ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3265

AN ORDINANCE AMENDING INDUSTRIAL WASTEWATER REGULATIONS BY AMENDING TITLE 6, CHAPTER 4 OF THE HELENA CITY CODE

[SEQ CHAPTER \h \r 1]**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

Title 6, Public Utilities, Chapter 4, Industrial Wastewater Regulations, of the Helena City Code, is hereby amended as follows:

CHAPTER 4 [SEQ CHAPTER \h \r 1]

INDUSTRIAL WASTEWATER REGULATIONS

SECTION:

6-4-1: PURPOSE
6-4-2: AUTHORITY
6-4-3: APPLICATION OF CHAPTER
6-4-4: DEFINTIONS
6-4-5: PROHIBITIONS
6-4-6: INDUSTRIAL USERS
6-4-7: PREEMPTION BY STATE OR FEDERAL STANDARDS UNLESS CITY STANDARDS MORE STRINGENT
6-4-8: DILUTION OF DISCHARGE
6-4-9: ACCIDENTIAL DISCHARGE
6-4-10: SAND AND GREASE TRAPS
6-4-11: PRETREATMENT OF INDUSTRIAL WASTWATERS
6-4-12: SPECIAL AGREEMENTS AND CONTRACTS
6-4-13: WASTEWATER CLASSIFICATION SURVEY
6-4-14: INDUSTRIAL DISCHARGE PERMIT
6-4-15: MONITORING FACILITIES
6-4-16: SAMPLING AND ANALYSIS
6-4-17: REPORTING REQUIREMENTS
6-4-18: HAULED WASTE
6-4-19: NONCOMPLIANCE
6-4-20: IMMEDIATE ENFORCEMENT; SUSPENSION AND REVOCATION OF PERMIT

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6-4-21: CIVIL PENALTY
6-4-22: CRIMINAL PENALTY
6-4-23: LEGAL AND EQUITABLE REMEDIES
6-4-24: AFFIRMATIVE DEFENSE OF UPSET
6-4-25: EXCESS USER CHARGE
6-4-26: WASTEWATER CLASSIFICATION SURVEY FILING FEE AND INDUSTRIAL DISCHARGE PERMIT FEES
6-4-27: WASTEWATER FACILITIES REPLACEMENT FUND

6-4-1: PURPOSE: through **6-4-3: APPLICATION OF CHAPTER:** No change.

6-4-4: DEFINITIONS: For purposes of this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

ABBREVIATIONS: No change.

...

SIGNIFICANT CHANGE: An increase or decrease in wastewater volume, concentration of materials or substance, or changes in types of wastes.

SIGNIFICANT INDUSTRIAL USER: An industrial user that satisfies any of the following criteria:

A. Is subject to categorical pretreatment standards;

B. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW;

C. Contributes a process waste

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stream which makes up five percent (5%) or more of the POTW's average dry weather hydraulic or organic treatment capacity; or

D. Is designated as having a reasonable potential for adversely affecting the POTW or violating any of the general or specific prohibitions.

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WASTEWATER: The combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions. (Ord. 3124, 6-21-2010; amd. Ord. 3265, 11-18-2019)

6-4-5: PROHIBITIONS:

A. No change

B. No change.

C. No person may discharge into the POTW the following substances or any amounts of substances exceeding the following limits:

1. through 10. No change.

11. 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;

12. through 14. No change.

D. No change. (Ord. 3124, 6-21-2010; amd. Ord. 3265, 11-18-2019)

6-4-6: INDUSTRIAL USERS: No change.

6-4-7: PREEMPTION BY STATE OR FEDERAL STANDARDS UNLESS CITY STANDARDS MORE STRINGENT:

A. Whenever the federal government issues categorical pretreatment standards for an industrial category that are more stringent than the standards prescribed by this chapter, such federal standards supersede the standards prescribed by this chapter.

B. The city reserves the right to establish discharge limitations more stringent than federal and state requirements, or limitations contained herein, and may develop BMPs to implement this chapter.

C. Best Management Practices are local limits and pretreatment standards for the purposes of this chapter and Section 307(d) of the Act. (Ord. 3124, 6-21-2010; amd. Ord. 3265, 11-18-2019)

6-4-8: DILUTION OF DISCHARGE: through **6-4-19: NONCOMPLIANCE:** No change.

6-4-20: IMMEDIATE ENFORCEMENT; SUSPENSION AND REVOCATION OF PERMIT:

A. through G. no change.

F. The Department has the authority, after informal notice to the discharge, to immediately and effectively halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The Department also has the authority after notice to the affected industrial users and an opportunity to respond, to halt or prevent any discharge to the POTW which presents or may present an endangerment to the

environment or which threatens to interfere with the operation of the POTW. (Ord. 3265, 11-18-2019)

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 4th DAY OF NOVEMBER 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:
/S/ DANNAI CLAYBORN
CITY CLERK

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 18TH DAY OF NOVEMBER, 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CITY CLERK