

## CHAPTER 25 – WATER, SEWERS AND SEWAGE DISPOSAL

### Sec. 25-142. Accidental Discharge.

(a) Each user shall provide protection from accidental discharge or prohibited materials or other substances regulated by this Code. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and 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 director before Construction of the facility. No user who commences contribution to the POTW after the effective date of this Code shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the director. Review and approval of such plans and operating procedures shall not relieve the Industrial User from the responsibility to modify the user's facility as necessary to meet the requirements of this Code. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions. The director shall once every two years evaluate each significant industrial user to determine the need of a slug control plan as per 40 CFR 403.8.

(b) Written Notice Within five (5) days following an accidental discharge, the User shall submit to the Utilities 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 POTW, fish kills, or any other damage to persons or property; not shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Code or other applicable law. Within five (5) days following an accidental discharge, the User shall submit to the Utilities 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 POTW, fish kills, or any other damage to persons or property; not shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Code or other applicable law.

(c) Notice to Employees A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(Code 1977, §§ 12-2-3, 12-2-4.1)

(Ord. No. 90-11, 4/10/90)

(Ord. No. 91-41, 11/12/91)

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