

(Entire Chapter 916 amended by Ordinance No. 11-101, passed April 12, 2011)

**CHAPTER 916
Use of Public Sewers**

916.01	Definitions.	916.04	Powers and authority of
916.02	Use of public sewers.		inspectors.
916.03	Protection from damage.	916.99	Penalty.

CROSS REFERENCES

Compulsory sewer connections—see Ohio R.C. 729.06
Sewer regulations—see Ohio R.C. 729.51
Untreated sewage—see Ohio R.C. 3701.59
Private sewage disposal systems—see OAC Ch. 3701.29

916.01 DEFINITIONS.

Whenever used in this chapter:

- (a) "Act" means the Clean Water Act (33 U.S.C. 1251 et seq) as amended.
- (b) "B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the carbonaceous and nitrogenous biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade, expressed in milligrams per liter (mg/l).
- (c) "Best Management Practice" (BMP): Any schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in OAC 3745-3-04. BMP's also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- (d) "CB-B.O.D." (Denoting Carbonaceous Biochemical Oxygen Demand) means the quantity oxygen utilized in the carbonaceous biochemical oxygen demand of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in milligrams per liter (mg/l).
- (e) "Categorical Pretreatment Standards" means the National Pretreatment Standards of the Clean Water Act (33 U.S.C. 1251 et seq) specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into the Springfield Wastewater Treatment Plant by specific industrial dischargers.
- (f) "C.F.R." means code of federal regulations.
- (g) "Chronic violation" means sixty six percent (66%) or more of the measurements exceed the same daily maximum limit or the same average limit in a six (6)

- month period.
- (h) "Combined sewer" means a sewer receiving both surface runoff and sewage.
 - (i) "Compatible pollutant" shall mean pollutants which the treatment plant was designed to treat which are B.O.D., suspended solids, fecal coliform, phosphorous and ammonia.
 - (j) "Composite wastewater sample" means a combination of individual samples of water or wastewater taken at selected intervals, either time proportional or flow proportional, as to minimize the effect of the variability of the individual sample. The individual aliquots comprising the time and flow proportional samples will be of roughly equal volume. (k) "Director" means the Director of the Services Department of the City, or his authorized deputy, agent, or representative.
 - (l) "Dischargers-industrial discharger" means any non-residential user who releases any effluent into the Springfield Sewer System by means of pipes, conduits, pumping stations, force mains, construction drainage ditches, intercepting ditches, and all constructed devices and appliances appurtenant thereto.
 - (m) "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispersing of food, and from the handling, storage and sale of produce.
 - (n) "Grab Sampling:" An individual sample, taken at one specific point in time, and not combined with any other samples taken.
 - (o) "Hazardous waste" means any waste or combination of wastes which pose a substantial present or potential hazard to human health or living organisms because such wastes are non-biodegradable or persistent in nature or because they can be biologically magnified, or because they can be lethal, or because they may otherwise cause or tend to cause detrimental cumulative effects, including any substance, combination of substances or mixtures as defined as "hazardous wastes" in 40 CFR Part 261.
 - (p) "High Strength sewage" is defined as sewage containing more than 500 mg/l total Suspended Solids, 400 mg/l B.O.D., and/or 30 mg/l Ammonia Nitrogen.
 - (q) "Industrial wastes" means the liquid or solid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
 - (r) "Industrial user" means any source of the introduction of pollutants into the Wastewater Treatment Plant from any non- domestic source regulated under Section 307 (B)(C)(D) of the Act.
 - (s) "Interference" means the inhibition or disruption of the Springfield Sewer System, treatment processes or operations which contributes to a violation of any requirement of its NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act or any criteria, guidelines, or regulations developed pursuant to the Clean Air Act, the Solid Waste Disposal Act (including Title II, more commonly known as the Resource Conservation and Recovery Act), the Toxic Substance Control Act, the Marine Protection Research And Recovery Act, or any more stringent state criteria.
 - (t) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
 - (u) "New source or new discharger" means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of the proposed pretreatment standards under Section 307(C) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with

- that section, provided that: (1) the building, structure, facility or installation is constructed at a site at which no other source is located; or (2) the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (3) the production or wastewater generating process of the building, structure, facility or installation are substantially independent of existing source at the same site.
- (v) "Normal sewage" is defined as sewage containing not more than 250 mg/l Suspended Solids, 200 mg/l B.O.D., 15 mg/l Ammonia Nitrogen.
 - (w) "NPDES" shall mean the National Pollution Discharge Elimination System permit in effect as issued by the Ohio Environmental Protection Agency which regulates the strength of the wastewater treatment plant effluent at its discharge point to the Mad River.
 - (x) "Pass through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of violation of any requirements of the NPDES Permit.
 - (y) "Person" means any individual, firm, company association, society, corporation, or group.
 - (z) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
 - (aa) "P.O.T.W." means Publicly Owned Treatment Works or any sewage treatment works and the sewers and conveyances appurtenances discharging thereto, owned and operated by the City of Springfield.
 - (bb) "Pretreatment" means the reduction of the amounts of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater treatment plant.
 - (cc) "Pretreatment regulations" is defined as a discharge limit related to pretreatment that is imposed on an industrial user by the Ohio Administrative Code Chapter 3745-3, Chapter 916 of the Codified Ordinances of the City of Springfield, Ohio, any control mechanism (including local Industrial Wastewater Discharge Permits), categorical pretreatment standards, prohibitive discharge limits established pursuant to rule 3745-3-04 of the Ohio Administrative Code, local limits established pursuant to paragraph (C)(4) of rule 3745-3-03 and paragraph (D) of rule 3745-3-04 of the Ohio Administrative Code, and any enforceable schedule designed to achieve compliance with such limit.
 - (dd) "Priority pollutant" means any of the pollutants classified by the U.S.E.P.A. in 40 CFR Part 122, Appendix D, and amendments. These generally consist of volatile and semi-volatile organic compounds, pesticides, poly-chlorinated biphenols and metals.
 - (ee) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
 - (ff) "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
 - (gg) "Regulated industrial categories" means those categories defined in the Clean Water Act (33 U.S.C. 1251 et seq) as being regulated.
 - (hh) "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.
 - (ii) "Sewage" means a combination of the water-carried wastes from residences,

business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

- (jj) "Sewer" means a pipe or conduit for carrying sewage.
- (kk) "Shall" is mandatory; "may" is permissive.
- (ll) "Significant noncompliance" means a violation which remains uncorrected forty five (45) days after notification of noncompliance; which is part of a pattern of noncompliance over a twelve month period, either chronic violations or technical review criteria violations; which involves a failure to accurately report noncompliance; or which resulted in the POTW exercising its emergency authority under 40 CFR, Part 403.8(f)(1)(vi)(B)
- (mm) "Significant industrial user" means all categorical industries and any noncategorical industry that has either, 1) a discharge averaging 25,000 gallons per day of process wastewater per billing period, or 2) discharges less than 25,000 GPD [determined by the average daily discharge per billing period] and contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the treatment plant and/or 3) has a reasonable potential, in the opinion of the director, to adversely affect the Wastewater Treatment Plant.
- (nn) "Slug" means any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes: 1) more than seven and one half (7.5) times the concentration of High Strength Sewage or 2) any constituent at a flow rate and/or concentration that will cause interference with the POTW.
- (oo) "Storm sewer" means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- (pp) "Suspended solids" means any solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.
- (qq) "Technical review criteria (TRC) violations" means those in which thirty three percent (33%) or more of all the measurements for each pollutant parameter taken during a six month period equal or exceed the product of the daily maximum limit or average limit multiplied by the applicable TRC (TRC=1.4 for fats, oil and grease, and 1.2 for all other pollutants except pH).
- (rr) "T.K.N." means total kjeldahl nitrogen determined by the kjeldahl method as nitrogen in the trinegative state and expressed in milligrams per liter (mg/l).
- (ss) "Total toxic organics" means the sum of masses or concentrations of specific toxic organic compounds found in the industrial user's process discharge at a concentration greater than 0.01 mg/l. Each categorical standard is listed in 40 CFR Part 403, the specific toxic organic compounds that are to be included in the summation to define TTO for the category. If the industry is not defined under the categorical standards, then total toxic organics means the organic constituents that are considered federal priority pollutants.
- (tt) "Toxic pollutants" means those substances considered by the Federal Environmental Protection Agency as priority pollutants.
- (uu) "Upset" means an exceptional incident in which a discharger unintentionally and temporarily is in a state of non-compliance with the standards set forth in this ordinance due to factors beyond the reasonable control of the discharger, and excluding non-compliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

- (vv) "Watercourse" means a channel in which flow of water occurs, either continuously or intermittently.
- (ww) "Wastewater Treatment Plant" means any arrangement of devices and structures used for treating sewage.

916.02 USE OF PUBLIC SEWERS.

(a) All dischargers proposing to connect to or discharge sewage, industrial wastes and other wastes to the Wastewater Treatment Plant shall make application and written contract to the City of Springfield before connection or discharging to the Wastewater Treatment Plant.

(b) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. All existing connections allowing such discharge may be reviewed and approved or rejected by the Director upon consideration of the resulting hardships and related factors.

(c) Industrial cooling water or unpolluted process waters may be discharged to a storm sewer, combined sewer or natural outlet.

(d) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (1) Any liquids, solids, or gasses 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 the POTW or to the operation of the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees centigrade using the test method specified in 40 CFR 261.21. Prohibited substances include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, ketones, aldehydes, peroxides, chlorates, alcohols, bromates, carbides, hydrides, perchlorates, sulfides and any other substance which the City, the state, or EPA has notified the user is a fire hazard or hazard to the system.
- (2) Any waters or wastes containing toxic or poisonous pollutants as 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 human or animals, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment plant, including but not limited to cyanide in excess of 2.3 mg/1 as CN in the wastes as discharged to the public sewer, or more than three mg per cubic meter of air in any sewer.
- (3) Any waters or wastes having a pH lower than 5.0 or higher than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, wood, glass, rags, feathers, tar, flashings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (5) Any waters or wastes containing objectionable or toxic substances which may cause the wastewater treatment plant to exceed NPDES conditions.

Industrial waste shall not exceed the limits for the specific materials listed below based on a 24-hour composite sample, or the Pretreatment Regulations as outlined in 916.01(cc).

Effluent characteristics	Discharge limitations mg/l
Arsenic (total)	0.04
Cadmium (total)	0.033
Chromium (total)	3
Chromium (hexavalent)	2.400
Copper (total)	0.900
Lead (total)	0.240
Mercury (total)	0.005
Nickel (total)	0.730
Selenium (total)	1
Silver (total)	0.350
Zinc (total)	1.900
Total toxic organics	2.13

- (6) No discharger shall increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge to partially or completely substitute adequate treatment to achieve compliance with the standards set forth in this ordinance.
- (7) No person or persons shall discharge any hazardous wastes to the POTW by truck, rail, or dedicated pipeline. Industrial users are required to notify the POTW if they are disposing of any RCRA listed or characteristic hazardous wastes, as defined in 40 CFR 261, by discharging it into the POTW. Exempt from this notification requirement are these industrial users who discharge 15 kilograms or less per month of non-acute hazardous wastes. All industrial users shall promptly notify the director in advance of any substantial changes in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under 40 CFR 403.12(p).
- (8) If best management practices (BMP's) are developed as a local limit for any industrial user, then any violation of those BMP's will be treated as a violation of this ordinance.

(e) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Director that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of sewage treatment process, capability of the wastewater treatment plant, and other pertinent factors. The substances prohibited are:

- (1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit, or 65 degrees Centigrade at the discharge point into the sewer and/or any temperature which would cause the POTW to have an influent temperature of 104 Fahrenheit or 40 centigrade at any time.
- (2) Any water or wastes containing fats, waxes, greases, or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 32 degrees and

150 Fahrenheit, or between 0 degrees and 65 degrees Centigrade .

- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipment with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the Director.
- (4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions.
- (5) Any waters or wastes containing taste or odor producing substances in such concentrations as exceed limits which may be established by any State, Federal, or other public agency having jurisdiction over the discharge of such substances to the receiving waters.
- (6) Any radioactive waste or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable State or Federal regulations.
- (7) Materials which exert or cause:
 - A. Unusual concentration of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residue) or of dissolved solids, (such as, but not limited to, sodium chloride and sodium sulfate).
 - B. Excessive discoloration, such as, but not limited to, dye wastes and vegetable tapping solutions.
 - C. Unusual requirements of BOD, suspended solids, or chlorine demand in such quantities as to constitute a significant load on the wastewater treatment plant.
 - D. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (8) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the Wastewater Treatment Plant effluent cannot meet the requirements of other agencies having jurisdiction over the discharge of such substances to the receiving waters or will contaminate the sludge thereby rendering it unsuitable for reclamation.
- (9) The National Categorical Pretreatment Standards as promulgated by the U.S. Environmental Protection Agency (EPA) shall be met by all dischargers of the regulated industrial categories. An application for modification of the National Categorical Standards may be considered for submittal to the U.S.E.P.A. Regional Administrator by the City of Springfield, when the City's Wastewater Treatment System achieves consistent removal of the pollutants as defined by 40 CFR 403.7.

(f) Whenever the City finds that any discharger has engaged in conduct which justifies the revocation of a wastewater discharge contract or suspension of service, the City shall serve or cause to be served upon such discharger a written notice either personally or by certified mail, return receipt requested, stating the nature of the alleged violation. Within 10 (ten) days of the date of the receipt of the notice, the discharger shall, respond personally, or in writing to the City, advising of its position with respect to the allegations. Thereafter, the parties shall meet to ascertain the veracity of the allegations and where necessary, establish a plan for the satisfactory correction thereof.

(g) Notwithstanding the provisions of subsection (f) above, the City of Springfield

may for good cause shown immediately suspend the wastewater treatment services and the wastewater contract of a discharger when it appears to the City of Springfield that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interfere with the operation of the wastewater treatment plant, violate any pretreatment limits imposed by this ordinance or any wastewater discharge contract issued pursuant to this ordinance. Any discharger notified of the suspension of the City's wastewater treatment service shall within a reasonable period of time, as determined by the City, cease all discharges. In the event of failure of the discharger to comply voluntarily with the suspension order within the specified time, the City shall disconnect service lines from the main sewer system and commence judicial proceedings immediately thereafter to compel the discharger's compliance with such order. The City shall reinstate the wastewater dischargers service and contract and terminate judicial proceedings upon proof by the discharger of the elimination of the non-complying discharge in conditions creating the threat of imminent or substantial danger as set forth above.

(h) The City of Springfield may revoke the contract and/or disconnect the service of any discharger which:

- (1) Fails to factually report the wastewater constituents and characteristics of its discharge in any baseline, quarterly or any other required report;
- (2) Fails to report significant changes in the wastewater constituents or characteristics;
- (3) Refuses reasonable access to the discharger's premises by representatives of the City of Springfield for the purpose of inspecting or monitoring;
- (4) Violates the conditions of its application and contract, or this ordinance, or any final judicial order entered with respect thereto.

(i) If the pretreatment or equalization of waste flows is required herein, then the design and installation of the plants and equipment required thereby shall be subject to the Director's approval as well as all applicable codes, ordinances, and laws. Grease, oil, and sand interceptors shall be provided, when in the opinion of the City, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters of dwelling units. All interceptors shall be of a type and capacity approved by the City, and shall be located as to be readily and easily accessible for cleaning and inspection.

(j) Where preliminary treatment or flow-equalizing facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(k) When required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters, flow measuring devices and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

(l) All analysis shall be performed by the discharger, or by his agent, in accordance with 40 CFR, Part 136 and amendments thereto. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling, and analysis shall be preformed in accordance with the procedure set forth in the most recent publication of the

U.S.E.P.A., "Sampling And Analysis Procedures For Screening Of Industrial Effluents For Priority Pollutants", and/or the U.S.E.P.A. manual "Methods For Chemical Analysis For Water And Wastes" and/or the American Public Health Association "Standard Methods For the Examination Of The Water And Wastewater" and amendments thereto, or with any other sampling and analytical procedure approved by the administrator of the U.S.E.P.A. or O.E.P.A. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined at the control structure (Section K) provided, or upon suitable samples taken at the control structure. In event no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by the customarily accepted methods to reflect the effect of constituents upon the property. The particular analyses involved will determine whether a twenty-four hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Samples will be collected by and analyzed by personnel assigned by the City for that duty.. Additionally, when flow-measuring equipment has been required to be installed, sampling shall be completed using the flow proportional method for those parameters requiring composite sampling.

(m) All dischargers subject to this ordinance shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling, and chemical analysis made by or on the behalf of a discharger in connection with its discharge. All records which pertain to matters which are subject to administration adjustment or any other enforcement or litigation activities brought by the City of Springfield pursuant hereto shall be retained and preserved by the discharger until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired.

(n) Any discharger subject to this ordinance shall, if deemed necessary by the City, submit to the wastewater treatment plant a quarterly report indicating the nature and concentration of all substances prohibited or regulated by this ordinance or Federal Categorical Pretreatment Standards that are contained in its discharge and the average and maximum daily flows in gallons.

(o) All existing and new industrial dischargers will submit to the Springfield Wastewater Treatment Plant an Industrial Baseline Report within 90 days after connection to the sanitary sewer system. Significant industrial users that fall under the federal categorical standards shall submit their baseline report 90 days before discharge into the sanitary sewer system. The questionnaire shall include, but not be limited to, the Standard Industrial Classification number, site and sewer plumbing plans, and plant activities, processes, and raw materials. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not what additional operating and maintenance and/or pretreatment is necessary to bring the discharger into compliance with the applicable pretreatment requirements.

(p) In addition to the questionnaire in subsection (o), the industrial users regulated by the Federal Categorical pretreatment standards as promulgated by the U.S.E.P.A. shall submit to the City within ninety (90) days of initial discharge and on a bi-annual basis, a compliance report. This compliance report shall include, but not be limited to, the nature and concentration of prohibited or regulated substances in the effluent which are limited by the Federal Categorical Pretreatment Standards. In addition this report shall include a record of all measured or estimated average and maximum daily flows during the reporting period. All

analysis shall be performed by the discharger, or by his agent, in accordance with 40 CFR, part 136 and amendments thereto. Where 40 CFR, part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedure set forth in EPA publication, "Sampling And Analysis Procedures For Screening Of Industrial Effluents For Priority Pollutants", April, 1977, and amendments hereto, or with any other sampling and analysis procedures approved by the administrator of the U.S.E.P.A. If any significant industry that is required to self monitor analyzes any pollutant more frequently than required by its discharge permit, using approved analytical methods as specified herein, the results of such monitoring shall be included in the calculations and reportings to the POTW in the following bi-annual reports. If any self monitoring, results are a violation of this ordinance then the discharger must notify the City within twenty-four (24) hours after becoming aware of the violation and must resample for the parameters in violation and report the results to the POTW within thirty (30) days of becoming aware of the initial violation.

(q) In the event any substance, material, slug, upset, water or waste the discharge of which is prohibited by subsection (d) or (e) herein is discharged into the sewer system, the person responsible for such discharge shall notify the Wastewater Treatment Plant immediately, and in no case later than one (1) hour following such discharge, so that remedial action can be taken. The person(s) responsible for such discharge shall report to the POTW in writing within five (5) days from verbal notification as to the cause, action taken, and measures taken to prevent such occurrences from happening again. All cost incurred to correct any damage resulting from such discharge shall be charged to the person responsible for such discharge. Each such discharge shall be considered separately and costs and charges shall be levied accordingly. Failure of the person responsible for such discharge to report same, or to institute such corrective measures as are necessary to prevent a subsequent such discharge after having been notified in writing by the City to do so and having been given a responsible time in which to institute such measures, shall result in the sewer through which such discharge enters the public sewer being disconnected from the public sewer. Said sewer will not be reconnected until, in the opinion of the Director, appropriate corrective measures have been implemented.

(r) Every industrial user which discharges "High Strength sewage" rather than, or in addition to "Normal sewage", either directly or indirectly, into the City's wastewater treatment system shall be charged and pay a sewer system surcharge in addition to the sewerage service charge. Every person discharging sewage into the City's wastewater treatment system having a concentration of any one or more of the sewage constituents described in subparagraph (1) of this paragraph (r), which is more than two (2) times the "Normal sewage" value of that sewage constituent, as defined in Section 916.01(t), shall be charged a surcharge (SC1) for the billing period. The surcharge will apply at all volumes discharged during a billing period above 15,000 gallons per day and shall be determined by the average daily discharge per billing period. Every person discharging sewage into the City's wastewater treatment system having a concentration of any one or more of the sewage constituents described in subparagraph (1) of this paragraph (r), which is more than seven and one half (7.5) times the "High Strength sewage" value for that sewage constituent, as defined in Section 916.01(p), (i.e. a Slug or sometimes called a "Slug Load"), shall be charged an additional surcharge (SC2) for the billing period.

- (1) The amount of the surcharge shall be based on the levels of the following three sewage constituents pertinent to the wastewater being discharged into the City's wastewater treatment system:
 - A. Total Suspended Solids (TSS)
 - B. Biochemical Oxygen Demand (CBOD)
 - C. Ammonia Nitrogen (NH₃)

- (2) Surcharges imposed under this paragraph (r) shall be calculated based on all constituent values over the "High Strength sewage" value for the concentration values for the sewage constituents described in subparagraph (1) of this paragraph (r) discharged by the customer during the billing period, as determined by use of the applicable formulas shown below.

"High Strength sewage" Formula:

$$SC1 = Q \times (CV - SL - HSS) \times 8.34 \times SCR$$

"Slug Load" Formula:

$$SC2 = Q \times SL \times 8.34 \times (SCR \times 4)$$

Wherein:

SL = Surchargeable Slug Load concentration (mg/L).

$$SL = CV - SLV$$

(When SL is less than or equal to zero, the SL value used in the above formulas shall be zero.)

SC1 = Surcharge for a constituent's High Strength sewage concentration (\$).

SC2 = Total charge for Slug Load surcharge for concentration (\$).

Q = Total quantity of the waste flow million gallons (MG).

CV = Constituents concentration from sampling (mg/L).

HSS = High Strength sewage value for constituent (mg/L).

CBOD = 400 mg/L

TSS = 500 mg/L

NH₃ = 30 mg/L

SLV = Slug Load value for constituent (mg/L)

CBOD = 3000 mg/L

TSS = 3750 mg/L

NH₃ = 225 mg/L

SCR = Base rate of surcharge per pound for constituent (\$).

Table Of Base Rates Of Surcharge Per Pound For Constituent

High Strength sewage	Slug Load value
----------------------	-----------------

CBOD Surcharge per Lb	\$0.16	\$0.64
TSS Surcharge per Lb	\$0.13	\$0.52
NH ₃ Surcharge per Lb	\$0.60	\$2.40

The total of all surcharges imposed under this paragraph (r) for a billing period shall be the sum of SC1 plus SC2 computed for each of the three constituents listed in subparagraph (1) of this paragraph (r) [this may require six calculations and the summation of six surcharge numbers]. Surcharges will be added to the customer's bill for the billing period.

- (3) The measurements described in subparagraph 2 above shall be volumetric measurements determined from samples taken from discharge points determined by the City at such a time or times, of such duration and in such a manner as the City may elect.
- (4) If for any one or more of the sewage constituents described in subparagraph (1) of this paragraph (r) the mass amount of the sewage constituent discharge for a sample is equivalent to five percent (5%) or more of the Wastewater Treatment Plant Average Headworks Loading for that sewage constituent, as defined herein, the Director may establish a compliance schedule under which the customer must reduce the concentration of the discharged sewage constituent: (a) so that the discharge of the sewage constituent does not meet the definition of a slug; or (b) to a maximum mass discharge amount of four percent (4%) of the Wastewater Treatment Plant Average Headworks Loading, whichever is greater. Wastewater Treatment Plant Average Headworks Loading is defined as the average monthly mass amount of each sewage constituent, described in subparagraph (1) of this paragraph (r), received by the City's Wastewater Treatment Plant, as determined from the City's latest Wastewater Treatment Plant influent analysis, less any process recycle loading in the most recent calendar year for which data is available.

(s) All Industrial users proposing to connect to or contribute to the POTW shall obtain a wastewater discharge permit from the Springfield Wastewater Treatment Plant before connecting to or contributing to the POTW. Users required to obtain a wastewater permit shall complete and file with the City a baseline report, an application contract card and any other pertinent documents deemed by the City as being necessary to determine discharge characteristics and flow. If, in the opinion of the superintendent, a significant industrial user is required to develop a slug discharge control plan, the plan must be submitted and approved before the permit may be approved. This plan must be reviewed and updated each time the permit is renewed. The wastewater permit will be issued to a specific user for a specific operation. A wastewater discharge permit is non transferable and shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation. Any succeeding owner or user shall also apply for a new permit, if applicable. The City of Springfield has the right to disapprove permit applications for new dischargers or increases to existing loadings before discharges actually commence. The City has the right to revoke existing permits should it become necessary to protect the POTW or its discharge points or for flagrant violations of this ordinance. No significant industrial user shall discharge into any City sewer, whether directly or indirectly, without a valid wastewater discharge permit. Should changes occur to the significant industrial user's operation or any system that might alter the nature, quality, or volume of its wastewater, that user must notify the Superintendent at least thirty (30) days in advance, and a new permit shall be issued.

(t) All reports required under this section shall include the following certification statement: "I certify that under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." All reports that are more than forty five (45) days late shall require that the Sewer User be found in Significant Non-Compliance. All reports shall be signed by a manager that is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and of initiating and directing other comprehensive measures, to assure the long-term environmental compliance with applicable laws and regulations.

(u) No person shall access the sewer system or POTW for any activity including discharge of hauled septic or industrial wastes except at the locations and at times designated by the Director. Any removal of manhole lids, or other access to the sewer system for the purpose of discharging wastes at times and/or locations other than those designated by the Director, or without the express permission of the Director, shall be considered a violation and shall be subject to enforcement action including fines and penalties allowed under this Chapter.

916.03 PROTECTION FROM DAMAGE.

No unauthorized person shall maliciously, willfully, or negligently break, damage, uncover, deface or tamper with sewage works.

916.04 POWERS AND AUTHORITY OF INSPECTORS.

(a) The Director and other authorized employees of the City with proper credentials and identification shall be permitted to enter at reasonable times all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The Director or his representative shall be given access to and allowed to copy any records, forms, or reports necessary to ensure compliance with all applicable discharge requirements, hazardous waste requirements and pretreatment requirements which shall include, but not be limited to, any hazardous wastes manifests, chemical inventories, solid or liquid disposal reports, material safety data sheets (M.S.D.S), discharge analysis, or any other related records. The Director or his representative shall have no authority to inquire into any processes beyond that point having a direct bearing on the kind and source of discharge to the sewers and waterways or facilities for waste treatment. They shall observe all safety regulations which are applicable to the premises.

(b) If any provision, paragraph, word, or section of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words and sections shall continue in full force and effect.

(c) Information and data furnished to the City of Springfield with respect to the nature and frequency of discharge shall be available to the public or other governmental agencies without restriction unless the discharger specifically requests and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information of the discharger. When requested by a discharger furnishing a report, the portions of a report which

may disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this ordinance, the National Pollution Discharge Elimination System (NPDES) Permit, State Disposal System Permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the discharger furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the City of Springfield as confidential, shall not be transmitted to any governmental agency or to the general public by the City of Springfield until and unless a ten (10) day notification is given to the discharger.

(d) Whenever the Director or his agent finds that any industrial user has violated or is violating this ordinance, or a wastewater permit, or order issued hereunder, the Director or his agent may serve upon said user a written notice of violation. Within ten (10) working days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Director or his agent. Submission of this plan in no way relieves the user of liability for any violations occurring before or after the receipt of the notice of violation.

(e) The Director or his agent is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the industrial user responsible for the noncompliance. Such orders will include specific action to be taken by the industrial user to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to Section 916.04(G).

(f) The Director or his agent may order any industrial user which causes or contributes to violation of this ordinance or wastewater permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any principal executive, general partner of corporate officer. Whether or not a duly notified industrial user appears as noticed, immediate enforcement action may be pursued.

(g) When the Director or his agent finds that an industrial user has violated or continues to violate the ordinance or a permit or order issued thereunder, he may issue an order to the industrial user responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed or are properly operating. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

(h) When the Director or his agent finds that an industrial user has violated or continues to violate this ordinance or a permit or order issued hereunder, he may issue an order to cease and desist all such violations and direct those persons in noncompliance to comply forthwith; or to take such appropriate or remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and

terminating the discharge.

916.99 PENALTY.

(a) Whoever violates any provision of this chapter, shall be fined not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. Such assessments shall be added to the user's next scheduled sewer service charge and the Director or his agent shall have such other collection as he has to collect other service charges. Unpaid charges, fines, and penalties shall constitute a lien against the individual users property. Industrial users desiring to dispute such fines must file a request for the Director or his agent to reconsider the fine within ten (10) days of being notified of the fine. When the Director or his agent believes the request has merit, he shall convene a hearing on the matter within thirty (30) days of receiving the request from the industrial user.

(b) Any person who knowingly makes any false statements, representations or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall be fined not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5000.00) for each violation.

(c) Whoever violates any provisions of this chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation including those costs assessed by the Ohio Environmental Protection Agency and/or The U.S. Environmental Protection Agency as a result of the wastewater treatment plant's inability to treat and effectively reduce the said pollutant.

(d) At least annually, the Director shall publish a list of all industrial users which at any time during the previous twelve months were in significant noncompliance with applicable pretreatment requirements. For the purpose of this provision, an industrial user is in significant non compliance if its violations meet one or more of the following criteria:

- (1) For significant industrial users, Any Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a six-month period exceed (By any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
- (2) For significant industrial users, Any Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) 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 fats, oil and grease, and 1.2 for all other pollutants except pH);
- (3) For all industrial users, Any other violation of pretreatment effluent limit (daily maximum or longer term average) that the Director determines has caused, alone or in combination with other dischargers, interferences or pass through (including endangering the health of POTW personnel or general public);
- (4) For all industrial users, Any discharge of a pollutant that has caused imminent endangerment of human health, welfare or to the environment or has resulted in the POTW's exercise of emergency authority to halt or prevent such a discharge;

- (5) For all industrial users, Any Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (6) For all industrial users, Any Failure to provide, within forty five (45) after the due date, required reports such as baseline monitoring reports, 90 day compliance reports, periodic self- monitoring reports, and reports on compliance with compliance schedules;
- (7) For all industrial users, Any Failure to accurately report noncompliance;
- (8) For all industrial users, Any other violation or group of violations which the Director determines will or has adversely affected the operation or implementation of the City's pretreatment program.

(e) Whenever an industrial user has violated or continues to violate the provisions of this ordinance or permit or order issued hereunder, the Director, through counsel may petition the courts for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains or compels the activities on the part of the industrial user. The Director shall have such remedies to collect these fees as it has to collect other sewer charges.

(f) Whenever an industrial user has violated or continues to violate the provisions of this ordinance or an order or permit issued hereunder, water service to the industrial user may be severed and service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

(g) Any industrial user who has violated or continues to violate this ordinance or any order or permit issued hereunder, may be charged a civil penalty of not more the five thousand dollars (\$5,000.00) but at least five hundred dollars (\$500.00) plus actual damages incurred by the treatment plant per violation per day for as long as the violation continues. In addition to the above described penalty and damages, the Director or his agent may recover reasonable attorney's fees, court costs and other expenses associated with the enforcement activities, including sampling and monitoring expenses. The Director or his agent may petition the court to impose, and recover such sums. In determining the amount of liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the industrial user's violation, corrective actions by the industrial user, the compliance history of the user, and any other factor as justice requires.

(h) Any industrial user who willfully or negligently violates any provision of this ordinance or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars (\$1,000.00) per violation per day or imprisonment for not more than one year or both. In the event of a second conviction, the user shall be punishable by a fine not to exceed three thousand dollars (\$3,000.00) per violation per day or imprisonment for not more than three years or both.