BOROUGH OF SOUTHMONT
CAMBRIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 385

ORDINANCE AMENDING THE SOUTHMONT BOROUGH SEWAGE PRETREATMENT ORDINANCE NO. 348 ADOPTED MAY 11, 1987, ORDINANCE NO. 368 ADOPTED OCTOBER 15, 1990, AND ORDINANCE 384 ADOPTED APRIL 19, 1993.

BE IT ORDAINED AND ENACTED, by the Borough of Southmont, Cambria County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1: That Section 1.2 (31) is hereby amended to read as follows:

DEFINITIONS

(31) "Significant Industrial User" means any industrial user of the City's wastewater disposal system who (i) is subject to National Categorical Pretreatment Standards; or (ii) is a non-categorical industrial user that has a discharge flow of 25,000 gallons per day or more of process wastewater; or (iii) contributes a process wastestream which makes up five percent or more of the dry weather hydraulic or organic capacity of the City POTW; or (iv) is found by the City to have a reasonable potential to adversely affect the operation of the POTW or to violate any pretreatment standard of the City or the E.P.A.

SECTION 2: That Section 2.1 (a), (b), (c) is hereby amended to read as follows:

DEFINITIONS

(a) Any liquids, solids or gases which are 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 POTW or to the operation of the POTW. The discharge of wastestreams with a closed cup flashpoint of less that 140 degrees fahrenheit is prohibited. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or any point in the system) be more that five percent nor any single reading be over ten percent of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline,

kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, biomates, carbides, hybrides, and sulfides.

(b) Solid or viscous substances which may cause an obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities, such as, but not limited to: grease, garbage with particles greater than one half inch to dry dimensions, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes, or the discharge of petroleum oil, non-biodegradegradable cutting oil, or products of mineral oil origin in an amount excess of 100 milligrams per liter.

(c) Any wastewater having a pH less than 6.0 or higher than 9.0.

SECTION 2.1 That Section 2.1 (p), (q), shall be added as follows:

ADD:

(p) Pollutants which result in the presences of the toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute workers health and safety problems.

(q) Any trucked or hauled wastes without prior approval of the POTW, and at the discharge point designed by the POTW.

SECTION 3 That Section 4.2.2 shall be amended to read as follows:

DEFINITION

Application: Users required to obtain a wastewater contribution permit shall complete and file with the City an application in the form prescribed by the City.

SECTION 4 That Section 4.3.2 (1), (4), shall be amended as follows:

(1) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standards, or, in the case of a new source, after commencement of the discharge into the POTW,

shall submit biannual reports to the Director, unless required more frequently in the pre-treatment standard or by the Director of the Bureau of Sewage, indicating the nature, concentration and flow of the pollutants in the effluent which are limited by such pretreatment standards. All significant non-categorical industrial users are also required to submit such biannual reports detailing the nature, concentration and flow of pollutants that are outlined in their Wastewater Discharge Permits and the City of Johnstown Local Discharge Limits, Section 1042.16 (e)(14), Ordinance No. 4537. All baseline monitoring reports, ninety-day compliance reports, or biannual status report on continued compliance must be signed by a duly authorized representative of the industrial user and must include the Certification Statement set forth in CFR 403.6(a)(2)(ii).

(4) All industrial users shall notify the POTW, the E.P.A. Regional Waste Management Division Director, and PA D.E.R. Hazardous Waste Authorities in writing of any discharge into the POTW of a substance which would be a hazardous waste under 40 CFR, Part 261, and detail the name, hazardous waste number, and type of discharge. If the discharge is greater than 100 KG per calendar month, the industrial user shall also make known the hazardous constituents contained in the wastes, and estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month and during the following twelve months.

All notifications must take place within 180 days of promulgation of 40 CFR 403.12, or in the case of new discharges, within 180 days after the discharge of the listed or characteristic hazardous waste. Any notification need be submitted only once for each hazardous waste discharged. Any changed discharges must be promptly brought to the attention of the POTW.

Discharges of less than 15kg of hazardous wastes per calendar month are exempt from reporting requirements, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15kg of non-acute hazardous

wastes in a calendar month or of any quantity of acute hazardous waste requires a one-time notification.

Any industrial user that requires notification under this Section shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

SECTION 5 That Section 4.6 is hereby amended to read as follows:

Pretreatment.

Users shall provide necessary wastewater treatment as required to comply with this Chapter and shall achieve compliance with all Federal categorical pretreatment standards within the time limitations specified by the Federal pre-treatment regulations. Any facilities required to pre-treat wastewater to a level acceptable to the City shall be provided, operated maintained at the user's expense. Detailed plans showing pre-treatment facilities and operating procedures shall be submitted to the City for review and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under this Chapter. Any subsequent changes in the pretreatment facilities or methods of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

The City shall annually publish in the JOHNSTOWN TRIBUNE-DEMOCRAT newspaper a list of industrial users which, at any time during the previous twelve months, were significant noncompliance with pretreatment requirements. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

- Chronic violations of wastewater discharge limits, in which sixty-six percent or more of all of the measurements taken during a six month period exceed the daily maximum limit or the average limit for the same pollutant parameter;

- Technical Review Criteria (TRC) violations, in which thirty-

three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC-1.4 for BOD, TSS, oil and grease, and 1.2 for all other pollutants except pH);

- Any other violation of a pretreatment effluent limit that the City determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of the City of Johnstown's Wastewater Treatment Plant's personnel or the general public);
- Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the City of Johnstown's exercise of its emergency authority to halt or prevent such a discharge;
- Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, 90-day self-monitoring reports, and reports on compliance with compliance schedules;
- Failure to accurately report noncompliance;
- Any other violation which the City determines will adversely affect the operation or implementation of the pre-treatment program.

All records relating to compliance with pretreatment standards shall be made available to officials of the E.P.A. or the approval authority upon request.

SECTION 6 That Section 6.3 is hereby amended to read as follows:

An Enforcement Response Plan, as approved by E.P.A., shall be implemented by the City's Bureau of Sewage to formalize the enforcement procedures to be followed for all persons and users of the City's wastewater disposal system that fail to maintain compliance with the provisions of this Chapter, Federal , State, or local pretreatment regulations, Wastewater Discharge Permits,

or the guidelines of the Industrial Pretreatment Program. The Bureau of Sewage shall be empowered to utilized all provisions of enforcement, as mandated by the E.P.A., in its administration of the Industrial Pretreatment Program, that are Notices of Violation, Administrative Orders, Compliance Schedules, Administrative Fines, Show Cause Hearings, Injunctive Relief, and Service Termination.

SECTION 7: That Section 7 is hereby amended to read as follows:

All persons desiring to transport and discharge holding tank waste, septage or trucked industrial waste, shall apply for a Waste Hauler License with the City Bureau of Sewage. Such application shall consist of:

(1) Name, address, location, phone number.

(2) Vehicle information, including make, model, year, license number, and waste volume capacity of each vehicle which will be utilized, and total number of vehicles owned.

(3) A description and analysis of wastes to be discharged at the Treatment Plant.

(4) A list of permits held by the applicant for the generation, transportation, or disposal of wastes.

(5) An estimate of the total maximum volume of waste to be discharged daily at the Treatment Plant.

Waste Hauler Licenses shall contain the following terms and conditions:

(1) Maximum discharge rate.

(2) Term of license.

(3) Specific limitation and requirements of wastewater and septages.

Waste Hauler Licenses shall be issued for a time period not to exceed one year.

The acceptance of trucked wastes is based solely on the ability of the Wastewater Treatment Facility to assimilate those wastes without potential of interference of pass through. All trucked wastes must be within the acceptable ranges of local limitations and Treatment Plant acceptability. The Bureau of

Sewage may immediately and without notice, revoke any waste hauler license if it is determined that the acceptance of the waste is detrimental to the overall operations of the Treatment Facility whether caused by constituents of the waste or circumstances wholly within the Plant. Any waste hauler who violates any provisions of this Ordinance or waste hauler license may be subject to immediate license revocation.

SECTION 8 is hereby amended to read as follows:

This Chapter shall be effective upon City industrial users on the same date and to the same extent as it is effective against non-City industrial users.

SECTION 9 All other portions of Ordinance No. 348, 368 and 384 shall remain unaffected hereby and are hereby reaffirmed.

SECTION 10 This Ordinances shall remain unaffected hereby and are hereby reaffirmed, that all other portions of Ordinances No. 348, 368, and 384 shall remain unaffected.

Adopted and approved this 18th day of October 1993

BOROUGH OF SOUTHMONT

By: Charles M. Glass
President

ATTEST:

Judith A. Czyszek
Secretary