

(6) Training of staff is performed to ensure that facility employees understand the importance of pollutant prevention in controlling discharge concentrations from the facility;

d. All SIUs must submit written notification of a proposed production increase of 10% or more to the Director.

The Director may require the SIU to increase pretreatment capabilities for the nature of the discharge.

4. Sampling and Analysis.

a. All analysis referenced in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" and with regulations set forth in 40 CFR 136.

b. Sampling shall be performed to:

(1) Determine the existence of hazards to life, limb and/or property,

(2) Determine the concentration of pollutants discharging from a facility in an effort to:

(A) Determine cost for treatment,

(B) Maintain compliance with WWTP influent capacities for treatment, and

(C) Monitor pollutant impact on the sanitary sewer system,

c. The particular analysis being evaluated will determine whether a twenty-four hour composite is appropriate or whether a grab sample or samples should be collected;

d. The City has agreed to undertake non-categorical SIU sampling and reporting. In the event that the City is unable to provide such service, the SIU shall be required to complete this requirement and submit the appropriate reports to the Director in accordance with reporting requirements;

e. At the request of the permittee, split samples may be taken at the time of sample collection for the SIU to perform additional analysis of the effluent discharge. To ensure defensible samples are analyzed, samples must comply with the following;

(1) Samples must be preserved according to regulations in 40 CFR 136,

(2) Samples must be delivered to the lab for analysis within the appropriate hold time according to regulations in 40 CFR 136,

(3) Samples must have a valid chain of custody upon third party receipt to document sample date and time, delivery date and time, and signature of all responsible parties,

(4) Samples must be evaluated by a certified laboratory for the requested analysis.

5. Reporting requirements.

a. All monitoring reports shall be submitted to the Director by the 5th day of the preceding month, unless described otherwise in the appropriate categorical regulation. These reports include but are not limited to:

(1) Flow monitoring reports,

(2) Effluent analysis in excess of those analysis performed by the Director under the approved requirements of the administered Pretreatment Program;

b. Categorical compliance reports shall be submitted bi-annually by the 31st day of June and the 31st day of December. These reports include but are not limited to:

(1) Self monitoring reports for compliance monitoring,

(2) Certification statements for continued compliance;

c. The permittee shall also submit the following reports in accordance with 40 CFR 403.12, these reports include but are not limited to:

(1) Baseline monitoring reports,

(2) Accidental spill or slug loads within 24 hours of communicated event, including:

(A) The nature and cause of the spill,

(B) Remediation and disposal information, and

(C) Control mechanisms put in place to prevent the occurrence from happening again;

(3) Changes in identifying information, including facility name and authorized representative(s),

(4) Changes in pollutant concentration and/or production volumes, prior to process changes,

(5) Changes to pretreatment processes, prior to modification. (Ord. 2012-0256; 83/T-2039; S-39108, 1979).

13.07.080 Connections to sanitary sewers - Groundwater remediation regulations.

1. Purpose.

a. The regulations contained in this section govern the removal of pollutants from soil and/or groundwater contamination in an effort to protect the quality of the water table used for irrigation, drinking water and/or other application.

2. Permit Application.

a. Any contributor requesting permission/authorization to discharge groundwater remediation wastewater shall be required to submit a permit application to the director prior to discharging. Information obtained in the permit application shall include but is not limited to:

(1) Name, address and contact information of the applicant,

(2) Location and legal description of the remediation site to be covered by the permit,

(3) A general statement of the type of operations conducted at the facility and the reason(s) for the remediation project,

(A) If the applicant proposing to create, originate or maintain a groundwater remediation discharge knows or has reasonable suspicion that any other pollutant has been used, stored, released and/or disposed of which could be toxic, hazardous or detrimental to the sanitary sewer system or the operation of the WWTP and/or cause interference or pass through additional analysis and/or treatment may be required by the Director,

(4) A plat of the property showing accurately the sewers and drains, including sanitary and stormwater,

(5) A complete profile of all process waters in excess of domestic strength waste produced or expected to be produced for discharge from the property, including:

(A) A description of the character of each waste,

(B) The daily volume and maximum rates of discharge,

(C) Representative screening analysis of the proposed wastestream if possible;

(6) An initial screening panel should include all toxicants and/or pollutants expected to be present in the discharge. Additional testing may be required based on site history,

b. All applications shall require the applicant to agree:

(1) To furnish at the request of the Director any additional information relating to the installation or use of the sewer for which the permit is sought,

(2) To accept and abide by all provisions of this chapter and all other pertinent ordinances and regulations which may be adopted in the future,

(3) To operate and maintain any wastewater pretreatment facilities in an efficient manner at all times and at no expense to the City,

(4) To cooperate at all times with the Director in the inspecting, sampling and studying of any wastestream generated by the permittee and in the inspecting of any facilities,

(5) To notify the Director immediately in the event of any accident, negligence or other occurrence which results in the discharge of pollutants not covered by permit into the sanitary sewer, and

(6) To provide and submit notices and reports as required by 40 CFR 403.12.

c. After examination by the Director, of the information contained in the submitted permit application, it is determined:

(1) That the characteristics of the proposed discharge do not conflict with the provisions of this chapter and/or the operation of the WWTP, a permit shall forthwith be issued allowing the discharge of such waste to the public sewers.

(2) That the characteristics of the proposed discharge are not compliant with the provisions of this chapter and/or are not compatible with the operation of the WWTP, the application shall be denied and the applicant forthwith in writing of the steps which must be taken to ensure compliance with the provisions of this chapter, which may include, but are not limited to:

(A) Rejection of the wastes, no alternative,

(B) Require pretreatment to an acceptable concentration for discharge into the public sewers. To this end, the Director may require pretreatment to less than domestic strength.

(i) If pretreatment is required the design shall be certified by an engineer as best available technology for the nature of the discharge prior to the installation and shall be subject to review and approval of the Director;

(ii) A compliance schedule may be required for the design, construction and installation of equipment for such pretreatment.

(iii) All projects shall be subject to the requirements of all applicable codes, ordinances and laws, and

(iv) The cost of the all pretreatment facilities shall be paid by the applicant contributing the wastes.

(C) Require control over the volume and rates of discharge, and/or

(D) Require payment to cover the added cost of handling and treating wastes not covered by existing taxes or sewer charges under the provision of this chapter.

d. The Director shall issue Groundwater Remediation permits on an annual basis with a maximum duration of five (5) years:

(1) Permits may be extended in year increments provided permit renewal applications are filed with the Director ninety (90) days prior to the expiration of the issued permit.

3. General Requirements.

a. Sampling and analysis shall be determined by site chemical history and from initial testing, based on pollutants that have been used, stored, released and/or disposed of on site:

(1) Samples must be preserved according to regulations in 40 CFR 136,

(2) Samples must be delivered to the lab for analysis within the appropriate hold time according to regulations in 40 CFR 136,

(3) Samples must have a valid chain of custody upon third party receipt to document sample date and time, delivery date and time, and signature(s) of all responsible parties,

(4) Samples must be evaluated by a certified laboratory for the requested/required analysis.

b. Sampling and analysis shall be completed once a month during the first six months of the permit cycle for new dischargers. If the discharge maintains compliance with applicable permit limits, the required frequency will be reduced to once every 6 months for the duration of the project/permit. Non-compliance may result in more frequent sampling at the request of the Director.

4. Reporting requirements.

a. All monitoring reports shall be submitted to the Director by the 5th day of the preceding month, unless

described otherwise in the appropriate categorical regulations. These reports include but are not limited to:

(1) Flow monitoring reports,

b. Categorical compliance reports shall be submitted bi-annually by the 31st day of June and the 31st day of December. These reports include but are not limited to:

(1) Self monitoring reports for compliance monitoring,

(2) Certification statements for continued compliance;

c. The permittee shall also submit the following reports in accordance with 40 CFR 403.12; these reports include but are not limited to:

(1) Baseline monitoring reports,

(2) Accidental spill or slug loads within 24 hours of communicated event, including:

(A) The nature and cause of the spill,

(B) Remediation and disposal information, and

(C) Control mechanisms put in place to prevent the occurrence from happening again;

(3) Changes in identifying information, including facility name and authorized representative(s),

(4) Changes in pollutant concentration and/or production volumes, prior to process changes,

(5) Changes to pretreatment processes, prior to modification. (Ord. 2012-0256; S-39108, 1979).

13.07.090 Right of Entry.

1. The director shall be permitted to enter any property other than residences, at any time, and residences at such reasonable times for the purpose of inspection, observation, set up and use of monitoring equipment, sampling, testing, or inspecting and copying records in accordance with the provisions of this chapter, state regulation and /or federal code; provided, that:

a. If such property is occupied he/she shall first present proper credentials to the occupant and request entry, explaining his/her reasons therefore; and

b. If such property is unoccupied, he/she shall first make a reasonable effort to locate the owner of such property and request entry, explaining his/her reason therefore,

c. If such entry is refused or cannot be obtained because the owner of such property cannot be found after due diligence, the Director shall have recourse to every remedy provided by law to secure lawful entry for the above stated purposes.

2. Notwithstanding the foregoing, if the Director has reasonable cause to believe that prohibited waters or wastes are being discharged from any property into a public sewer, and has reasonable cause to believe that such discharge is so dangerous, hazardous or unsafe as to require immediate inspection to safeguard the public health or safety, he/she shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property is occupied or unoccupied and whether or not permission to inspect has been obtained.

a. If the property is occupied, he/she shall first present the proper credentials to the occupant and demand entry, explaining his/her reasons therefore and the purpose of his inspection.

b. No contributor shall fail or refuse, after proper demand has been made upon him, as provided in this subsection, to promptly permit the director to make any inspection provided for by this subsection.

c. Violating this subsection is guilty of a misdemeanor.

3. The director shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

4. While performing the necessary work on property referred to in this section, the director shall observe all applicable safety rules established by the owner of the property. (Ord. 2012-0256; S-39108, 1979).

13.07.100 Sanitary sewer service connections. Whenever possible, the building sewer shall be brought into the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged into the building sewer. (Ord. 2012-0256; 90/T-9329; 88/T-6121; S-39108, 1979).

13.07.110 Enforcement Actions. All enforcement actions entitled to the Director for violations of this chapter, state and/or federal code are documented in the City of Sioux City Enforcement Response Plan (ERP) which describes the processes for obtaining and evaluating compliance, for identifying non-compliance, for selecting an appropriate enforcement action and/or fine, and for resolving non-compliance in a timely manner in accordance with 40 CFR 403.8 (f)(viii)(H)(5) including but not limited to:

1. Fines/Penalties. Any person who has violated or is violating the provisions of this chapter, shall be guilty of a municipal infraction and shall be subject to a fine not to exceed one thousand dollars ($1,000.00) per violation per day, for the duration of the violation. Fines shall be issued where applicable following the penalty structure in 01.04.100 of the City of Sioux City Municipal Code, including but not limited to:

a. First infraction-NOV

b. Second infraction- $175.00 per day per violation

c. Third infraction - $350.00 per day per violation
d. Fourth infraction-$500.00 per day per violation
e. Fifth infraction-$750.00 per day per violation
f. Continued non-compliance will result in the issuance of $1,000.00 per day per violation

2. Injunctive Relief/Termination of Service. In case any person has violated or is violating the provisions of this chapter, the Director may petition the court for the issuance of a preliminary or permanent injunction or both, which restrains or compels the activities on the part of the person. The Director shall have such remedies to collect all associated fees as are available to collect other sewer service charges.

3. Criminal Actions. Any person who willfully or negligently violates any provision of this chapter, or who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required pursuant to this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 per violation per day or imprisoned in the county jail for a period not to exceed thirty (30) days. Each separate provision of this chapter violated shall constitute a separate offense. (Ord. 2012-0256; 83/T-2039; S-39108, 1979).

13.07.120 Repealed (Ord. 2012-0256; 90/T-9020)

13.07.130 Repealed. (Ord. 2012-0256; S-39108, 1979)

13.07.140 Repealed (Ord. 2012-0256; 83/T-2039; S-39108, 1979)

13.07.150 Repealed (Ord. 2012-0256; 83/T-2039; S-39108, 1979)

13.07.160 Repealed. (Ord. 2012-0256; S-39108, 1979).

13.07.161 Repealed. (Ord. 2004-0795; 98/U-6424; S-42304, 1981)

13.07.162 Repealed. (Ord. 2004-0795; 99-8551; S-42304, 1981)

13.07.163 Repealed. (Ord. 2004-0795; 99-8551; S-42304, 1981)

13.07.164 Repealed. (Ord. 2004-0795; 96/U-3987; 90/T-9020; 83/T-2039; S-42304, 1981)

13.07.165 Repealed. (Ord. 2004-0795; 98/U-6342; S-42304, 1981)

13.07.166 Repealed. (Ord. 2012-0256; 83/T-1464)

13.07.170 Repealed (Ord. 2012-0256; 90/T-9020)