

ORDINANCE NO. 2677

AN ORDINANCE to amend and reordain Sections 5-6-72 and 5-6-75, Division 3, Article B, Chapter 6, Title 5 and to amend Article B, Chapter 6, Title 5 by adding a new division numbered 4, all of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 5 relates to TRANSPORTATION AND ENVIRONMENTAL SERVICES, which Chapter 6 relates to WATER AND SEWER, which Article B relates to SEWAGE DISPOSAL AND DRAINS, which Division 3 relates to SUBSTANCES PROHIBITED IN SEWERS, which Section 5-6-72 formerly related to SUBSTANCES ENUMERATED and now relates to SUBSTANCES ENUMERATED, DISCHARGE AND POLLUTION RESTRICTIONS, LIMITATIONS AND STANDARDS, which Section 5-6-75 formerly related to PENALTIES and now relates to PENALTIES AND REMEDIES and which new Division 4 relates to PRETREATMENT OF NONDOMESTIC WASTE.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-72, Division 3, Article B, Chapter 6, Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 5-6-72. Substances enumerated, discharge and pollution restrictions, limitations and standards.

(a) No person shall discharge or cause to be discharged into any sewer or waterway, owned or operated by the city or the City of Alexandria, Virginia, Sanitation Authority, any of the following described substances, materials, waters or wastes:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the city or sanitation authority sewers or sewage treatment plant including, but not limited to, cyanides, chromium, iron, copper, zinc, silver, lead, nickel and arsenic.

(3) Any water or waste having a pH of less than 5.5 or greater than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the city or the sanitation authority.

(4) Solid or viscous substances capable of causing obstruction to the flow in sewers or interference with the proper

operation of the sewage disposal system or sewage treatment plant, including but not limited to, improperly shredded garbage, ashes, cinders, sand, mud, straw, wood or paunch manure.

(5) Any liquid or vapor having a temperature higher than 150° F. (65° C.) or having a temperature higher than 104° F. (40° C.) at the point of intake to the treatment plant.

(6) Any water or waste containing fats, wax, grease, or oils in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 320° F. and 150° F.

(7) Any radioactive substance of such half-life or concentration as may exceed safe limits as established by state or federal regulations.

(8) Any odor or color-producing substances exceeding concentrations which may be established by the authority for the purpose of meeting NPDES permit conditions.

(9) Quantities of flow, concentrations, or both, which constitute a "slug discharge" as defined in section 5-6-82.

(10) Specific pollutant limitations. No user shall discharge into the POTW, any wastewater containing pollutant levels above the following concentrations:

	Maximum for any 1 day	Average of daily values for 4 consecutive days not to exceed
Arsenic	0.10 mg/l	0.06 mg/l
Cadmium	1.20 mg/l	0.70 mg/l
Chromium, total	7.00 mg/l	4.00 mg/l
Copper	4.50 mg/l	2.70 mg/l
Cyanide, total	1.90 mg/l	1.00 mg/l
Lead	0.60 mg/l	0.40 mg/l
Mercury	0.01 mg/l	0.006 mg/l
Nickel	4.10 mg/l	2.60 mg/l
Phenols	1.00 mg/l	0.60 mg/l
Silver	1.20 mg/l	0.70 mg/l
Zinc	4.20 mg/l	2.60 mg/l
Total metals	10.50 mg/l	6.80 mg/l

"Total metals" denotes the pollutant limitations on the total sum of copper, nickel, total chromium and zinc allowable in a discharge measurement.

(b) The director is authorized to accept wastewaters with pollutant loadings which exceed the concentration limits specified in this section, as long as such limits ("mass" limits) do not exceed quantities specified in applicable categorical standards or cause interference with the POTW. Dilution of waste streams is not acceptable in meeting the requirements of this section.

(c) These limitations may be subject to revision by the city council, as necessary, to reflect changes in wastewater treatment capabilities.

Section 2. That Section 5-6-75, Division 3, Article B, Chapter 6, Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 5-6-75. Penalties and remedies.

Any person who shall continue violating any of the provisions of section 5-6-72 beyond the time limit provided for in section 5-6-74 shall, upon conviction thereof, be punished by a fine of not less than \$100 nor more than \$1,000 or be imprisoned in the city jail for a period not exceeding 60 days, either or both, and each violation shall constitute a separate offense. Violations of section 5-6-72 may in addition to or in place of the penalty provided above, be restrained, prohibited or enjoined by appropriate proceedings. If necessary, in the opinion of the city or the authority, the authority may suspend wastewater treatment service, including collection and/or treatment, in the event that a violation of any discharge limitations or standards would threaten public health, interfere with operation of the treatment plant or cause the authority to be in violation of any effluent permits. The authority reserves the right to suspend service and the city to revoke any permit obtained under the provisions of this article.

Section 3. That Article B, Chapter 6, Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding a new division numbered 4 to read as follows:

DIVISION 4. PRETREATMENT OF NONDOMESTIC WASTE.

Sec. 5-6-80. Effect and purpose.

This division sets forth uniform requirements for nondomestic dischargers into the wastewater collection system of the City of Alexandria, and the wastewater treatment facility of the City of Alexandria, Virginia, Sanitation Authority. The purpose of these requirements is to ensure compliance with all applicable state and federal laws, as required by the Clean Water Act of 1977 and

the General Pretreatment Regulations (40 C.F.R. Part 403) and to improve the opportunity of the POTW to recycle and reclaim wastewaters and sludges.

Sec. 5-6-81. Permit required, prohibited acts and grounds for denial, suspension or revocation.

All users as defined in this division must be in compliance with the sewer connection permit requirements of this article and shall not discharge any permissible wastewater into the POTW and/or collection system unless such a permit is currently in effect and not suspended, revoked, expired or otherwise terminated. Any one or more of the following are hereby declared to be unlawful and in addition to or in lieu of any penalties or other remedies shall also be grounds for the denial, suspension or revocation of a permit applied for or issued pursuant to the provisions of this article:

(a) The introduction of pollutants into any sewer owned or operated by the city or the authority, which will interfere with the operation of the wastewater treatment system or contaminate the resulting sludge.

(b) The introduction of pollutants which will pass through the wastewater treatment system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.

(c) The violation of any provision or requirement of this division.

(d) The violation of any provision of any written pretreatment program implementation procedures established by the director pursuant to the provisions of this division.

Sec. 5-6-82. Definitions.

Authority. The City of Alexandria, Virginia, Sanitation Authority.

City. The City of Alexandria, a municipal corporation of Virginia.

Clean Water Act or the "Act". The Federal Water Pollution Control Act, also known as the Clean Water Act of 1977 (PL 95-217), as amended, 33 U.S.C. 1251, et seq.

Collection system. All wastewater facilities of the city which discharge wastewaters into the POTW.

Director. The director of the department of transportation and environmental services of the city.

Engineer. The engineer director of the authority.

Interference. The inhibition or disruption of the collection system or the POTW or its treatment processes or operations which contribute to a violation of NPDES permit conditions or other regulatory requirements, especially those under section 405 of the Clean Water Act. This term also includes interference with sludge disposal techniques or contamination of sludge.

National categorical discharge standards. Any regulation which contains pollutant discharge limits as promulgated by the U.S. Environmental Protection Agency (EPA) in accordance with section 307(b) and (c) of the Clean Water Act, which applies to a specific category of nondomestic users.

POTW. Publicly Owned Treatment Works. The authority's wastewater treatment plant and collection system.

Pretreatment. The reduction of the amount of pollutants, or the elimination of pollutant properties in a wastewater to a less harmful state, prior to or in lieu of introduction of said pollutants into the collection system or into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes or other means, except as prohibited by 40 C.F.R. section 403.6(d).

Prohibited discharges. Pollutants as categorized in sections 5-6-86 through 5-6-89 of this division which are prohibited from entering the collection system or the POTW.

Significant user. Any user as defined within, having a wastewater flow in excess of 25,000 gallons per average work day, or which represents greater than five percent (5%) of the total wastewater flow into the collection system or the POTW, or which has constituents determined to be toxic, as defined in section 307 of the Clean Water Act or related statutes and regulations.

Slug discharge. Any discharge of water or wastewater which in concentration of any given pollutant, or in quantity of flow, exceeds for any period longer than 15 minutes in duration, more than five (5) times the average 24-hour concentration or flow during normal operation and which adversely affects the collection system or the POTW.

Treatment system. See POTW.

User. All nondomestic facilities discharging process or nondomestic wastewaters into the collection system or the POTW including commercial, industrial, public and nonpublic institutions.

Sec. 5-6-83. Applicability of division, information required.

The provisions of this division shall be applicable to all users of the collection system or the POTW as defined in section 5-6-82 above. All reports, data, product and materials information, and other information, as required for meeting pretreatment goals, shall be submitted as required by and in accordance with procedures established by the director.

Sec. 5-6-84. Inspections.

For the purpose of obtaining information as required under this division, the director, or his duly authorized representative, shall have authority to inspect, observe, measure and sample any wastewaters entering the collection system and the POTW.

Sec. 5-6-85. Fees and charges.

The city reserves the right to establish and adjust fee and rate schedules for users, by ordinance or resolution passed by the city council, for the purpose of obtaining relief from costs incurred in the administration and implementation of this division. Fees established as provided for by this section shall not preclude any other charges or fees established under any other sections of this article or of this Code.

Sec. 5-6-86. Discharge and pollution prohibitions.

In addition to the discharge limitations specified in sections 5-6-87 and 5-6-88, below, no user subject to the provisions of this article shall cause to enter into the collection system or the POTW anything in violation of the provisions set forth in section 5-6-72 of this article.

Sec. 5-6-87. Federal categorical pretreatment standards.

Upon the promulgation of federal categorical pretreatment standards for an individual category, the federal standard, if more stringent than pollutant concentrations stated above, shall immediately supersede standards established by this article. All affected users will be notified by the director or the engineer of any such change.

Sec. 5-6-88. Accidental discharges--Prevention and notice.

(a) Where reasonably appropriate and required by the director, each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated under this article into the collection system or the POTW. Facilities to prevent accidental discharge of prohibited or regulated materials shall be provided and maintained at the user's expense. Detailed

plans showing facilities and operating procedures to provide this protection shall be submitted to the director for review and shall be approved by the engineer prior to facility construction.

(b) Within five (5) days following an accidental discharge, the user shall submit to the director a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the collection system or to the POTW or any other damage to person or property; nor shall such notification relieve the user of any liabilities, fines or other penalties which may be imposed by this article or other applicable laws.

(c) Such report, as required by (b) above, shall be forwarded by the director to the engineer.

Sec. 5-6-89. Pretreatment program implementation procedures.

The director is hereby authorized to establish such written pretreatment program implementation procedures as he may deem necessary to implement, administer and enforce the provisions and requirements of this division. As determined to be necessary by the director, or as required by federal law, nondomestic users of the collection system or the POTW shall be required to follow such procedures for the pretreatment of wastewaters as are developed by the director.

Sec. 5-6-90. Engineer may be duly authorized representative of director.

The director is hereby authorized to designate the engineer as the duly authorized representative of the director for administrative and enforcement purposes under this division.

Sec. 5-6-91. Penalties.

Any user who is found to have violated the provisions of this division, or to have willfully or negligently failed to comply with any written orders, rules, procedures, permit conditions or regulations issued hereunder, shall be subject to the fine and other penalties and remedies provided for in section 5-6-75 of this article.

Sec. 5-6-92. Conflict.

In case of inconsistency or conflict between any provision of this division and any other provision contained in the city code, or as the same may be amended from time to time, the provision(s) of this division shall control.

Section 4. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall be effective on and after May 2, 1982.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: April 17, 1982