

15th Reading
12-4-12
Approved
Jan 15, 2013

ORDINANCE NO. 2013-01

AN ORDINANCE TO AMEND ORDINANCE NO. 89-17 SEWER USE REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PHENIX CITY, ALABAMA, that Ordinance No. 89-17 – Sewer Use Regulations of the City of Phenix City, Alabama is hereby amended as shown on Exhibit "A" attached hereto and incorporated herein by reference.

This ordinance shall take effect upon passage. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

If any part of this ordinance is declared unconstitutional, it should not automatically void the remaining sections.

PASSED, APPROVED AND ADOPTED this 15th day of January, 2013.

Eddie N. Lowe
MAYOR

[Signature]

[Signature]
Jail N. Head

Arthur L. Wright
MEMBERS OF THE CITY COUNCIL OF
THE CITY OF PHENIX CITY, ALABAMA

ATTEST:

[Signature]
CITY CLERK

Utilities Department

Sanitary Sewer Use Regulations



City of Phenix City, AL

Prepared September 2012

APPROVED: JANUARY 15, 2013
BY ORDINANCE NO.: 2013-01

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SANITARY SEWER USE REGULATIONS
OF
THE PHENIX CITY UTILITIES DEPARTMENT
OF
THE CITY OF PHENIX CITY, ALABAMA

REGULATIONS TO PROVIDE FOR THE OPERATION, MAINTENANCE AND MANAGEMENT OF THE SEWER SYSTEM (WASTEWATER COLLECTION AND TREATMENT SYSTEM) (POTW) OF THE CITY OF PHENIX CITY, RUSSELL COUNTY, ALABAMA AND TO REGULATE AND CONTROL DISCHARGE OF WASTEWATERS INTO THE SEWER SYSTEM OF THE CITY OF PHENIX CITY, ALABAMA.

THE CITY OF PHENIX CITY, ALABAMA DOES HEREBY ADOPT THE FOLLOWING SEWER USE REGULATIONS.

SECTION 1 GENERAL PROVISIONS

Section 1.01

These Regulations are adopted for the purposes of regulating and controlling the discharge of wastewaters into the Sewer System of the City of Phenix City, Alabama, to set uniform requirements for users of the sewer system of the City and to enable the City to comply with all applicable State and Federal laws required by the Clean Water Act, as amended, 33 U.S.C. 1251 et seq., the General Pretreatment Regulations (40 CFR) and the Alabama Water Pollution Control Act (Code of Alabama 1975, Section 22-22-1 et seq.). These Regulations provide for the regulation of Users of the Sewer System through the execution of contracts with certain non-domestic Users and through enforcement of general requirements for all Users, authorize monitoring and enforcement activities, require User reporting, assure that existing customers' capabilities will not be preempted and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein. These Regulations shall apply to all persons who are Users of the Sewer System of the City. Except as otherwise provided herein, the operating personnel of the City of Phenix City, Alabama shall administer, implement and enforce the provisions of these Regulations. The objectives of these Regulations are:

- 1.01.01** To prevent the introduction of pollutants into the Sewer System which will interfere with the operation of the Sewer System or contaminate the resulting sludge.

- 1.01.02** To prevent the introduction of pollutants into the Sewer System which will pass through the Sewer System, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the operation of the Sewer System.

1.01.03 To improve the opportunity to recycle and reclaim wastewaters and sludge from the Wastewater Treatment Plants.

1.01.04 To provide for equitable distribution of the costs attributable to the construction, operation and maintenance of the Sewer System.

1.01.05 To define areas of responsibility and procedures for joint management of the Alabama Industrial Wastewater Pretreatment Program as it applies to the Sewer System of the City by the Alabama Department of Environmental Management and the City Council of the City of Phenix City, Alabama.

Section 1.02

The following abbreviations shall have the designated meanings:

| | | |
|-----------------------|------------|---|
| <u>1.02.01</u> | ADEM | Alabama Department of Environmental Management |
| <u>1.02.02</u> | BOD | Biochemical Oxygen Demand |
| <u>1.02.03</u> | CFR | Code of Federal Regulations |
| <u>1.02.04</u> | COD | Chemical Oxygen Demand |
| <u>1.02.05</u> | EPA | U.S. Environmental Protection Agency |
| <u>1.02.06</u> | l | Liter |
| <u>1.02.07</u> | mg | Milligrams |
| <u>1.02.08</u> | mg/l | Milligrams per Liter |
| <u>1.02.09</u> | NPDES | National Pollutant Discharge Elimination System |
| <u>1.02.10</u> | O&M | Operation and Maintenance |
| <u>1.02.11</u> | OSHA | Occupational Safety & Health Administration |
| <u>1.02.12</u> | P.L. | Public Law |
| <u>1.02.13</u> | POTW | Publicly Owned Treatment Works |
| <u>1.02.14</u> | SWDA | Solid Waste Disposal Act |
| <u>1.02.15</u> | SIU | Significant Industrial User |
| <u>1.02.16</u> | SID Permit | State Indirect Discharge Permit |

- 1.02.17** SS Suspended Solids
- 1.02.18** USC United States Code
- 1.02.19** FOG Fats, Oils and Greases

Section 1.03

The following words, terms and phrases, wherever used in these Regulations, shall have the meanings respectively ascribed to them in this Section unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended.

- 1.03.01** Accidental Discharge Any release of wastewater which, for any reason, fails to comply with any prohibition or limitation in these Regulations.
- 1.03.02** Act or "the Act" The Federal Water Pollution Control Act, (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 217) and as further amended (33 U.S.C. 1251, et seq.).
- 1.03.03** Approval Authority The Director of the Alabama Department of Environmental Management (ADEM).
- 1.03.04** Authorized Representative of Industrial User An authorized representative of an Industrial User shall be:
 - 1.03.04.01** A principal executive officer of at least the level of vice-president if the Industrial User is a corporation.
 - 1.03.04.02** A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively.
 - 1.03.04.03** A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- 1.03.05** Biochemical Oxygen Demand or BOD The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20°C (68°F) expressed in terms of weight and volume (milligrams per liter).
- 1.03.06** Utilities The Phenix City Utilities System of the City of Phenix City, Alabama.
- 1.03.07** Building Sewer or House Connection The connecting pipe from a building to the sanitary sewer.

- 1.03.08 Categorical Standard National Categorical Pretreatment Standard or Pretreatment Standard.
- 1.03.09 City The City of Phenix City, Alabama.
- 1.03.10 Color Considered to be the true color of the light transmitted by a waste solution after removing suspended material including pseudo colloidal particles.
- 1.03.11 Combined Sewer A sewer receiving both surface runoff (storm water) and wastewater. Combined sewers are not permitted by ADEM policy.
- 1.03.12 Constituents The specific compounds and components which comprise the wastewater.
- 1.03.13 Control Authority The approval authority defined hereinabove. The term "Control Authority" shall also apply to the City as defined hereinafter as per Memorandum of Agreement between the Alabama Department of Environmental Management and the City Council.
- 1.03.14 Cooling Water The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- 1.03.15 Direct Discharge The discharge of treated or untreated waste wastewater directly to the waters of the State of Alabama.
- 1.03.16 Domestic Wastewater All liquid and waterborne pollutants, exclusive of unpolluted water as defined in Section 1.03.60, or wastewater or wstes from processes or operations of Industrial Users as defined in Section 1.03.22.
- 1.03.17 Environmental Protection Agency or EPA The U. S. 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.
- 1.03.18 Flammable Shall be as defined in Section 5.03.01.
- 1.03.19 Grab Sample A sample which is taken from a waste stream on a one time basis with no regard to the flow in the waste stream and without consideration of time.
- 1.03.20 Grease Trap/Interceptor A device/pre-treatment system utilized to effect separation of FOG in wastewater effluent to prevent excessive amounts of FOG discharges to the sanitary sewer system.

- 1.03.21** **Holding Tank Waste** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, vacuum pump tank truck and septic tank haulers.
- 1.03.22** **Indirect Discharge** The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act into the Sewer System (including holding tank waste discharged into the Sewer System).
- 1.03.23** **Industrial User** Any User of the Sewer System who is a source of Indirect Discharge which does not constitute a “discharge of pollutants” under regulations issued pursuant to Section 402 of the Act. (A User who discharges Industrial Waste into the Sewer System.)
- 1.03.24** **Industrial Waste** The liquid or other wastes resulting from any process of industry, manufacturer, trade or business or from the development of natural resources.
- 1.03.25** **Infiltration** The water entering sewers and building sewer connections from the soil through defective joints, broken or cracked pipe, improper connections, manhole walls, etc. Infiltration does not include, and is distinguished from inflow.
- 1.03.26** **Inflow** The water discharged into sewer lines from such sources as roof leaders, cellar and yard area drains, foundation drains, commercial and industrial discharges of Unpolluted Wastewater as defined in Section 1.03.60, drains from springs and swampy areas, etc. It does not include and is distinguished from infiltration.
- 1.03.27** **Interference** The inhibition or disruption of the wastewater treatment processes or operations, or acts or discharges which may cause damage to any portion of the Sewer System and/or which contribute to a violation of any requirement of the Phenix City NPDES Permits. The term includes interference with sewage sludge use or disposal in accordance with Section 405 of the Act or any criteria, guidelines or regulations developed pursuant to the SWDA (P.L. 89-272 as Amended), the Clean Air Act, (P.L. 91-604 as Amended) or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of the SWDA) applicable to the method of disposal or use employed by the Sewer System.
- 1.03.28** **Manager** the chief administrative office of the City who is charged with the administrative control of all operations of the Utilities and is responsible directly to the City Council. As used herein, it may also

include any other City employee delegated to act for the City Council by the Manager or by the City Council.

- 1.03.29 National Categorical Pretreatment Standard, Categorical Pre-treatment Standard or Pretreatment Standard Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act which apply to a specific category or Industrial Users.
- 1.03.30 National Pollutant Discharge Elimination System or NPDES Permit A permit to discharge wastewater issued pursuant to Section 402 of the Act.
- 1.03.31 New Source Any source, the construction of which is commenced after the adoption of these Regulations or the publication of proposed regulations prescribing a Section 307(c) Categorical Pretreatment Standard which will be applicable to such source, if such Standard is thereafter promulgated within 120 days of the proposal in the Federal Register. Where the Standard is promulgated later than 120 days after proposal, a New Source means any source, the construction of which is commenced after the date of promulgation of the Standard.
- 1.03.32 Normal Waste A waste having average concentrations of 300 milligrams per liter of BOD or less and 300 milligrams per liter of suspended solids or less as determined by samples taken before entering the Sewer System.
- 1.03.33 Person Any individual, firm, company, association, corporation, governmental agency, board, commission or municipal corporation other than the City Council of Phenix City, Alabama.
- 1.03.34 pH The logarithm of the reciprocal of the concentration of hydrogen ions in moles per liter of solution. Stabilized pH is that determined after a sample of waste has been subjected to natural aeration.
- 1.03.35 Pollution The man-made or man-induced alteration of the chemical, physical, biological and/or radiological integrity of water.
- 1.03.36 Pollutant Any solid waste, chemical waste, biological material, radioactive material, thermal waste or industrial, municipal or agricultural waste discharged into water.
- 1.03.37 Pretreatment The reduction of the amounts of pollutants, the elimination of pollutants, the alteration of the nature of pollutants, or pollutant properties in wastewater to a less harmful state prior to discharging or otherwise introducing such pollutants into the Sewer System. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 CFR Section 403.6(d).

- 1.03.38** Pretreatment Requirement Any substantive or procedural requirement related to pretreatment, other than a National Categorical Pretreatment Standard, imposed on an Industrial User.
- 1.03.39** Private Wastewater Disposal System Any facilities for wastewater treatment and disposal not maintained and operated by the City.
- 1.03.40** Properly Shredded Garbage The organic wastes resulting from the preparation, cooking and dispensing of foods that have been shredded to such degree that all particles will be carried freely under flow conditions normally prevailing in public sewers with no particle being greater than ½ inch in any dimension.
- 1.03.41** Public Sewer A sewer in which all owners of abutting properties shall have equal rights and which is controlled by a governmental agency or public utility.
- 1.03.42** Publicly Owned Treatment Works or POTW Treatment works as defined by Section 212 of the Act which are owned in this instance by the Phenix City Utilities System of the City of Phenix City, Alabama. This definition includes the Wastewater Treatment Plants and any sewers that convey wastewater to the Wastewater Treatment Plants (Sewer System).
- 1.03.43** Receiving Stream That body of water, stream or watercourse receiving the discharge from a Wastewater Treatment Plant or that body of water, stream or watercourse formed by the effluent from a Wastewater Treatment Plant.
- 1.03.44** Sanitary Sewage Sewage excluding process wastes from Industrial Users.
- 1.03.45** Sanitary Sewer A public Sewer controlled by a governmental agency or public utility or private sewer that carries liquid and waterborne wastes from residences, commercial building, industrial plants and institutions, together with minor quantities of ground and surface waters that are not intentionally admitted.
- 1.03.46** Sewage A combination of waterborne wastes from residences and Industrial Users (Wastewater).
- 1.03.47** Sewer A pipe or conduit for carrying wastewater.
- 1.03.48** Sewer System All facilities for collecting, pumping, treating and disposing of wastewater (POTW or private).
- 1.03.49** Shall “Shall” is mandatory; “may” is permissible.

- 1.03.50** **Significant Industrial User or SIU** Any industrial User of the Phenix City Sewer system who:
- 1.03.50.01** Has a discharge flow of 25,000 gallons or more per average work day.
- 1.03.50.02** Has a discharge which is greater than five percent (5%) of the hydraulic flow or organic design capacity of the Sewer System serving the Industrial User.
- 1.03.50.03** Has a discharge which contains toxic pollutants or Priority Pollutants as defined pursuant to Section 307 of the Act or Alabama Statutes and Rules and Regulations.
- 1.03.50.04** Is found by the City, the Approval Authority, or EPA to have significant impact, either singly or in combination with other contributing industries, on the Sewer System, the quality of sludge, the System's effluent quality or air emissions generated by the Sewer System.
- 1.03.51** **Slug** Any discharge of water or wastewater for any duration during which the rate of flow or concentration of any constituent increases to such magnitude so as to adversely affect the operation of the Sewer System or the ability of the City's Wastewater Treatment Plants to meet applicable water quality objectives.
- 1.03.52** **Standard Industrial Classification or SIC** A classification of an industry based on its product or service pursuant to the Standard Industrial Classification Manual, 1972, Office of Management and Budget of the Federal Government, as amended.
- 1.03.53** **Standard Methods** the analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association or "EPA" Methods for Chemical Analysis of Water and Wastes" as per 40 CFR Part 136 and amendments thereto.
- 1.03.54** **State** State of Alabama
- 1.03.55** **Storm Sewer or Storm Drain** A sewer which carries storm and surface waters and drainage but which excludes sanitary sewage and polluted industrial wastes.
- 1.03.56** **Storm Water** Any flow occurring during or following any form of natural precipitation and resulting therefrom.

- 1.03.57** **Strength of Waste** The concentration of pollutants or substances contained in a liquid waste.
- 1.03.58** **Suspended Solids** The total solid matter that either floats on the surface of or is suspended in water or liquid waste and which is removable by laboratory filtration.
- 1.03.59** **Toxic Pollutant** Any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by EPA under provisions of Section 307(a) of the Act or by the State of Alabama.
- 1.03.60** **Twenty-Four Hour, Flow Proportional Composite Sample or Composite Sample** A sample consisting of at least eight (8) portions collected during a twenty-four hour period or the total period of waste flow if less than twenty-four hours and in which the sample portions are collected proportionate to the flow and then combined into a single sample. Alternate sampling requirements may be established in a User's SID Permit and/or by the Control Authority.
- 1.03.61** **Unpolluted Wastewater** Any wastewater which is substantially free of pollutants and is discharged from the following:
- 1.03.61.01** Rain downspouts and drains.
 - 1.03.61.02** Footing drains.
 - 1.03.61.03** Storm and surface water drains.
 - 1.03.61.04** Cooling water systems.
- Unpolluted wastewater shall contain, by definition, none of the following:
- 1.03.61.05** BOD in excess of 10 mg/l
 - 1.03.61.06** Suspended solids in excess of 10 mg/l
 - 1.03.61.07** Free or emulsified greases or oils.
 - 1.03.61.08** Acids or alkalies.
 - 1.03.61.09** Phenols or other substances imparting taste or odor to receiving waters.
 - 1.03.61.10** Toxic or poisonous substances.

1.03.61.11 Noxious or odorous gases.

1.03.61.12 Any wastewater with a temperature which exceeds 60°C (140°F) at its introduction into a Storm Sewer or which exceeds 40°C (104°F) at its introduction into a receiving stream.

1.03.62 User Any Person who contributes, causes or permits the contribution of wastewater into the Sewer System.

1.03.63 City The City of Phenix City, Alabama or, where appropriate, the term may also be used as a designation for the Manager or other duly authorized official of the City.

1.03.64 Wastewater Sewage.

1.03.64 Wastewater Treatment Plant(s) The facilities of the City for treating and disposing of wastewater.

1.03.66 Watercourse A channel in which a flow of water occurs, either continuously or intermittently.

1.03.67 Water of the State All bodies or accumulations of water, surface or underground, within the boundaries of the State of Alabama.

1.04 Definitions include both the singular and the plural and all pronouns include both the singular and the plural and cover all genders.

SECTION 2 USE OF PUBLIC SEWERS REQUIRED

SECTION 2.01 In accordance with provisions of the City of Phenix City's Sewer Use Ordinance, it shall be unlawful for any person to discharge to any outlet other than a sanitary sewer, within the Corporate Limits of the City, any domestic or industrial wastes except where suitable treatment has been provided in accordance with subsequent provisions of these Regulations and where an appropriate NPDES Permit has been obtained from ADEM pursuant to Section 402 of the Act. The discharge of sanitary wastewater into the storm sewer system is strictly prohibited.

2.02 The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley or right-of way in which there is now located or may in the future be located directly adjacent to said property a public sanitary sewer of the City with available capacity that discharges to any of the Phenix City Wastewater Treatment Plants, is hereby required to install suitable toilet and other facilities therein necessary for the discharge

of domestic and/or industrial wastes, is hereby required at the owner(s) expense to connect such facilities directly with the proper public sanitary sewer in accordance with provisions of the Sewer Use Ordinance of the City and Section 4 of these Regulations within ninety (90) days of the availability of the public sanitary sewer system provided the sanitary sewer system is within 100 feet of the property line. The use of privies, cesspools and septic tanks shall be permitted only on lots which public sewer service is not available within 100 feet of the property line.

2.03 The Utilities will accept wastewater flow from unincorporated areas that lie outside of the City limits of Phenix City provided there is an agreement in place with an adjoining utility to accept effluent from their respective sewer jurisdiction. Otherwise, no sewer service will be provided outside the corporate limits of the City of Phenix City, Alabama (Resolution No. 2008-196). Regulations shall apply to customers in such unincorporated areas.

SECTION 3 PRIVATE WASTEWATER DISPOSAL

Section 3.01 Where a public sanitary sewer is not available under the provisions of Section 2.02, such toilet and other facilities necessary for the discharge of domestic and/or industrial wastes shall be connected to a private wastewater disposal system complying with the requirements of the State, Russell County and/or the City. The City of Phenix City shall have the authority to approve or reject private sewage disposal facilities as established by the City. The discharge of septic tank effluent or cesspool overflow to any open drain, ditch, stream or well-penetrating water-bearing formations is strictly prohibited.

3.02 Holding tank wastes and septic tank wastes from private systems shall be discharged into the Sewer System only under the following conditions:

3.02.01 No person owning vacuum-pump or septic tank trucks or other liquid waste transport trucks shall discharge directly or indirectly such wastewater into the Sewer System unless such person shall first have applied for and received a Wastewater Haulers Discharge Permit from the City. All applicants for Wastewater Haulers Discharge Permits shall complete such forms as required by the City, pay appropriate fees and agree in writing to abide by the provisions of this Section and any special conditions or regulations established by the City. The owners of such vehicles shall affix and display a permit on the side of each vehicle used for such purposes. Such permits shall be valid for a maximum period of one (1) year from the date of issuance, provided that such permit shall be subject to revocation by the City for violation of any

provision of this section or reasonable regulation established by the City. Such permits shall be limited to the discharge of sanitary sewage containing no industrial waste. Commercial grease trap waste is specifically prohibited from discharge into the Sewer System. The City shall designate the locations and times where such trucks may be discharged and may refuse to accept any truckload of waste at their absolute discretion where it appears that the waste could interfere with the effective operation of the Sewer System.

3.02.02 No person shall discharge any other holding tank waste including industrial process wastes into the Sewer System unless said person has applied for and has been issued a permit by the City. Unless otherwise allowed under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. The permit shall state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge, and shall limit the wastewater constituents and characteristics of the discharge. Such User shall pay any applicable charges or fees therefore and shall comply with the conditions of the permit issued by the City.

3.02.03 No person shall operate a dumping station for the discharge of sanitary sewage from recreational vehicles into the Sewer System unless the User of the dumping station has first applied for and received a Recreational Vehicle Dumping Station Permit from the City. All applicants for Recreational Vehicle Dumping Station Permits shall complete such forms as required by the City, pay appropriate fees and agree in writing to abide by the provisions of this section and any special conditions or regulations established by the City. These permits shall be issued only for approved facilities designed to receive sanitary sewage.

3.03 No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by Federal or State agencies.

SECTION 4: BUILDING SEWERS CONNECTIONS AND PERMITS

Section 4.01 No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City.

4.02 There shall be two classes of building sewer permits:
A - for residential and commercial services
B - State indirect Discharge (SID) permits for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application in a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City. A permit and inspection fee of \$20 for a residential or commercial building sewer permit and \$80 for an industrial building sewer permit shall be paid to the Utilities at the time the application is filed.

- 4.02.01** All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner of the building sewer. The owner shall indemnify the City from any loss or damage they may directly or indirectly be occasioned by the installation of the building sewer.
- 4.02.02** A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- 4.02.03** Old building sewers may be used in connection with new buildings only when they are found on examination and tested by the Utilities Engineer to meet all requirements of this resolution.
- 4.02.04** The size, slope, alignment, materials or construction of a building sewer, and the methods to be used in excavating, placing of the pipe, joint, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply. In addition, all pertinent OSHA requirements shall be met in the construction of sewers and connections.
- 4.02.05** No person shall make connection of roof downspouts, 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. Any existing connection found shall be disconnected and the building sewer repaired to the satisfaction of the City.
- 4.02.06** Building sewers shall be of P.V.C. (SDR 35 or stiffer), ductile iron or C.I.S.P., and shall have a minimum diameter of 4 inches.

Building sewers with less than 2 feet of cover shall be iron. Larger diameter pipe may be required by the Utilities Engineer if estimated flows so indicate. Minimum building sewer slope shall be 1% per foot for 6" or larger diameter, with 2% per foot the normal slope. Fittings shall be designed for use with the pipe so grout joints are not necessary. "O" ring or gasket joints of P.V.C. or rubber shall be used. Clean outs shall be subject to approval by the Utilities Engineer. Building sewers shall not be covered until inspected and approved in place, by the Utilities Engineer. Building sewers shall be laid on a crushed stone base. Backfill shall be completed, in layers and graded to prevent entrance of surface water to the trench. The Utilities Engineer may order concrete protection of shallow building sewers.

4.02.07 No sanitary sewer service line shall be placed under a paved or concrete driveway.

4.03 Building Sewer Permits for all connections shall be obtained under these Regulations and in accordance with the requirements promulgated by the City.

4.04 In addition to the requirements of Section 4.03, any person who, after the effective date of these Regulations, proposes to originate the discharge of any industrial waste for the first time into the Sewer System or who proposes to make a significant change in the character or volume of any industrial waste theretofore discharged into the Sewer System, shall make application to ADEM through the City for an SID Permit and obtain a permit prior to connecting to the Sewer System or making a significant change in his contribution thereto. The Applications shall be supplemented by any information which may have been furnished by the applicant to any other governmental agency and by such other plans or other data as the City may reasonably require for purposes of determining whether the qualifications are met as specified in Section 4.09.

4.05 A significant change in the character or volume of an industrial waste, for purposes of Section 4.04, shall be deemed to be proposed if substances, compounds and elements not previously constituting any part of a User's industrial waste are not to be introduced into such waste or if the average concentration of any substance, compounds or elements in the waste or average volume proposed to be discharged will cause a violation of any permit limitation. In case of doubt as to whether an intended change constitutes a significant change, it shall be the responsibility of the User intending to make such a change to make the necessary application or obtain a written ruling from the City and ADEM that an application for an SID Permit is not required.

- 4.06** Any User who, on the effective date of these Regulations, is operating within the City and is a SIU within the meaning of Section 1.03.50 from which industrial waste is discharged into the Sewer System (hereafter called “an existing Significant Industrial User”) may continue such discharge until notified by the City in writing that an SID Permit will be required and until an application has been submitted to and denied by the City and ADEM in accordance with the following provisions:
- 4.06.01** The City, after consultation with ADEM shall issue written notice to existing Significant Industrial User (in such time sequence as it may determine in the light of the staff resources available for the processing of SID Permit applications) specifying in each such notice the time within which an existing Significant Industrial User shall file application for an SID Permit.
- 4.06-.02** Within the specified time limit, the existing SIU shall file the required application together with any other information, as described in Section 4.04.
- 4.06.03** An existing SIU may continue to discharge, after complying with the requirement to file an application for an SID Permit, unless and until receipt by the applicant of a written notice specifying the reasons for denial of an SID Permit and specifying what remedial action, if any, must be taken to qualify the applicant for a Permit.
- 4.07** Any User subject to a new National Categorical Pretreatment Standard shall apply for a new SID Permit within one hundred eighty (180) days after the promulgation of the applicable National Categorical Pretreatment Standard. SID Permits of Users subject to such Standards shall be issued or reissued in compliance with such Standards within the time frames prescribed by such Standards.
- 4.08** In any case, where a final determination has been made denying an SID Permit it shall be unlawful for any person so denied an SID Permit to discharge industrial waste into the Sewer System.
- 4.09** An SID Permit will be issued or renewed by ADEM only when satisfactory information has been submitted to indicate that:
- 4.09.01** Sewer System capacity is available for receiving the discharge of industrial waste at the proposed point of discharge.
- 4.09.02** The waste being discharged or proposed to be discharged is amenable to treatment by the processes employed in the

Wastewater Treatment Plant receiving said wastewater and will not impair the ability of the City to comply with water quality standards or effluent standards established by the State or by Federal regulatory agencies.

- 4.09.03 The waste being discharged or proposed to be discharged will not cause damage to the Sewer System including the wastewater treatment facilities, will not constitute a hazard to humans or animals and will not be capable of creating a public nuisance.
- 4.09.04 The concentrations of substances, compounds and elements in the waste being discharged or proposed to be discharged do not exceed limits established by the City, State or Federal authorities.
- 4.09.05 Where the wastewater contains or may contain any substances, compounds or elements controlled or limited by these Regulations, an adequate program of self-monitoring of flow and wastewater characteristics will be established and maintained by the SIU affected by these Regulations to assure that the discharge meets the requirements of these Regulations and any SID Permit conditions.
- 4.09.06 The SIU agrees to execute with the City a "Contract for Discharge and Use of the Sewer System of the Phenix City Utilities System of the City of Phenix City, Alabama.

4.10 An SID Permit shall include all appropriate requirements of these Regulations and all other applicable regulations established by the City and ADEM. SID Permits may contain the following:

- 4.10.01 Limits on the average and maximum wastewater constituents and characteristics. The City or ADEM may impose mass limitations on Users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass limitations are appropriate.
- 4.10.02 Limits on average and maximum rates and time of discharge or requirements for flow regulations and equalization.
- 4.10.03 Requirements for installation and maintenance of inspection and/or sampling facilities.
- 4.10.04 Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedules.
- 4.10.05 Compliance schedules.

- 4.10.06** Requirements for submission of technical reports or discharge reports as per Section 10.
- 4.10.07** Requirements for maintaining and retaining plant records relating to wastewater discharges as specified by the City and ADEM and affording the City and ADEM access thereto.
- 4.10.08** Requirements for notification of the City and ADEM of any new introduction of wastewater constituents or any substantial changes in the volume or character of the wastewater constituents being introduced into the Sewer System.
- 4.10.09** Requirements for notification of Slug discharge as per Sections 6 and 7.
- 4.10.10** Other conditions as deemed appropriate by the City or ADEM to insure compliance with the requirements and purposes of these Regulations.
- 4.11** An SID Permit shall be issued for a specified time period, not to exceed five (5) years. The User shall apply for SID Permit reissuance a minimum of ninety (90) days prior to the expiration of the User's existing SID Permit. The City reserves the right to recommend to ADEM changes in the SID Permit as limitations or requirements as identified in Section 5 are modified or other just cause exists. The User shall be informed of any proposed changes in his SID Permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the SID Permit shall include a reasonable time schedule for compliance.
- 4.12** An SID Permit is issued to a specified User for a specific operation. An SID Permit shall not be reassigned or transferred or sold to a new owner, new User, different premises or a new or changed operation without prior submission of applicable revisions to the supplication for the existing SID Permit and without the recommendation of the City and approval by ADEM. Any succeeding owner or User shall also comply with the terms and conditions of the existing SID Permit.
- 4.13** All building sewer installation shall be in accordance with provisions of the Sewer Use Ordinance of the City.
- 4.14** All construction activities shall conform to all applicable OSHA regulations.

SECTION 5: EXCLUDED WASTE

Section 5.01

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 System. These general prohibitions apply to all such Users of the Sewer System whether or not the User is subject to Nation Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

5.02

No User shall discharge or deposit any of the following materials, waste materials, wastes, gases or liquids into any sewer forming part of the Sewer System except where these may constitute occasional, intermittent inclusions in the wastewaters discharged from residential premises:

5.02.01

Any wastewater having a temperature which will inhibit biological activity in the Wastewater Treatment Plant receiving said wastewater or resulting in other interference with the treatment processes but, in no case, wastewater with a temperature which exceeds 60°C (140°F) at its introduction into the Sewer System or which exceeds 40°C (104°F) at its introduction into the Wastewater Treatment Plant receiving said wastewater.

5.02.02

Any water or waste containing more than 100 mg/L of fat, oil or grease or other substances that will solidify or become viscous at temperatures between 0°C (32°F) and 60°C (104°F).

5.02.02.01

Grease and oil interceptors shall be provided for the proper handling of liquid wastes containing grease in amounts exceeding the limits noted in 5.02.02.

5.02.02.02

Such interceptors shall not be required for single family dwelling units.

5.02.02.03

All interceptors shall be of a type and capacity specified by the Phenix City Utilities Department Grease Trap Program, Section 13 of this ordinance. Failure to comply may result in termination of water/wastewater services and/or fines as outlined in the Section 15 of this ordinance.

5.02.03

Wastewater from industrial Users containing floatable oils, fat or grease.

5.02.04

Any garbage that has not been properly shredded so that no particles are any greater than one-half inch (1/2") in any dimension.

5.02.05 Any waste capable of causing abnormal corrosion, deterioration, damage to or creating a hazard to structures, equipment or personnel of the Sewer System or interfering with proper operation of the City's Wastewater Treatment Plant. All wastes discharged to the Sewer System must have a pH value in the range of 6 to 10 standard units. Prohibited materials include but are not limited to concentrated acids or alkalis and high concentrations of compounds of sulfur, chlorine and fluorine and substances which may react with water to form strongly acidic or basic products.

5.02.06 Any waters or wastes having a color which is not removable by the existing wastewater treatment processes and which causes said wastewater to exceed color requirements for discharge to the receiving waters.

5.03 No User shall discharge or deposit any of the following materials, waste materials, waste gases or liquids into any sewer forming a part of the Sewer System:

5.03.01 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 be injurious in any other way to the Sewer System or to the operation of the System. At no time shall two successive readings (15 to 30 minutes between readings) on an explosion hazard meter¹ at the point of discharge into the Sewer System be more than five (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials covered by this Section include, but are not limited to, gasoline, kerosene, naphtha, benzene, fuel oil, motor oil, mineral spirits, commercial solvents, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides and hydrides.

5.03.02 Any other solid or viscous substance in quantity or character capable of causing obstruction to flow in sewers or interference with proper operation of wastewater treatment facilities such as, but not limited to, eggshells from egg processors, ashes, cinders, ceramic wastes, sand, mud, straw, shavings, thread, glass, rags, metal, feathers, bones, tar, plastics, wood, paunch manure, insulation materials, fibers or any kind, stock or poultry feeds, processed grains, viscera or other fleshy particles from processing or packing plants or lime or similar sludge.

¹ Model GX-3 Meter as manufactured by Gas Tech, Inc., Mountain View, California, referenced to establish a standard of quality for a measuring device.

- 5.03.03** Any noxious or malodorous solids, liquids or gases, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.
- 5.03.04** Any substance which may cause Wastewater Treatment Plant effluent or any other product of the Sewer System such as residue, sludge or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the Sewer System cause the system to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed by local, State or Federal authorities.
- 5.03.05** Any substance which will cause the Sewer System to violate its NPDES Permits and/or the water quality standards of the receiving stream.
- 5.03.06** Any water or wastes which, by interaction with other waters or wastes in the Sewer System, release obnoxious gases, form suspended solids which interfere with the Sewer System or create a condition deleterious to structures and treatment processes.
- 5.03.07** Any form of inflow as defined by Section 1.03.26 including storm drainage and uncontaminated thermal process water.
- 5.03.08** Infiltration as defined by Section 1.03.25 in excess of 1600 gallons per day for one (1) mile of 8" diameter pipe.
- 5.03.09** Any unpolluted wastewater, as defined in Section 1.03.61.
- 5.04** No User shall discharge into any sewer forming part of the Sewer System any of the following materials in concentrations exceeding the stated limits:
- 5.04.01** Any water or wastes that contain more than ten (10) mg/l of hydrogen sulphide, sulphur dioxide or nitrous oxide.
- 5.04.02** Any toxic or poisonous substance or any other materials in sufficient quantity to injure or interfere with the wastewater treatment processes, or to constitute a hazard to humans or animals or to cause a violation of the water quality standards or effluent standards for the stream or watercourse receiving the effluent from the Wastewater Treatment Plant receiving said wastewater or to exceed limitations set forth in Categorical Pretreatment Standards.

5.04.03 Any waters containing suspended solids of such character and quantity that unusual provisions, attention or expense is required to handle such materials at the Wastewater Treatment Plant receiving said wastewater.

5.04.04 Any waters containing quantities of radium or naturally occurring or artificially produced radioisotopes in excess of presently existing or subsequently accepted limits for drinking water as established by current drinking water regulations promulgated by EPA.

5.04.05 No person shall discharge wastewater containing in excess of:

FIXED UPPER LIMITS FOR CONSTITUENTS (MILLIGRAMS PER LITER)

| | Maximum Instantaneous Concentration <u>Grab Sample</u> | Maximum Daily Average 24 Hour Flow Proportional <u>Composite Sample</u> |
|----------------------|---|---|
| Aluminum (Dissolved) | 50.0 | 25.00 |
| Arsenic | 2.0 | 1.00 |
| Cadmium | .2 | .10 |
| Chromium, Hexavalent | .2 | .10 |
| Chromium, Total | 2.5 | 1.00 |
| Cobalt | 1.6 | .80 |
| Copper | 2.0 | 1.00 |
| Cyanide | 1.0 | .50 |
| Iron | 20.0 | 10.00 |
| Lead | .6 | .40 |
| Mercury | .2 | .10 |
| Nickel | 2.0 | 1.00 |
| Silver | .5 | .25 |

| | | |
|---|------|------|
| Tin | 2.5 | 1.0 |
| Zinc | 3.6 | 1.8 |
| Phosphates (Total as P) | 40.0 | 20.0 |
| Total Metals, As+Cd+Cr+Co+ Cu+Hg+Pbg+Ni+Ag+Sn+Zn | 10.5 | 5.0 |

5.04.06

The admission into the Sewer System of any waters or wastes, having a BOD in excess of five hundred (500) mg/l on a twenty-four (24) hour composite basis or for any single sample having a BOD in excess of fifteen hundred (1500) mg/l, will be subject to review by the City and subject to the treatment facility having the required capacity to accept the wastes. Users discharging wastewater to the sewer system having BOD concentration in excess of the above limits shall be subject to a surcharge as established by the City. Where necessary in the opinion of the City, the User shall provide and operate, at his own expense, such pretreatment as may be required to reduce the BOD to meet the above requirements.

5.04.07

The admission into the Sewer System of any waters or wastes, having a suspended solids content in excess of five hundred (500) mg/l on a twenty-four (24) hour composite basis or for any single sample having a suspended solids content greater than fifteen hundred (1500) mg/l, will be subject to review by the City and subject to the treatment facility having the required capacity to accept the wastes. Users discharging wastewater to the sewer system having a suspended solids concentration in excess of the above limits shall be subject to a surcharge as established by the City. Where necessary in the opinion of the City, the User shall provide and operate, at their own expense, such pre-treatment as may be required to reduce the suspended solids content to meet the above requirements.

5.04.08

The admission, into the Sewer System of any waters or wastes in volumes or with constituents such that existing dilution conditions in the sewers or at the Wastewater Treatment Plant receiving said wastewater would be affected to the detriment of the Sewer System, shall be subject to review and approval of the City. Where necessary in the opinion of the City, pre-treatment or equalizing

units may be required to bring constituents or volumes of flow within the limits previously prescribed or to an otherwise acceptable level and to hold or equalize flows such that no peak flow conditions may hamper the operation of any unit of the Sewer System. Said equalization or holding unit shall have a capacity suitable to serve its intended purpose and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.

5.04.09 Upon the promulgation of the National Categorical Pre-treatment Standards for a particular industrial subcategory, the Categorical Standard, if more stringent than limitations imposed under these Regulations for sources in that subcategory, shall immediately supersede the limitations imposed under these Regulations. All affected Users shall notify the City of the applicable reporting requirements under 40 CFR, Section 403.12.

5.04.10 State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those of these Regulations.

5.04.11 No User shall discharge uncontaminated cooling water to the sanitary sewer system. Such waters shall be discharged to the storm water system subject to appropriate approval by ADEM.

5.04.12 The City reserves the right to establish additional regulations containing more stringent limitations or requirements on discharges to the Sewer System if deemed necessary.

SECTION 6 PRE-TREATMENT AND ACCIDENTAL DISCHARGE

Section 6.01 Any person, who is denied a permit to discharge industrial waste or who is prohibited from discharging any substance as specified in these Regulations or who is required to provide pretreatment or flow equalization as a SIU under the Federal effluent limitation guidelines for the appropriate industrial category, shall have the sole responsibility to devise at his own expense the methods for eliminating the problem so as to make any waste discharge eligible for a permit or for compliance with these Regulations or the Federal guidelines. Such sole responsibility shall not be affected nor shall any responsibility be assumed by the City, notwithstanding that the City may render any assistance to any person in overcoming such a problem by offering advice or suggestions. Additionally:

6.01.01 Where pre-treatment or equalization of industrial wastewater flows prior to discharge into any part of the Sewer System are required; plans, specifications and other pertinent data or information relating to such pre-treatment or flow control facilities shall first be submitted to the City and ADEM for review and approval in accordance with Section 4. Satisfactory evidence must be included that the method of disposal of pre-treatment sludge has the approval of the appropriate State and/or local solid waste program agency. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alteration of or addition to such pre-treatment or flow control facilities shall not be made without due notice to and prior approval by the City and ADEM.

6.01.02 If pre-treatment or control of flows is required, such facilities shall be constructed, maintained in good working order and properly operated as efficiently as possibly by the User at their own cost and expense, subject to the requirements of these Regulations and all other applicable codes, ordinances and laws.

6.02 In the event of an Accidental Discharge as defined in Section 1.03.01:

6.02.01 Each SIU shall provide protection from Accidental Discharge of prohibited materials or other wastes regulated by these Regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City and ADEM upon request for review and approval of such plans and operating procedures do not relieve the SIU from the responsibility to modify his facility as necessary to meet the requirements of these Regulations.

6.02.02 If, after taking action as provided in Section 6.02.01, an Industrial facility – for any unforeseen reason – fails to comply with any prohibition or limitation in these Regulations, the User responsible for such non-complying discharge shall immediately notify the City so that any feasible corrective action may be taken to protect the treatment system or to minimize adverse effects thereon. In addition, a written report addressed to the City and to ADEM detailing the date, time and cause of the Accidental Discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges shall be filed by the responsible Industrial facility within five (5) days of the occurrence of the non-complying discharge.

6.02.03 A notice shall be permanently posted on the User's bulletin board or other permanent place advising employees whom to call in the event of an Accidental Discharge. Employers shall insure that all employees, who observe or who may cause or suffer such an Accidental Discharge to occur, are advised of the emergency notification procedure.

SECTION 7 FLOW AND CONCENTRATION CONTROL

Section 7.01 No person shall discharge any wastes or wastewaters in "Slugs" as defined in Section 1.03.51.

7.02 Any person, now discharging or proposing to discharge wastes which may include "Slugs" as defined in Section 1.03.51, may be required to provide facilities or adopt procedures for regulating, controlling or equalizing the concentration of any constituent and/or the rate of waste discharge.

SECTION 8 MEASUREMENT OF FLOW

Section 8.01 The volume or quantity of industrial waste discharged by a User into the Sewer System shall be measured by one or more of the following methods:

8.01.01 If the volume of water used by any User is substantially the same as the volume secured from the Phenix City Utilities System Water Division of the City of Phenix City, Alabama, then the volume of water purchased shall be considered to be the volume of waste discharged unless provided for in 8.01 through 8.02.

8.01.02 If a substantial portion of the water secured by a User from the Utilities Department or other source is not returned to the Sewer System, the quantity of wastewater shall be determined as follows:

8.01.02.01 By a meter (or meters) on the water supply line (or lines) to an industrial and/or process operations not discharging to the Sewer System, or

8.01.02.02 By a meter (or meters) on a waste line (or waste lines) which discharges into the Sewer System.

8.01.02.03 If meters as required under Section 8.01.02.01 and 8.01.02.02 above shall not have been installed, an estimate shall be made by the City for that proportion of water purchased which is used for industrial purposes and not returned to the Sewer System.

8.01.03 If any User now discharging or proposing to discharge industrial waste into the Sewer System does not secure his entire water supply requirements from the Utilities Department, such User shall install and maintain a meter (or meters) on his waste line (or waste lines) which discharge into the Sewer System or shall install such additional meters on the private water supply as required to allow determination of the total quantity discharged to the Sewer System from both sources under procedures comparable to Section 8.01.01 or 8.01.02 above.

8.02 All sources of water supply and all discharges of wastewater into the Sewer System must be identified in accordance with the provisions of Section 8.01. Any omission shall be considered as an unauthorized use of the Sewer System.

SECTION 9 MONITORING FACILITIES

Section 9.01 Any User, who is discharging or proposes to discharge industrial waste into the Sewer System, shall provide, operate and maintain at the User's own expense monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. These monitoring facilities shall be as specified in the User's SID Permit. The monitoring facilities should normally be situated on the User's premises but the City may, when such a location would be impractical or cause undue hardship on the User, allow the facilities to be constructed in the public street or sidewalk area and located so that they will not be obstructed by landscaping or parked vehicles.

9.02 There shall be ample room in or near such monitoring facilities to allow accurate sampling and preparation of samples for analysis. The facilities shall be maintained at all times in a safe and proper operating condition at the expense of the User.

9.03 When deemed necessary by the City and/or ADEM, continuous recording and/or sampling equipment shall be installed and maintained at User expense.

9.04 Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with requirements of the City, ADEM and/or all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the City and/or ADEM. Additional construction time may be granted where so dictated by equipment availability.

9.05 The City and/or ADEM shall review monitoring facilities of present Users and may require additional monitoring facilities as required for compliance with Sections 9.01, 9.02 and 9.03.

9.06 New Users shall provide monitoring facilities as specified in their SID Permits prior to plant start-up.

SECTION 10 INSPECTIONS, MONITORING AND REPORTING

Section 10.01 Significant Industrial Users shall submit self-monitoring data at monthly intervals to the City and ADEM. These monthly reports will be submitted using copies of monitoring forms available from the City as approved by ADEM and will be due by the 28th of the month following the reporting period.

10.02 Facilities generating industrial wastes and/or other pollutants which are discharged into the Sewer System shall be subject to periodic inspection. A determination of the character and strength of said wastes may be made annually or more often as may be deemed necessary by the City and/or ADEM and as indicated in the SID Permit to ascertain whether the purposes of these Regulations are being met, all requirements are being complied with and to determine strengths of wastes for user charge computations.

10.03 Within 90 days following the date for final compliance with applicable Pre-treatment Standards as defined in Section 1.02.28 or, in the case of a New Source, following commencement of the introduction of wastewater into the Sewer System, any User, subject to Pretreatment Standards or who is so required by the City and/or ADEM, shall submit to the City and ADEM a report indicating the nature and concentrations of all pollutants in the discharge from the regulated process which are limited by Pre-treatment Standards and/or limitations established in Section 5 of these Regulations and the average and maximum daily flows for these process units in the User's facility. The report shall state whether the applicable Pre-treatment Standards and/or Regulations limitations are being met on a consistent basis and if not, what additional O & M and/or pre-treatment is necessary to bring the User into compliance with the applicable Pretreatment Standards and/or Regulations limitations. This report shall be signed by an authorized representative of the Industrial User.

10.04 Samples shall be collected manually or mechanically over such periods of time and composited in such a manner as to be representative of the wastes being discharged. The laboratory methods followed in the latest edition of "Standard Methods", as defined in Section 1.03.53.

- 10.05 When so requested by the Industrial User, samples collected by the City or ADEM will be split with the Industrial User for verification of analytical results. However, determination of the character, strength or quantity of the wastes as made by the City or ADEM shall be binding as a basis for computation of charges or for actions by the City or ADEM.

SECTION 11 AUTHORITY FOR INSPECTION

Section 11.01 The City Manager and other duly authorized employees of the City and ADEM, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, flow measurement, sampling and testing of industrial wastes and other pollutants in accordance with these Regulations.

11.02 The City Manager and other duly authorized employees of the City are authorized to obtain information concerning industrial processes which have a direct bearing on the kinds and sources of discharges to the Sewer System. As required by Federal Regulations, Industrial Users must disclose information on processes; however, the City agrees that trade secret information will not be disclosed and will be held confidential.

11.03 Persons or occupants of premises where wastewater is created or discharged shall allow the City Manager and other duly authorized employees of the City and ADEM ready access at all reasonable times to all points on the premises where wastes are discharged into sewers for the purposes of inspection, sampling, records examination or the performance of any City Employee duties.

11.04 The City, ADEM and their representatives shall have the right to set up on the User's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations.

11.05 Where a User has security measures in force which would require proper identification and clearances before entry into his premises, the User shall make necessary arrangements with his security guards so that, upon presentation of suitable identification, personnel from the City, ADEM and their representatives will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

SECTION 12 PROTECTION OF EQUIPMENT

In accordance with provisions of the Sewer Use Ordinance of the City, no person shall maliciously, willfully or negligently break, damage, destroy, deface, tamper with or remove any equipment or materials which are a part of the Sewer System or any equipment or materials used by the City and/or ADEM for the purposes of making waste examinations and waste

flow measurements and left upon the premises of a User discharging wastes into the Sewer System. Only persons authorized by the City or ADEM will be allowed to uncover, adjust, maintain and remove such equipment and materials.

SECTION 13 GREASE/SAND TRAP PROGRAM

Section 13.01

The intent of this program is to ensure compliance with the rules and regulations set forth in this ordinance and to provide specific standards for FOG traps/interceptors location, type, size, construction, installation and maintenance, to prevent excessive fats, oils and grease from entering the Phenix City Utilities Sewer System. Food Service Establishments shall provide means of preventing FOG discharges into the sanitary sewer system by installing and maintaining traps/interceptors at the owners, leaseholders or operator's expense using the guidelines set forth in this ordinance. Failure to comply may result in penalties as set forth in Section 15 of this ordinance.

13.01.01

A list of the recommended ratings for commercial grease traps is presented in Table 1, Section 13.02.07 of this Ordinance. An alternative to the proprietary grease trap is the pre-cast or poured in place concrete unit, usually located outside of the building.

13.02

The following design, administrative, operational and other requirements are applicable to all food service establishments. Specific requirements for grease trap/interceptor construction for both new and existing food service establishments can be found in Section 13.07 of this Ordinance.

13.02.01

All food service establishments shall have grease-handling systems approved by the Phenix City Utilities (PCU) Department. Establishments whose grease-handling facilities are not in accordance with this ordinance shall install approved devices within ninety (90) days from initial notification date.

13.02.02

All food service establishment operations shall be subject to periodic review, evaluation and inspection by PCU.

13.02.03

Violations of the FOG standards set forth in this Ordinance may result in enforcement actions as outlined in Section 15 of this Ordinance.

13.02.04

Food service establishments whose operations cause or allow excessive grease to discharge or accumulate in the sewer collection system may be liable for all cost associated to line blockages, line cleaning, line repair where needed, any stop-ups or overflows and

any damage to public or private property that is a direct or indirect result of grease accumulation related to the facility in violation.

13.02.05 All traps/interceptors shall be designed and installed in accordance with this Ordinance.

13.02.06 All food service establishments must complete a permit application for the discharge of waste from food preparation and food service industries into the Phenix City Utilities Sewer System.

13.02.07 The following class codes will be used as a classification system to categorize the food service facilities.

Table 1

| Class Codes | Facility Classification |
|-------------|--|
| A | Restaurant/Cafeterias |
| B | Institutions (schools, churches, etc.) |
| C | Nightclubs/Bar & Grills |
| D | Deli Stores/Supermarkets |
| E | Other |

13.03 Phenix City Utilities (PCU) may inspect the facility of any user to determine compliance with this ordinance. Facilities where wastewater is created or discharged shall allow PCU representatives ready access at all reasonable times to all parts of the premises for the purpose of inspection. Unreasonable delays and/or denial of access shall be in direct violation of this ordinance and be subject to the penalties as set forth in Section 15 of this Ordinance.

The applicant for the installation of an approved device shall notify the Phenix City Utilities Department engineer before any backfill and when the device is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a representative of PCU.

13.04 Maintenance and clean-out schedules shall be provided at the request of the Phenix City Utilities Department. PCU will evaluate the efficiency of the device during inspections and may require an increase or decrease in the frequency of clean-outs.

13.04.01 Facilities with these devices shall adhere to a clean-out maintenance schedule as required by PCU. Schedules will be set using the following criteria: Business' operating hours, seating capacity, types of food service provided, types of food processed, size of device and inspection results.

13.04.02 Facilities that are approved for under-sink/compartmental devices shall be required to:

- A. Clean-out on an as needed basis, minimum once every month.
- B. Check devices at a minimum of once per week.
- C. Maintain accurate records as defined in Section 13.06 of this Ordinance.

13.05 Waste haulers must obtain a permit from PCU. Waste haulers will be issued a manifest to record clean-out information. A list of permitted waste haulers will be maintained by the Phenix City Utilities Department.

13.05.01 Proper clean-out procedures include, but are not limited to; total pump-out, dewatering, sludge/solids removal and water replacement. Skimming is not an accepted method of cleaning out grease traps/interceptors.

13.06 Records of FOG removal systems shall be maintained on forms supplied by PCU and available to PCU upon request. Records shall be retained for a minimum of three (3) years.

13.07 Construction and sizing standards are as follows:

13.07.01 Traps should be sized for a minimum detention period of five (5) minutes under peak flow conditions. Two options are shown below to size grease interceptors for restaurants and commercial kitchens. **However, the minimum accepted size for a grease interceptor is 1000 gallons.**

Restaurants:

Size of Grease Interceptor = (ST)(20)(HR/12)(LF) in Gallons

Where:

- ST = Number of seats in dining area
- HR = Number of hours open
- LF = Loading factor - 1.25 Interstates or freeways
 - 1.0 other freeways
 - 1.0 recreational areas
 - 0.8 main highways
 - 0.5 other highways

Hospitals, Nursing Homes, Other types of Commercial Kitchens w/limited seating capacity:

Size of Grease Interceptor = (M)(ST)(%)(LF) in Gallons

Where: M = Number of meals per day
ST = Number of seats in dining area
LF = Loading factor – 1.0 w/dishwashing
0.5 w/o dishwashing

Food Processing Facilities (manufacturing):

Please refer to Sections 5.02.02, 5.02.02.01 and 5.02.02.03. Regardless of discharge volume, should the wastewater contain in excess of 100 mg/L of Fat, Oil or Grease or other substances that will solidify or become viscous at temperatures between 0°C (32°F) and 60°C (104°F), grease and oil interceptors shall be provided for the proper handling of liquid wastes. Capacity and type of interceptor shall be determined by the SIU's engineer of record and approved by the City of Phenix City Utilities Department prior to installation. Once installed the SIU, under its SIC will be required to do self-monitoring and the City will also perform random sampling. Should the discharge of the SIU at any time exceed the limits noted in Section 5.02.02, the SIU is responsible for taking corrective measures in reducing its FOG to below said limits in Section 5.02.02.

13.07.02 General installation requirements are:

- 13.07.02.01** Grease traps shall be installed as close to the source of grease as possible or so installed to allow the waste stream to cool considerably before entering the trap system.
- 13.07.02.02** The grease trap shall either be baffled to retain congealed grease on the surface of the liquid or contain two chambers for primary and secondary settling.
- 13.07.02.03** Influent shall enter the trap a minimum of 6" below the normal liquid level to keep the surface as still as possible.
- 13.07.02.04** Effluent shall be drawn from near the bottom of the trap at a minimum of 18" below the liquid level.
- 13.07.02.05** Inlet and outlet of trap shall be provided with cleanouts for unplugging both sewers and dip pipes.

- 13.07.02.06** Food waste disposers may not be connected through a grease interceptor.
- 13.07.02.07** A large manhole, removable slab or other cover to suit traffic load shall be installed so that all chambers or the trap are readily accessible for complete cleaning of both floatable and settled solids.
- 13.07.02.08** Top or cover shall be gas tight.
- 13.07.02.09** Grease collected from an interceptor shall not be introduced into any drainage piping, public or private sewer.
- 13.07.02.10** Sanitary/Domestic waste shall not be allowed to flow in any interceptor/trap system.
- 13.07.02.11** All traps/interceptors shall have installed a means to prevent the introduction of materials into the pre-treatment system such as paper, plastics, metals or other materials that which if introduced into the sanitary sewer system or directly into the head works of the POTW, will cause obstruction, interference or damage to any of the conveyance systems or POTW treatment works.

13.07.03 All food service establishments applying for water/sewer shall be required to submit plans and or drawings outlining the plumbing layout and location of trap/interceptor installation. Facilities will evaluate using the following criteria to determine trap size:

1. Class Code
2. Hours of Operation
3. Seating Capacity

13.07.03.01 The size of in ground devices shall be determined using the criteria listed above and capacity standards as listed in Section 13.07.01 of this Ordinance.

13.07.03.01 Compartmental/Under-sink devices may be installed in instances where the type of food service presents little or no possibility of the discharge of fats, oils and grease.

All devices must have approval prior to construction or installation by PCU and adhere to any local and/or state plumbing codes that apply.

13.07.04 All existing facilities upon notification, shall install an approved grease handling device within ninety (90) days of such notification. In situations where in-ground devices are not feasible to install, facilities will be required to install an approved compartmental device. This variance must be approved by PCU prior to installation. When an existing facilities grease handling device is determined to be in non-compliance the responsible person(s) will be notified in writing of the required improvements which shall be made within ninety (90) days of such notice.

13.08 PCU will be the control authority with regard to FOG Enforcement and will conduct random inspections to ensure that proper maintenance and cleanout schedules are being followed.

Cleanout schedules will be set by PCU using the variables as outlined in Section 13.04 of this Ordinance. Cleanout frequency may increase or decrease depending on the efficiency (prevention of grease entering the sewer system) of the device installed. Failure to comply with these schedules may subject the user/owner to the penalties as outlined in Section 15 of this Ordinance.

Any facility that is found to be responsible for a sewer line blockage and/or sanitary sewer overflow will be liable for any expenses incurred from the cleanup or unstoppi9ng of the sewer line/system.

13.09 Entities such as Detail Shops and Carwashes which are required by the Phenix City Utilities Department to discharge their waste stream into the PCU Sanitary Sewer shall meet the following requirements:

13.09.01 An approved Sand trap/Interceptor must be installed and maintained for the prevention of sand, oil and grease from entering the sewer system.

13.09.02 Sand trap/Interceptor must be installed and maintained for the prevention of sand, oil and grease from entering the sewer system.

SECTION 14 REVIEWING AUTHORITY AND AMENDMENT

Section 14.01 The Utilities System of the City of Phenix City, Alabama shall be the reviewing authority for all appeals of actions or administrative determinations made by City Council pursuant to the provisions of these Regulations. Notice of an intent to appeal and request for a hearing shall be addressed to the City of Phenix City, Alabama in writing and shall detail the nature of the appeal. An early date for such hearing shall be set by the City and the Appellant promptly notified in writing. The decision

of the City after such hearing shall be final and conclusive and shall be conveyed to the persons involved in writing.

14.02 The City expressly reserves the absolute right to amend, modify, rescind or supplement these Regulations with concurrence by ADEM.

14.03 The City will adopt and modify from time to time separate Rate Schedules to supplement these Regulations.

SECTION 15 ENFORCEMENT, PENALTIES AND COSTS

Section 15.01 If wastewaters containing any substance described in Section 5 of these Regulations are discharged, proposed to be discharged or accidentally discharged into the Sewer system by a SIU, the Council may issue orders of enforcement in accordance with provisions of the "Contract for Discharge into and Use of the Sewer System of the City or Phenix City, Alabama" between the City and the SIU.

15.02 If wastewaters containing any substance described in Section 5 of these Regulations are discharged, proposed to be discharged or accidentally discharged into the Sewer System by a User not a SIU, the City through its authorized agents, including the City Manager, will commence an action for appropriate injunctive, abatement and/or equitable relief in the Circuit Court of Russell County, Alabama and/or by ADEM.

15.03 In any case involving a person who has failed to pay any applicable and duly adopted user charges within the time limits prescribed for such payment, procedure for enforcement shall be as follows:

15.03.01 The City shall give notice to such person in writing stating the specifics of the non-payment and requiring that the person make full payment within (10) calendar days after receipt of notice.

15.03.02 The City may thereupon, without further notice, cause the water service from the public water system to be discontinued for such person or cause the connection to the Sewer System to be severed for such person.

15.03.03 In any case where water service is discontinued or the sewer connection is severed by the City for enforcement purposes, the restoration of such service shall be conditioned on full payment of all delinquent user charges and penalties and any expenses incurred in the enforcement proceedings and in the restoration of the service.

15.04 It is the purpose of this Section to provide for the recovery of costs from Users of the Sewer System of the City of Phenix City, Alabama for the implementation of the program established herein and for the construction, operation and maintenance of said System.

15.04.01 The City will adopt charges and fees which may include:

15.04.01.01 Service Connection Charges.

15.04.01.02 User Charges.

15.04.01.03 Fees for reimbursement of costs of setting up and operating the Phenix City Pre-treatment Program.

15.04.01.04 Fees for monitoring, inspections and surveillance procedures.

15.04.01.05 Fees for reviewing accidental discharge procedures and construction.

15.04.01.06 Fees for permit applications.

15.04.01.07 Fees for filing appeals.

15.04.01.08 Other fees as the City may deem necessary to carry out the requirements contained herein.

15.04.02 All charges, fees and other penalties shall be published in a schedule separate from these Regulations and may be revised from time to time as the City finds necessary for maintenance of the purpose described in Section 15.04 and in accordance with provisions of Section 15.04.01.

15.04.03 These fees relate solely to the matters covered by these Regulations and are separate from all other fees chargeable by the City.

15.05 No person shall maliciously, willfully or negligently break, damage, destroy, deface, tamper with or remove any equipment or materials which are part of the Sewer System or any equipment or materials used by the City and/or ADEM for making wastewater examinations and/or flow measurements either in public or private property. Any person found guilty of such actions shall be charged with a misdemeanor and subject to appropriate fines and penalties.

SECTION 16 ASSIGNMENT OF PROGRAM RESPONSIBILITIES

Section 16.01 Implementation of these Regulations may be either a joint effort by the City and ADEM or an independent effort by the City under these Regulations or ADEM under its State Pre-treatment Regulations.

16.02 ADEM shall assume primary responsibility for implementation of actions involving Significant industrial Users as defined in Section 1.03.50.

16.03 The City shall assume primary responsibility for implementation of all actions other than those assigned to ADEM under Section 16.02.

SECTION 17 SEVERABILITY

If any Section, clause, provision or portion of these Regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other Section, clause, provision or portion of these Regulations.

SECTION 18 CONFLICT

All other Regulations inconsistent or conflicting with any part of these Regulations are hereby repealed to the extent of such inconsistency or conflict.