

CHAPTER 25 - WATER, SEWERS AND SEWAGE DISPOSAL

Wastewater.

Sec. 25-76. Wastewater; definitions.

For purposes of this chapter, the following words, terms and phrases shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

Act or "the Act" means the Federal Water Pollution Control Act, also known as the clean water act, as amended, 33 U.S.C. 1251, et. seq.

Approval authority means the director in a national pollution discharge elimination system (NPDES) state with an approved state pretreatment program and the administrator of the United States Environmental Protection Agency (EPA) in a Non-NPDES state without an approved state pre-treatment program. EPA is acting approval authority.

Approved laboratory means a facility licensed by the Arizona Department of Health Services pursuant to Title 36, Chapter 4.3, Article 1, Section 36-495, ET.SEQ. Arizona Revised Statutes.

Approved laboratory procedures means the measurements, tests and analyses of the characteristics of water and wastes in accordance with analytical procedures as established in 40 C.F.R. part 136, as revised.

Authorized representative means an Authorized representative may be any person authorized by a city or other governmental entity.

Authorized representative of industrial user means an Authorized representative of an industrial user may be: (1) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above if such representative is responsible for the over-all operation of the facilities from which the indirect discharge originates.

Average quality means the arithmetic average (weighted by flow value) of all the daily determinations of concentration made during a calendar month.

Biochemical Oxygen Demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade, expressed in milligrams per liter.

Best Management Practices (BMP) shall mean schedules of activities, pollution treatment practices or devices, prohibition of practices, general good housekeeping practices, pollution prevention, waste minimization, educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the amount of pollutants entering the sanitary sewer system, surface water, air, land or groundwater.

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Best Management Practices may include a physical, chemical, structural or managerial practice or device that can help to achieve compliance with this Chapter.

Branch sewer means an arbitrary term for a sewer which receives sewage from lateral sewers from a relatively small area.

Building connection or *sewer tap* means the connection to the public sewer and the extension therefrom of the sewer to the property line in an alley or street, or to the easement line in an easement, or to the edge of the paved roadway, whichever is applicable, depending on the location of the public sewer.

Building official means the individual so designated by the City Manager and head of the respective division of the Development Services Department responsible for implementing the Uniform Building Codes adopted by the city.

Building sewer means the extension from the building drain to the building connection or other place of disposal.

Categorical standards means Federal Categorical Pretreatment Standards issued in accordance with Section 307 of the Clean Water Act.

City means City of Peoria, Arizona.

City Engineer means the Director of the Engineering Department, (i.e., City Engineer) or their deputy, agent, designee or representative.

COD (chemical oxygen demand) means the quantity of oxygen consumed from a chemical oxidation of inorganic and organic matter present in the water or wastewater, expressed in milligrams per liter.

Cooling water means the clean wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling or refrigeration.

Combined Sewer means a sewer receiving both surface runoff and sewage.

Control authority means the "Approval Authority", defined herein above, or the Utilities Director if the city has an approved pretreatment program under the provisions of 40 CFR 403.11.

Daily average effluent limitation means the maximum allowable concentration in the discharge as measured in a representative sample during a sampling day. In determining compliance with the daily average effluent limitation, city samples should not be combined with non-city samples.

Daily composite sample means a sample of effluent continuously collected over a normal operating day.

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Daily composite sample quality means the concentration of some parameter tested in a daily composite sample and reported proportional to flow.

Daily determination of concentration means:

- (i) For composite samples means the daily composite sample quality.
- (ii) For grab samples, the arithmetic average (weighted by flow value) of all grab sample qualities, determined for any calendar day.

Department means the Utilities Department.

Developer means any person engaged in the organizing and financing of a sewage collecting system within an area contributing to a branch, main, or a trunk sewer of the city sewer system. Such may be either a subdivider or a legally-constituted improvement district.

Director or *Utilities Director* means the Utilities Director of the City of Peoria or their authorized deputy, agent, designee or representative.

Director of Engineering means the Director of Engineering or his authorized deputy, agent, designee, or representative.

Finance Director or his authorized deputy, agent or representative shall have the authority to determine and collect all flow service rates and to make such regulations as necessary for same, including the ordering of a discontinuance of service for non-payment of required service fees.

Direct discharge means the discharge of treated or untreated wastewater directly to the waters of the State of Arizona.

Discharge means the disposal of sewage, water or any liquid from any sewer user into the sewerage system.

Domestic waste means a typical, residential-type waste which requires no pretreatment under the provisions of this article before discharging into the sanitary sewer system. ``Domestic waste" does not include commercial, manufacturing and industrial wastes.

Environmental Protection Agency or EPA means 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.

Establishment or *plant* means any establishment or plant producing liquid waste, with or without suspended solids, required to be discharged into the City sewer system.

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Garbage means solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

Grab sample means an individual sample of effluent collected in less than fifteen (15) minutes.

Grab sample quality means the concentration of some parameter tested in a grab sample.

Holding Tank Waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

Indirect discharge means the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(B) or (C) of the Act, (33 U.S.C. 1317), into the POTW (including Holding Tank Waste discharged into the system).

Industrial cost recovery means recovery by the City from the industrial users of the sewer system of the federal grant amount allocable to the treatment of wastes for such users.

Industrial cost recovery period means the industrial cost recovery period shall be equal to thirty (30) years from the date of completion of the facilities.

Industrial discharge (Waste) means any introduction into the POTW of a non-domestic pollutant which:

- (i) Is produced by a source which would be subject to any categorical standards or pretreatment requirements if such source were to be discharged to the POTW; and
- (ii) Contains any substance or pollutant for which a discharge limitation or prohibition has been established by any categorical standard or pretreatment requirement.

Industrial user means any one or more of the following:

- (i) Any non-residential user of the sewer system who causes an industrial discharge; or
- (ii) Any non-residential user of the sewer system which either discharges or produces a waste which potentially could be discharged to a POTW which could be subject to any categorical standard or pretreatment requirement; or
- (iii) Any Significant Industrial User;
- (iv) Has control over the disposal of a waste as described in (1) and (2) above; or

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- (v) Has the right of possession and control over any property which produces a waste as described in (1), (2), (3), or (4) above.

Industrial waste means any liquid, free-flowing waste, including cooling water, resulting from any industrial or manufacturing process or from the development, recovery or processing of natural resources, with or without suspended solids excluding uncontaminated water.

Industrial wastewater discharge permit means the permit granted by the city to an industrial user granting the right to discharge to the sewer works subject to the terms and conditions set forth in the permit.

Inflow means water other than wastewater that enters a sewer system (including sewer service connections) from sources such as roof leaders, cellar drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, stormwaters, surface runoff, street wash waters or drainage.

Instantaneous effluent limitation means the maximum allowable concentration in the discharge at any time as measured in a grab sample. In determining compliance with the instantaneous effluent limitation, city samples shall not be combined with non-city samples.

Interference means a discharge which alone or in conjunction with a discharge or discharges from other sources, both:

- (i) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
- (ii) Therefore is a cause of a violation of any requirement of the POTW'S NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (Including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, The Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Lateral sewer means a sewer which discharges into a branch or other sewer and has no other common sewer tributary to it.

Main sewer means a sewer which receives sewage from two (2) or more branch sewers as tributaries.

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Maintenance means keeping the treatment works in a state of repair, including expenditures necessary to maintain the capacity (capability) for which the works were designed and constructed.

National pretreatment standard, pretreatment standard or standard means any regulation containing pollutant discharge limits promulgated by the United States Environmental Protection Agency in accordance with section 307 (b) and (c) of the act, which applies to industrial users. This term included prohibitive discharge limits established pursuant to 40 CFR 403.5. Reference the standards located in 40 CFR chapter i, subchapter n., Parts 405 - 471.

National prohibitive discharge standard or prohibitive discharge standard means any regulation developed under the authority of 307(B) of the Act and 40 CFR, Section 403.5.

Natural outlet means any outlet into a watercourse, ditch, or other body of surface or groundwater.

New source 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 proposed pre-treatment 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:

- (i) The building, structure, facility or installation is constructed at a sight at which no other source is located; or
- (ii) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- (iii) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Normal sewage means sewage or wastewater that (a) has a five (5) day biochemical oxygen demand less than 300 milligrams per liter by weight; (b) contains less than 350 milligrams per liter by weight of suspended solids, and (c) does not contain a non-permissible quantity of the type waters and wastes described in section 25-138.

National Pollutant Discharge Elimination System (NPDES) Permit means a national pollutant discharge elimination system permit, issued to the City by the EPA, or an Arizona pollutant discharge elimination system permit (AZPDES), issued to the City

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by the State of Arizona, which imposes standards governing the quality of the treatment effluent discharge from the POTW into a navigable water of the United States.

Pass through means a discharge which exits the Publicly Owned Treatment Works 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 requirement of the POTW NPDES permit (including an increase in the magnitude or duration of a violation). 40 CFR 403.5(A)(1)

Oil & grease means the measure of oil and grease content of a sample as determined by EPA method 1664A, Or other equivalent test method approved by the Director.

Oil & grease (TPH) means for purposes of determining compliance with the oil and grease limitation contained in this chapter, oil and grease is defined as the measure of the petroleum and mineral oil(Total Petroleum Hydrocarbons, "TPH") content of a sample as determined by EPA method 1664A, or other equivalent test method approved by the Director.

Permittee or permit holder means any person who owns, operates, processes or controls an establishment or plant being operated under a valid industrial waste permit to discharge wastewater into the city sewer system.

Person means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

pH means the logarithm of reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pollutant means any dredged spoil, solid waste, incinerator residue, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural wastes. This includes any substance and effluent limitation identified in Chapter 25 of the City Code.

Pollution means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

Pollution prevention means source reduction and other practices that reduce or eliminate the creation of pollutants through either or both of the following:

- (i) Increased efficiency in the use of raw materials, energy, water or other resources, or
- (ii) Protection of natural resources by conservation.

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Publicly Owned Treatment Works (POTW) means publicly owned treatment works and connecting sewer collection systems which are owned and/or operated, in whole or in part, by the city and which provide the city with wastewater collection and disposal services.

POTW residuals means all POTW effluent and/or solids, including sludge, scum, screenings and grit, which are the by-product of the wastewater treatment operations and which must be discharged to the environment for ultimate disposal and/or reuse.

POTW treatment plant means that portion of the POTW designed to provide treatment to wastewater.

Pretreatment means the physical, chemical, biological or other treatment of any industrial discharge, prior to discharge to the potw for the purpose of any one or more of the following:

- (i) Reducing the amount of concentration of any pollutant; or
- (ii) Eliminating the discharge of any pollutant; or
- (iii) Altering the nature of any pollutant characteristic to a less harmful state.

Pretreatment requirements means of the duties or responsibilities imposed upon POTW users by this chapter.

Producer means any person, firm, association, corporation or trust which owns, operates, possesses or controls an establishment or plant, whether or not a permittee.

Properly shredded garbage means garbage that has 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-fourth of an inch in any dimension.

Public sewer means a lateral, branch, main or trunk sewer controlled and maintained by the City.

Replacement means those expenditures made for obtaining and installing equipment, accessories and/or appurtenances during the useful life of the treatment works which are necessary to maintain the capacity and performance of the treatment works for which they were designed and constructed.

Sanitary sewer means a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

Secondary Sewage Treatment means treatment by which dissolved or suspended materials are converted through biological action and sedimentation to a form which allows more ready separation and results in a sewage treatment plant effluent which can

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be characterized by the following average constituent concentrations: (a) BOD[BOD]: thirty milligrams per liter, (b) suspended solids: thirty milligrams per liter, and (c) pH: 6.0 to 9.0.

Sewage means a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

Sewage treatment plant means any arrangement of devices and structures used for treating sewage.

Sewage works, sewer system or sewerage works means all facilities for collecting, pumping, treating, and disposing of sewage.

Sewer means a pipe or conduit for carrying sewage.

Sewer Tap - See "Building Connection".

Shall means mandatory. May is permissive.

Significant industrial user means any categorical industrial user (CIU) any other industrial user which:

- (i) Discharges 25,000 gallons or more of process wastewater per day.
- (ii) Contributes a process wastewater which makes up five (5%) percent or more of the dry weather average hydraulic or organic capacity of the publicly owned treatment works (POTW).
- (iii) Is designated as such by the control authority on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard or requirement.

Significant noncompliance means an industrial user is in a state of significant noncompliance (SNC) when violations meet one or more of the following criteria:

- (i) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all 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;
- (ii) Technical review criteria (TRC) violations, defined here as those 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, fats, oil and grease, And 1.2 For all other pollutants except pH).

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(iii) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Director determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public).

(iv) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the publicly owned treatment work's exercise of its emergency authority under this chapter to halt or prevent such a discharge.

(v) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a permit or enforcement order for starting construction, completing construction, or attaining final compliance.

(vi) Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, ninety day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules.

(vii) Failure to accurately report non compliance; or

(viii) Any other violation or group of violations which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

Slug discharge means any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge.

Source reduction means any practice which:

(i) Reduces the amount of any pollutant or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal; and

(ii) Reduces the hazards to public health and the environment associated with the release of such substances, pollutants or contaminants.

Standard industrial classification (SIC) means a coded classification of industries based upon economic activity developed by the U. S. Department of Commerce as published in the most recent edition of the Standard Industrial Classification Manual, Office of Management and Budget.

Standard methods means the procedure as described in the most current edition of Standard Methods for the Examination of Water and Wastewater published by the American Health Association, or the most current edition of Manual of Methods for Chemical Analysis of Water and Wastes published by the U. S. Environmental Protection Agency.

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State means State of Arizona.

Storm sewer or *storm drain* means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Storm water means any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended solids (SS) means solids measured in milligrams per liter that either float on the surface of or are in suspension in water, wastewater or other liquids and which are largely removable by a laboratory filtration device, as defined in standard methods.

System design capacity means the design capacity for normal domestic wastewater as established by accepted engineering standards.

Total organic carbon (TOC) means the total of all organic compounds expressed in milligrams per liter as determined by the combustion-infrared method prescribed by approved laboratory procedures.

Toxic pollutant means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of CWA 307(A) or other acts.

Treatment parameter means a fundamental characteristic of sewage around which treatment is designed such as, but not limited to, flow, BOD, and suspended solids.

Trunk sewer means a sewer which receives sewage from many tributary main sewers and serves as an outlet for a large territory.

User means any person, lot, parcel of land, building, premises, municipal corporation or other political subdivision that discharges, causes or permits the discharge of wastewater into the sewage system.

Waste minimization means an activity which eliminates or reduces the amount of any pollutant from entering the waste stream or the environment. This may include a change in raw materials, operational improvement, process improvement, product reformulation, reuse or reclamation.

Wastewater means any liquid or water-carried pollutant, including an industrial discharge, which is introduced into the POTW from any dwelling, commercial building, industrial facility or institution.

Wastewater contribution permit means as set forth in this chapter.

Wastewater treatment plant means any arrangement of devices and structures used for treating sewage.

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

Waters of the State means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, draining systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

Cross reference(s) -- Definitions and rules of construction generally, § 1-2.
(Code 1977, §12-1-1)

State Law Reference: A.R.S. §36-495.
(Ord. No. 95-66, 8/1/95, Amended)
(Ord. No. 02-41, 6/7/02, Amended) SUPP 2002-2
(Ord. No. 02-42, 6/7/02 Amended) SUPP 2002-2
(Ord. No. 04-197, 9/21/04, Amended) SUPP 2004-3
(Ord. N. 08-35, 12/02/08, Amended Sec. 25-76) SUPP 2008-4