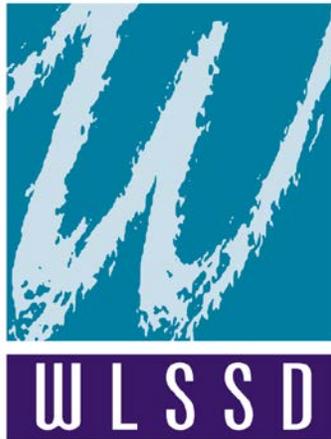


INDUSTRIAL PRETREATMENT ORDINANCE



Clear Answers for Clean WaterSM

REVISED June 2016

Western Lake Superior Sanitary District

Duluth, Minnesota

**PRETREATMENT ORDINANCE
GENERAL OUTLINE**

	<u>Page #</u>
ARTICLE I - Authority and General Provisions	3
Section 1 Introduction	3
Section 2 Authority	3
Section 3 Purpose	3
Section 4 Objectives	3
Section 5 Definitions	4
ARTICLE II – Regulations	7
Section 1 General Discharge Prohibitions	7
Section 2 Prohibited Substances & Authority of Director	7
Section 3 Federal Categorical Pretreatment Standards	9
Section 4 Specific Discharge Limitations	10
Section 5 Dilution	11
Section 6 Accidental Discharge	11
Section 7 Bypass	12
Section 8 Operating Upset	13
ARTICLE III - Wastewater Discharge Permits	14
Section 1 Initial Compliance Status Reports	14
Section 2 Determination of Need for Permit	15
Section 3 Permit Conditions	16
Section 4 Permit Modifications	16
Section 5 Permit Duration	17
Section 6 Permit Transfer	17
Section 7 Periodic Reporting Requirements	17
Section 8 Monitoring Facilities	17
Section 9 District Inspection and Sampling	18
Section 10 Pretreatment Facilities	18
Section 11 Public Access to Information	19
ARTICLE IV – Enforcement	20
Section 1 Minor Violations	20
Section 2 Major Violations	20
Section 3 Response to Violations	20
Section 4 Oral Notification or Informal Meeting	21
Section 5 Letter of Warning	21
Section 6 Notice of Violation	21
Section 7 Compliance Schedule	21
Section 8 Show Cause Hearing	21
Section 9 Judicial Proceedings	22
Section 10 Appeals	22
Section 11 Annual Publication	22
ARTICLE V – Penalties	23
Section 1 Remedies Available	23
Section 2 Penalties	23
Section 3 Suspension of Service	23
Section 4 Revocation of Permits	24
Section 5 Civil Liability	24
Section 4 Injunctions	24

	<u>Page #</u>
ARTICLE VI – Fees	25
Section 1 Purpose	25
Section 2 Charges & Fees	25
ARTICLE VII - Effective Date Severability	26
Section 1 Severability	26
Section 2 Conflicts	26
Section 3 Adoption and Effective Dates	26
Section 4 District’s Rights of Revision	26

APPENDIX A Regulated Industrial Categories	27
B Toxic Pollutant List	29

INDUSTRIAL PRETREATMENT ORDINANCE

ARTICLE I

AUTHORITY AND GENERAL PROVISIONS

Section 1. Introduction

The Western Lake Superior Sanitary District (WLSSD or District) was created by the State of Minnesota through Minnesota Laws 1971, Chapter 478. It is currently codified in Minnesota Statutes, Chapter 458D and this statute gives the WLSSD the authority to operate a wastewater treatment district including the Industrial Pretreatment Program. The District is responsible for the ownership and operation of a network of interceptor sewers and a regional wastewater treatment facility. This regional system is responsible for the conveyance, treatment and disposal of industrial and domestic wastewater from sources throughout the District. To achieve the highest and best use of the District's facilities, the District shall regulate the quantity and quality of discharges into the public sewers of local municipalities and the interceptor sewers of the District. The District shall also maintain a program to regulate, enforce, and charge for services necessary to implement its obligations under federal and state law.

Section 2. Authority

These rules and regulations are adopted by the Western Lake Superior Sanitary District pursuant to authority contained in Minnesota Statutes, Chapter 458D, and are declared necessary for the efficient, economic and safe operation of the District's wastewater disposal system, and for the protection of the health, safety, and general welfare of the public throughout the District.

Section 3. Purpose

- (a) These rules set forth requirements for industrial waste discharges into the District's sewerage system, and enable the District to comply with permit requirements under the National Pollution Discharge Elimination System and the provisions of applicable state and federal laws required by the Clean Water Act of 1977, as amended, and the General Pretreatment Regulations (40 CFR Part 403).
- (b) This ordinance shall not prevent industry from constructing and operating pretreatment facilities beyond those required by this ordinance.

Section 4. Objectives

- (a) The objectives of this ordinance are:
 - (1.) To prevent the introduction of pollutants into the District system that will interfere with the normal operation of the system or contaminate the resulting sludge;
 - (2.) To prevent the introduction of pollutants into the District system that do not receive adequate treatment, and that will pass through the treatment system into receiving waters or the atmosphere or otherwise be incompatible with the treatment system; and
 - (3.) To improve the opportunity to recycle and reclaim wastewaters and sludges from the District's system.

INDUSTRIAL PRETREATMENT ORDINANCE

- (b) This ordinance provides for the regulation of discharges into the District Sewerage System through the enforcement of administrative regulations. This ordinance also authorizes monitoring and enforcement activities, establishes industrial reporting requirements and provides for establishment of penalties for violation of the rules and regulations established herein.

Section 5. Definitions

Unless the context indicates otherwise, the following terms as used in this ordinance shall have the following meanings:

- (1.) Act - The Federal Water Pollution Control Act also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
- (2.) Best Management Practices or BMPs - Are schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 403.5(a)(1) and (b). BMPs 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.
- (3.) Board - The governing Sanitary Board of the Western Lake Superior Sanitary District.
- (4.) BOD₅ or BOD - An analytical test procedure approved by the EPA and listed in 40 CFR Part 136. The procedure measures the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees F. Results are expressed in terms of concentration (milligrams per liter, mg/L).
- (5.) Bypass - The intentional diversion of waste streams from any portion of User's treatment facility.
- (6.) Categorical Industrial User or CUI – Industrial Users subject to categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, subchapter N.
- (7.) Categorical Pretreatment Standards - Any regulation containing pollution discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) and which applies to a specific category of industrial Users.
- (8.) CFR – The Code of Federal Regulations, which is the codification of general and permanent rules of departments and agencies of the federal government.
- (9.) Cooling Water - The water discharged from any use such as air conditioning, cooling or refrigeration, or during which heat is the only pollutant added to the water.
- (10.) Director - The Executive Director of the Western Lake Superior Sanitary District or his or her duly authorized representative.
- (11.) District or WLSSD - The governmental entity with jurisdiction in Western Lake Superior Sanitary District.

INDUSTRIAL PRETREATMENT ORDINANCE

- (12.) District Sewerage System - The treatment works and the sewers and conveyance appurtenances discharging thereto, owned and operated by the District or by any municipality now or hereafter served by the District.
- (13.) Enforcement Response Plan (ERP) – A WLSSD guidance document used to ensure enforcement responses are appropriate and that the WLSSD’s actions are not arbitrary or capricious.
- (14.) E.P.A. - The U.S. Environmental Protection Agency.
- (15.) Existing Source - Any building, structure, facility or installation from which there is or may be a discharge, the construction of which commenced prior to promulgation of pretreatment standards which are applicable to each source.
- (16.) General Pretreatment Regulations - The general pretreatment regulations for existing and new sources of pollution promulgated by EPA under Section 307(b) and (c) of the Act and found at 40 CFR Part 403.
- (17.) Industrial User or IU - A person who discharges to the District's' sewerage system, liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments.
- (18.) Interference - An inhibition or disruption of the sewer system and/or treatment plant processes, which is a cause of or significantly contributes to either a violation of any requirement of the District's NPDES Permit, or to the prevention of sewage sludge use or disposal by the District.
- (19.) Liquid Waste Hauler – An User who hauls wastewater or sludge to the District’s treatment plant via truck or train.
- (20.) National Pollution Discharge Elimination System (NPDES) Permit - A discharge permit issued to the District for operation of its wastewater treatment facilities pursuant to the NPDES system established under the Act.
- (21.) New Source - 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 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, subject to the provisions of 40 CFR 403.3.
- (22.) pH - A measure of the acidity or basicity of a waste. It is the logarithm of the reciprocal of the hydrogen ion concentration in moles per liter.
- (23.) Pass-Through - The discharge of toxic pollutants into the District Sewerage System which pass through the District's wastewater treatment facilities to the extent that they are present in the effluent from such facilities in concentrations which will cause the District to violate any requirements of its NPDES Permit.
- (24.) Permit - Industrial wastewater discharge permit issued by the District pursuant to these rules and regulations.

INDUSTRIAL PRETREATMENT ORDINANCE

- (25.) Pretreatment - The process of reducing the amount 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 District Sewerage System. Such reduction, elimination or alteration may be obtained by physical, chemical, or biological processes, process changes, BMPs, or other means except as prohibited by these rules and regulations.
- (26.) Significant Industrial User - Any non-residential User of the District's sewage system which (i) is subject to Categorical Pretreatment Standards; or (ii) has a discharge of 25,000 gallons per day or more per average workday; or (iii) has a flow greater than 5% of the flow in the District sewerage system; or (iv) that has a reasonable potential, in the opinion of the District, either singularly or in combination with other contributing industrial Users, to adversely affect the wastewater disposal system, the quality of sludge, effluent quality or the air emissions generated by the system.
- (27.) Significant Non-Compliance (SNC) – A major violation which is defined in 40 CFR 403.8 (f)(2)(viii) or any violation listed as such in the District's ERP.
- (28.) Slug or Slug Discharge – Any waste discharge, either purposeful or accidental, which has the potential to exceed prohibitions in 40 CFR 403.5.
- (29.) Standard Industrial Classification (SIC) - An industrial classification system pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, for use in the classification of establishments by types of business and the primary and economic activity involved.
- (30.) Toxic Pollutants - Any pollutant or combination of pollutants listed as toxic by the Administrator of the E.P.A. under the provisions of Section 301(a) of the Act.
- (31.) Total Suspended Solids (TSS) – An analytical test procedure approved by the EPA and listed in 40 CFR Part 136. The procedure measures total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by a standard 0.45 um glass fiber filter.
- (32.) Upset - An exceptional incident in which a User unintentionally and temporarily is in a state of non-compliance with the standards adopted by these regulations, the Federal Regulations, or established as part of its permit (if required), due to factors beyond the reasonable control of the Users. Upsets do not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, and lack of preventative maintenance or careless or improper operation thereof.
- (33.) User - Any person who discharges, causes, or permits the discharge of wastewater into the District Sewerage System.
- (34.) Wastewater - Industrial or domestic wastewaters from dwellings, commercial buildings, industrial facilities, and institutions together with any groundwater, surface water or storm water that may be present, whether treated or untreated, which is discharged to the District Sewerage System.

INDUSTRIAL PRETREATMENT ORDINANCE

ARTICLE II

REGULATIONS

Section 1. General Discharge Prohibitions

No User shall discharge or cause to be discharged any pollutant or wastewater that will pass through or interfere with the operation or performance of the District Sewerage System. These general prohibitions shall apply to all Users of the District's sewerage system whether or not the User is subject to federal categorical pretreatment standards or any other federal, state, or District pretreatment standard or requirement.

Section 2. Prohibited Substances and Authority of Director

- (a) The following are prohibited from entering the District Sewerage System:
- (1.) Any liquids, solids, or gases which by reason of their nature or quantity, either alone or with interaction with other substances, create a substantial likelihood of a fire or explosion or may be injurious in any other way to the operation of the District Sewerage System. Prohibited materials include, but are not limited to, gasoline, benzene, kerosene, naphtha, fuel oil, lubricating oil, toluene, xylene, ethers, alcohols, tetrachloroethene, and ketones and any other substance with a close cup flash point of less than 140 degrees Fahrenheit; unless in *de minimus* amounts as provided for in the District's Petroleum Contaminated Water Discharge Requirements.
 - (2.) Solids or viscous substances in quantity or of such size which will or may cause obstruction to the flow in a sewer or interference with the operation of the District Sewerage System. These include grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshies, entrails, feathers, ashes, sand, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, waste paper, wood, plastic, gas tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, glass grinding or polishing waste.
 - (3.) Any wastewater having a pH less than 5.5 units.
 - (4.) Any wastewater having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the District Sewerage System unless the system is specifically designed to accommodate such discharges.
 - (5.) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the system, or to exceed the limitations set forth in applicable Categorical Pretreatment Standards (Appendix A). A toxic pollutant shall include but not be limited to those pollutants identified in the Toxic Pollutant List set forth in Appendix B.
 - (6.) Noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, will or are likely to create a public nuisance, hazard to life, or worker health safety problems, or are sufficient to prevent entry into the District sewage system using normal confined space entry procedures for maintenance or repairs.

INDUSTRIAL PRETREATMENT ORDINANCE

- (7.) Any substance that may cause the District Sewerage System's treatment residues, sludge or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- (8.) Any substance that will cause the District to violate its NPDES Discharge Permit.
- (9.) Any wastewater which will or is likely to cause excessive discoloration in treatment plant effluent, including dye wastes, vegetable tanning solutions, and printing inks.
- (10.) Any wastewater having a temperature that will inhibit biological activity in the District's treatment plant resulting in interference; but in no case, wastewater with heat in such quantities that the temperature is greater than 65 degrees C (150 degrees F) at its point of discharge to the District Sewerage System, or causing either individually or in combination with other wastewater, the influent at the District treatment facility to have a temperature exceeding 40 degrees C (104 degrees F).
- (11.) Any slugload, which shall mean any pollutant, including oxygen demanding pollutant (BOD, etc.), released at a flowrate or concentration which will interfere with the operation of the District Sewerage System.
- (12.) Any wastewater containing radioactive wastes or isotopes of such a half-life or concentration that they are in non-compliance with standards issued by the appropriate authority having control over their use and which will or are likely to cause damage or hazards to the District Sewerage System or personnel operating throughout the system.
- (13.) Any stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water or other unpolluted water unless prior approval has been given by the Director for such discharge. Such discharge shall not cause a User to exceed contractual limitations as established by capacity allocation agreements or industrial discharge permits.
- (14.) Any wastewater containing more than 100 mg/L of petroleum oil, cutting oil, coolants, or products of mineral oil origin.
- (15.) Any wastewater containing more than 200 mg/L of oil or grease of animal or vegetable oil origin.
- (16.) Any wastewater containing floatable solids, oils, fat or grease in sufficient quantity, either singly or by interaction with other pollutants, which could cause an obstruction of the District Sewerage System.
- (17.) Any trucked or hauled wastes, except at discharge points designated by the District.
- (18.) Residual solids, including sludges, skimmings, etc., generated by a pretreatment facility shall not be disposed, directly or indirectly, into the District Sewerage System without prior written approval of the Director. The selected transportation, containment, and disposal methods shall be in accordance with all federal, state, and local regulations.

INDUSTRIAL PRETREATMENT ORDINANCE

- (b) When the Director determines that a User is contributing to the District Sewerage System any of the above substances in amounts as to interfere with the operation of the system or cause a violation of the District's NPDES permit, the Director shall advise the User of the impact on the District Sewerage System and:
 - (1.) Reject the waste; or
 - (2.) Require pretreatment, BMPs, or control to meet effluent limitations.

Section 3. Federal Categorical Pretreatment Standards

- (a) Categorical pretreatment standards as promulgated by the U. S. Environmental Protection Agency ("EPA") pursuant to the Act shall be met by all affected industrial Users within the time limits set forth in 40 CFR 403.6(b). Users who are regulated by both a federal categorical pretreatment standard and the standards established within this ordinance are required to meet the more stringent limitation(s). The District shall notify all affected Users of applicable reporting requirements under 40 CFR 403.12 as indicated in paragraph (b). The District shall process all required reports and shall conduct follow-up on said reports as required.
- (b) Applicable reporting requirements under 40 CFR 403.12 are as follows:
 - (1.) At least 90 days prior to the commencement of discharge, New Sources, and sources that become industrial Users subsequent to the promulgation of an applicable Categorical Standard shall be required to submit to the District a report which contains the information listed in paragraphs (b)(1) through (5) of 40 CFR 403.12. New Sources shall also include in such report information on the method of pretreatment the New Source intends to use to meet the applicable pretreatment standards and may give estimates of the information requested.
 - (2.) Within 180 days of the date of promulgation of a federal categorical pretreatment standard, any User discharging a wastewater from a process that is regulated by such standard shall submit to the District a baseline monitoring report in accordance with the general pretreatment regulations, 40 CFR 403.12 (b) and (c).
 - (3.) Within 90 days following the date for final compliance with a federal categorical pretreatment standard or, in the case of a New Source, following commencement of the introduction of wastewater into the District Sewerage System, any User subject to a federal categorical pretreatment standard shall submit to the District a report in accordance with the general pretreatment regulations, 40 CFR 403.12 (d) and (g).
 - (4.) Any User subject to a federal categorical pretreatment standard, after the compliance date of such standard, or, in the case of a new source, following commencement of the introduction of wastewater into the District Sewerage System, shall submit to the District periodic reports on continued compliance in accordance with the general pretreatment regulations, 40 CFR 403.12 (e) and (g).

INDUSTRIAL PRETREATMENT ORDINANCE

- (5.) All compliance schedules shall be developed between the District and the affected industrial User to insure compliance with local, state, and federal limitations in a timely manner as provided by the preceding sections of the general pretreatment regulations.
- (c) Federally adopted pretreatment standards, as of the date of adoption of this Ordinance are listed in Appendix A. The appropriate standards will apply to all affected industrial Users. As Federal Categorical Pretreatment Standards for particular industrial subcategories are promulgated, the Federal Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory shall immediately supersede the limitations imposed under this Ordinance. Violation of these Federal Standards shall be a violation of this Ordinance.
- (d) If the District achieves consistent removal of pollutants limited by pretreatment standards, the District may apply to EPA for modification of specific limits of the pretreatment standards. The District shall modify pollutant discharge limits applicable to an industrial User in the pretreatment standards if the requirements contained in 40 CFR 403.7 of the General Pretreatment Regulations relating to credits for the removal of pollutants are fulfilled and prior approval from EPA is obtained. However, nothing herein shall require the District to apply to EPA for removal credits, nor shall it be construed to in any way limit the applicability of other rules and regulations contained within this Ordinance.

Section 4. Specific Discharge Limitations

- (a) No discharger shall discharge wastewater containing concentrations of the following pollutants in excess of the limitation set forth opposite each such pollutant, or in excess of the limitations for such pollutants and/or additional pollutants included in any wastewater discharge Permit issued by the District to enable the District to meet the limitations contained in its National Pollution Discharge Elimination System Permit except as authorized pursuant to a compliance schedule contained in a wastewater discharge Permit:

<u>Pollutant</u>	<u>Limitation (ug/L)</u>	<u>Low Flow Limitation (ug/L)</u>
Copper	260	3380
Zinc	1600	2610
Nickel	1500	3980
Cadmium	30	30
Chromium	1000	2770
Lead	220	690
Mercury	0.05	0.05

- (b) When the District has determined a User has used the most practical treatment technology or BMPs and yet is not meeting the local limit and is discharging at a low flow, so that it is unlikely that the discharge will have any negative effect on the treatment process or receiving waters, the District may choose to allow the User to discharge up to the low flow limitation. This limit (low flow limitations) is to be used only if the data shows that the headworks loading to the District treatment plant will not cause upset in treatment plant processes or that the water quality standards of the receiving waters will not be exceeded.

INDUSTRIAL PRETREATMENT ORDINANCE

- (c) When a Significant Industrial User (SIU) reduces its discharge flow in a significant amount, the District may, in its sole discretion, choose to implement a mass based limit for that Significant Industrial User. This limit will not increase the permitted mass of a pollutant discharged by such Significant Industrial User and may not exceed a Categorical Pretreatment Standard.

Section 5. Dilution

No User shall increase the use of potable or process water in any way, for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this Ordinance.

Section 6. Accidental and Slug Discharges

- (a) All Industrial Users shall provide adequate protective procedures to prevent accidental or Slug Discharges of any waste prohibited in Article II, Section 2; any waste in excess of the limitations provided in Article II, Section 4 or any waste in violation of an applicable pretreatment standard.
- (b) Any person who has knowledge of an accidental or Slug Discharge into the District Sewerage System of any waste referred to in paragraph (a) shall immediately notify the Director of such a discharge. In the event the person reporting the accidental discharge is not the person responsible for the discharge, the Director shall immediately notify the responsible party. The responsible person shall take immediate action as is reasonably possible to minimize or abate the prohibited discharge.
- (c) The responsible person shall send a letter describing the prohibited discharge to the District within five (5) calendar days after learning of the discharge. The letter shall include the following information:
 - (1.) The time and location of the accidental or Slug Discharge;
 - (2.) Description of the accidental or Slug Discharge waste, including estimate of pollutant concentrations;
 - (3.) Time period and volume of wastewater discharged;
 - (4.) Action taken to correct or control the accidental or Slug Discharge; and
 - (5.) A schedule of corrective measures to prevent further accidental or Slug Discharge occurrences.
- (d) Written notification as required under paragraph (c) shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage of the District Sewerage System; nor shall such notification relieve the User of any fines, civil penalties or other liabilities that may be imposed by these regulations or any other applicable law.
- (e) The letter as required in paragraph (b) shall be signed by a principle executive officer of the User, or his or her designee.
- (f) Each Industrial User shall develop internal emergency notification procedures to insure that the District will be notified immediately once an accidental discharge has occurred.

INDUSTRIAL PRETREATMENT ORDINANCE

- (g) If the District's evaluation determines an industrial slug control plan is needed, the District will require a such a plan in the Industrial User permit as required in 40 CFR 403.8(f)(2)(vi).

Section 7. Bypass

- (a) Prohibited Bypass. A Bypass is prohibited unless:
 - (1.) The Bypass was unavoidable to prevent loss of life, personal injury or substantial physical damage to property, damage to the User's treatment facilities which would cause them to become inoperable, or reasonably expected substantial and permanent loss of natural resources; and
 - (2.) There are no feasible alternatives to the Bypass, such as use of auxiliary treatment facilities which should be, or have been, installed in the exercise of reasonable engineering judgment, BMPs, or maintenance during normal periods of equipment downtime; and
 - (3.) The User has submitted the reports required by subsection (b) hereof.
- (b) Notice of Bypass
 - (1.) Any User who knows in advance of the need for a Bypass shall notify the District at least ten days in advance of such Bypass, if possible.
 - (2.) Any User shall orally notify the District of an unanticipated Bypass within 24 hours of becoming aware of such Bypass and, unless waived by the District, submit a written report to the District within 5 days of becoming aware of a Bypass containing a description of the Bypass and its cause; the duration of the Bypass, including exact dates and times, and, if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the Bypass.
- (c) Permitted Bypass. A User may allow a Bypass to occur which will not result in a violation of this Ordinance or the User's wastewater discharge Permit only for essential maintenance to assure efficient operation, and the District may approve an anticipated Bypass if it determines the Bypass will meet the conditions of subsection (a) above.
- (d) This Section 7 is intended to apply the rules contained in 40 CFR 403.17 and shall be interpreted consistent therewith.

Section 8. Operating Upsets

- (a) Any User that experiences an upset in operations that places the User in a temporary state of noncompliance with this Ordinance or a wastewater discharge permit issued pursuant hereto shall inform the Director thereof within 24 hours of first awareness of commencement of the upset.
- (b) Where such information is given orally, a written follow-up report may be requested by the Director and shall be filed by the User with the Director within five (5) days, providing the following:
 - (1.) Description of the upset, the cause thereof and the upset's impact on the User's compliance status.

INDUSTRIAL PRETREATMENT ORDINANCE

- (2.) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.
- (3.) All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset or other conditions of noncompliance.

INDUSTRIAL PRETREATMENT ORDINANCE

ARTICLE III

WASTEWATER DISCHARGE PERMITS

Section 1. Initial Compliance Status Reports

- (a) Upon request by the Director, a User shall complete an Initial Compliance Status Report to enable the District to determine the User's compliance with the limitations established herein.
- (b) The Initial Compliance Status Report shall be completed in a form substantially the same as set forth in *WLSSD Industrial Pretreatment Program Procedures Manual* and shall include the following information:
 - (1.) Name, address, and location of the discharge;
 - (2.) Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
 - (3.) Wastewater constituents and characteristics, including but not limited to those mentioned in this Ordinance. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, part 136, as amended;
 - (4.) Time and duration of discharges;
 - (5.) Average daily and peak daily wastewater flow rates (gallons per day), including daily, monthly, and seasonal variations, if any. All flows shall be measured by acceptable methods unless other verifiable methods are approved by the Director;
 - (6.) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location, and elevation as they relate to enforcement of the District's Pretreatment Ordinance.
 - (7.) General description of activities, facilities and plant processes on the premises including all materials which are or may be discharged to the District Sewerage System;
 - (8.) The nature and concentration of any pollutants or materials prohibited by this Ordinance in the discharge, together with a statement regarding whether or not compliance with this Ordinance is being achieved on a consistent basis, and if not, whether additional operation and maintenance activities and/or additional treatment is required for the User to comply with this Ordinance;
 - (9.) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this Ordinance, the User shall provide a declaration of the shortest schedule by which such additional pretreatment and/or operation and maintenance activities will be provided;

INDUSTRIAL PRETREATMENT ORDINANCE

- (i) The compliance schedule shall contain milestone dates for commencement and completion of major events leading to the construction and operation of additional pretreatment facilities needed to comply with the requirements of this Ordinance. This shall include dates relating to the selection of an engineer, completion of preliminary plans, completion of final plans, equipment purchases, commencement and completion of construction, and all other acts necessary to comply with this Ordinance.
 - (ii) Under no circumstances shall the District allow any single step toward compliance to exceed nine (9) months.
 - (iii) Not later than fourteen (14) calendar days following each milestone date in the preceding schedule, the User shall submit a progress report to the District, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date. If unable to comply, the User shall indicate the date on which it expects to comply, the reason for the delay, and the steps being taken to return to the approved schedule. Progress reports shall be submitted to the District at intervals of not greater than nine (9) months.
- (10.) Disclosure of each general end product for sale and shipment;
- (11.) Disclosure of type and amount of principal raw materials used (average and maximum per day);
- (12.) All reports and compliance schedules, if applicable, shall be signed by a responsible corporate officer, which means the president, secretary, treasurer, or vice president in charge of the principal business function conducted at the facility or the manager of the facility or any other persons permitted by 40 CFR 403.12(I);
- (13.) The District reserves the right to request any other information necessary to evaluate a particular User's sewerage system discharge.

Section 2. Determination of Need for Permit

- (a) All Users regulated by Federal Categorical Pretreatment Standards (Appendix A) are required to obtain a wastewater discharge permit.
- (b) All Users affected by Article III, Section 1(a) will be reviewed by the District to determine whether a wastewater discharge permit is required. Users will be issued wastewater discharge permits when their process wastewater discharges contain significant amounts of those pollutants regulated by Article II, Section 4 (Specific Discharge Limitations) or if the User could have significant impact on the District's operations. The District shall determine the need for a permit within 90 days of receipt of a completed initial compliance status report.

INDUSTRIAL PRETREATMENT ORDINANCE

Section 3. Permit Conditions

- (a) Wastewater discharge permits shall be subject to all provisions of this chapter and all other regulations and applicable fees established by the District and must conform to all EPA and Minnesota Pollution Control Agency rules.
- (b) Industrial wastewater discharge permits shall specifically include the following conditions as applicable:
 - (1.) Limits on the average and/or maximum wastewater constituents and characteristics which may be discharged;
 - (2.) Limits on average and maximum rate and time of discharge, and/or requirements for flow regulation and equalization;
 - (3.) Requirements for installation and maintenance of sampling and monitoring facilities;
 - (4.) Specifications for self-monitoring programs which include sampling locations, frequency and method of sampling, number and types of tests as well as reporting schedules;
 - (5.) Compliance schedules;
 - (6.) Pretreatment requirements;
 - (7.) Requirements for submission of special technical reports, discharge reports, BMP reports, or other reports than those prescribed herein;
 - (8.) Requirements for access to Permittee's wastewater records and premises pursuant to Article III, Section 9;
 - (9.) Requirements for submission of plans and maintenance of records for the prevention and control of accidental or Slug Discharges pursuant to Article II, Section 6;
 - (10.) Requirements for notification of the Director of any substantial change in the volume or characteristics of the wastewater constituents being introduced to the District Sewerage System which the Permittee knows or has reason to believe will or is likely to have, either singly or by interaction with other wastes, a negative impact on the District's treatment process.
 - (11.) Requirements for notification of Slug Discharge and/or bypass monitoring;
 - (12.) Other conditions as deemed appropriate by the District to insure compliance with this Ordinance.

Section 4. Permit Modifications

The terms and conditions of a wastewater discharge permit may be subject to modification by the District at any time as limitations or requirements as identified in Article II are modified or other just cause exists.

INDUSTRIAL PRETREATMENT ORDINANCE

Section 5. Permit Duration

- (a) Permits shall be issued for a specified time period, not to exceed five (5) years.
- (b) The Permittee shall apply for a permit re-issuance at least ninety (90) days prior to the permit's expiration date. Reapplication shall consist of a written request for re-issuance, including a statement that all terms and conditions of the existing permit and this Ordinance are being met. The permit renewal application shall be in a form substantially the same as set forth in *WLSSD Industrial Pretreatment Program Procedures Manual* and shall be signed by and sworn to by a principal executive officer of the Permittee, or his or her designee.

Section 6. Permit Transfer

- (a) Wastewater discharge permits are issued to a specific User for a specific operation and are not assignable to another User or transferable to any other location without prior written approval of the Director.
- (b) In the event there is a change in the ownership of a User for which there is an industrial discharge permit, the prior owner shall notify the District of said change in ownership, and notify the succeeding owner of the provisions of the permit and the rules and regulations contained herein.
- (c) A new owner shall submit a new initial compliance status report under Article III, Section 1, or shall submit to the District an executed statement agreeing to be bound by the terms and conditions of the existing permit which, with approval of the District, could continue until its expiration date.

Section 7. Periodic Reporting Requirements

- (a) Any User whose permit requires compliance with a Federal Categorical Pretreatment Standard shall submit periodic compliance status reports in accordance with Article II, Section 3(b)(3) and any applicable terms and conditions contained in the Users Permit.
- (b) Any User whose permit requires compliance with standards contained in Article II, Section 1; Article II, Section 2; Article II, Section 4 shall submit periodic compliance status reports in accordance with the terms and conditions of their wastewater discharge permit. At a minimum this report shall indicate the nature and concentrations of pollutants in the wastewater discharge which are specified in the User's permit.

Section 8. Monitoring Facilities

- (a) At the request of the District, a User may be required to provide and operate at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of each sewer discharge to the WLSSD system.
- (b) Each monitoring facility shall be situated on the Users premises, except where such location would be impractical or cause undue hardship to the User, the District may concur with the facility being constructed in the public street or sidewalk area. Construction in these public right-of-ways would require prior approval from the local governmental unit in which the User is located. There shall be sufficient room and adequate access in or near such monitoring facility to allow for accurate sampling and preparation of samples for analysis. The facility shall be maintained at all times in a safe and proper operating condition at the expense of the User.

INDUSTRIAL PRETREATMENT ORDINANCE

- (c) Monitoring facilities shall be provided in accordance with the Director's requirements and all applicable local construction standards and specifications. Construction shall be completed within a time frame established by the Director.

Section 9. District Inspection and Sampling

- (a) The District shall have the right to inspect the monitoring facilities and pretreatment facilities of any User to determine compliance with the requirements of this Ordinance and the industrial discharge permit. The User shall allow the District to enter upon the premises of the User at all reasonable hours for the purpose of inspection, sampling or records examination. Reasonable hours shall include any time the User is operating any process which results in a process wastewater discharge to the District Sewerage System.
- (b) The District shall have the right to set up on the User's property necessary devices to conduct sampling, inspection, compliance monitoring and metering operations.
- (c) It shall be the User's responsibility to make the necessary arrangements with their employees to assure that, upon presentation of suitable identification, District employees will be allowed to enter the premises, without delay, for the purpose of performing the necessary tasks.
- (d) All Users subject to this Article shall retain and preserve for no less than three 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 behalf of a User in connection with its regulated discharge. The District shall have the right to copy such User documents as necessary to determine compliance with the requirements of this Ordinance and the Industrial User's Permit.

Section 10. Pretreatment Facilities

- (a) Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all Categorical Pretreatment Standards within the time limitations as specified in Article II, Section 3.
- (b) All facilities required to pretreat wastewater to a level acceptable to the Director shall be provided, operated, and maintained at the User's expense.
- (c) Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be approved by the Director prior to commencement of construction of the facility. Review of 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 Director under the provisions of this Ordinance.
- (d) Any subsequent changes adversely affecting the quality of the discharge or method of operation of the pretreatment facilities shall be reported to and be approved by the Director prior to the User's initiation of the changes.

INDUSTRIAL PRETREATMENT ORDINANCE

Section 11. Public Access to Information Provided by Users

- (a) Information and data furnished to the District from a User, and contained in reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the Director that release of such information would divulge processes or methods of production entitled to protection as trade secrets of the User.
- (b) When requested by the User furnishing a report, the portions of the report that may disclose trade secrets or secret processes shall not be made available for inspection by the general public, but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the District's NPDES Permit or the national pretreatment program, provided, however, that such portions of a report shall be available for use by the State of Minnesota or any agency thereof in judicial review or enforcement proceedings involving the person furnishing the report, provided that such proceedings are directly related to matters involving enforcement of these regulations. Wastewater constituents and characteristics will not be recognized as confidential information.
- (c) Public access to information submitted to the District pursuant to these regulations shall be in accordance with the procedures outlined in 40 CFR Part 2 (Public Information) and as provided by 40 CFR 403.14 of the General Pretreatment Regulations.

INDUSTRIAL PRETREATMENT ORDINANCE

**ARTICLE IV
ENFORCEMENT**

Section 1. Minor Violations

For the purpose of this Ordinance the following items are considered Minor Violations:

- (a) Failure to submit a report on time, first occurrence.
- (b) Short duration pH violation.
- (c) Short interruption of on-line monitoring.
- (d) Schedule missed by less than 30 days, first occurrence.

Section 2. Major Violations

For the purpose of this Ordinance the following items are considered Major Violations:

- (a) Failure to factually report the wastewater constituents and characteristics of its discharge;
- (b) Failure to report significant changes in wastewater constituents and characteristics;
- (c) Failure to reapply for a Permit within the time period specified in Article III, Section 5(b);
- (d) Refusing reasonable access to the User's premises for the purpose of inspection and monitoring as allowed by Article III, Section 9(a);
- (d) Violating conditions of the wastewater discharge permit, this Ordinance, or applicable state and federal regulations;
- (e) Noncompliance with provisions of these rules or any permit issued under this Ordinance and all standards, limitations, orders, stipulations, requirements, or schedules of compliance shall constitute a violation;
- (f) Any action by any person to make a false statement or misrepresentation in any record, report, plan, or other document filed with the District or any action to falsify, tamper with or render inaccurate any required monitoring device shall constitute a major violation;
- (g) Significant Non-Compliance as defined in 40 CFR 403.8 (f)(2)(viii).

Section 3. Response to Violations

- (a) The District shall take all reasonable action to enforce this Ordinance and any permits issued under these rules.

INDUSTRIAL PRETREATMENT ORDINANCE

- (b) The Enforcement Response Plan details procedures indicating how the district will investigate and respond to industrial User non-compliance as indicated in 40 CFR 403.8(f)(5). The procedures set forth in the Enforcement Response Plan are intended for the guidance of District personnel. It does not create any rights, either substantive or procedural, that are enforceable by any party in litigation with the District.

Section 4. Oral Notification or Informal Meeting

For minor violations the District may simply call the User informing them of the minor violation. In some cases minor infractions can be corrected at an informal meeting.

Section 5. Letter of Warning

Whenever the Director finds any User has had a minor violation of the ordinance or its Permit, a letter of warning is used to clarify the infraction and the actions the User must take in order to be in full compliance. Any required response would have a deadline of forty-five (45) days.

Section 6. Notice of Violation

Whenever the Director finds that any User has engaged in conduct which justifies revocation of a wastewater discharge permit, pursuant to Section 1 hereof, the Director shall serve or cause to be served upon such User a written notice either personally or by certified mail, return receipt requested, stating the nature of the alleged violation. Within thirty (30) days of the date of receipt of the notice, the User shall respond personally or in writing to the Director, advising of its position in respect to the allegations. The Director and the User may meet to ascertain the accuracy of the allegations and, where necessary, establish a plan for the satisfactory correction thereof.

Section 7. Compliance Schedule

Where the District determines a compliance schedule is needed for the User to achieve a required task, the District will issue a document requiring specific tasks and deadlines that the User must meet to achieve compliance. A compliance schedule can consist of a stand alone document or can be an addendum to User's Permit to address specific items of non-compliance.

Section 8. Show Cause Hearing

Where the violation is not corrected by timely compliance, the Director may order any User which causes or allows conduct prohibited by this Ordinance, to show cause before the Board why the proposed permit revocation action should not be taken. A written notice shall be served on the User specifying the time and place of a hearing to be held by the Board regarding the violation, the reason why the enforcement action is being taken, the proposed enforcement action, and directing the User to show cause before the Board why the proposed enforcement action should not be taken. Notice of the hearing shall be served no less than ten (10) days before the hearing. Service may be made on any agent, office, or authorized representative of a User. Proceedings of the hearing shall be considered by the Board which shall then issue appropriate orders with respect to the alleged improper activities of the User. The decision or order of the Board shall be the final administrative determination.

INDUSTRIAL PRETREATMENT ORDINANCE

Section 9. Judicial Proceedings

Following the entry of an order by the Board with respect to the conduct of a User contrary to the provisions of Section 1 hereof, the attorney for the District may, following authorization of such action by the Board, commence an action for appropriate legal and/or equitable relief.

Section 10. Appeals

Any person affected by any decision or order made by the Director or the Board in interpreting or administering the provisions of this Ordinance, may file with the Director, a written notice of appeal within ten (10) days after receipt of the decision or action of the Director or the Board. Notice of a scheduled hearing shall be mailed to the appealing User by the Director. The decision by the Board on such appeal shall be the final administrative determination.

Section 11. Annual Publication

A list of all Industrial Users that were in significant non-compliance (SNC) with applicable Pretreatment requirements during the twelve (12) previous months shall be annually published by the District in the largest daily newspaper in the District, summarizing the enforcement actions taken against the Users during the same twelve (12) months.

INDUSTRIAL PRETREATMENT ORDINANCE

ARTICLE V

PENALTIES

Section 1. Remedies Available

The provision of these Rules and all standards, limitations, orders, schedules of compliance, and all provisions and the conditions of any Permit issued by the District thereunder shall be enforced by the District by any one or any combination of the following: criminal prosecutions; action to recover civil damages; injunction; action to compel performance; termination of service.

Section 2. Penalties

- (a) Any person who willfully violates any provision of these Rules or any provision of a Permit issued by the District thereunder shall be subject to imprisonment for not more than 90 days or the payment of a fine or civil penalty of not more than \$1,000, or both, for each violation. Any person who negligently violates any provision of these Rules or any provision of a Permit issued by the District thereunder shall be subject to the payment of a fine or civil penalty of not more than \$1,000 for each violation.
- (b) Any person who continues any violation of any provision of these Rules or any provisions of a Permit issued by the District thereunder beyond the time limit provided for in the Director's written Notice of Violation shall be subject to imprisonment for not more than 90 days or the payment of a fine or civil penalty of not more than \$1,000, or both, for each violation.
- (c) Each day in which a violation referred to in either (a) or (b) continues shall be deemed a separate offense.
- (d) Any person who negligently makes any false statement or representation in any record, report, plan or other document filed with the District, or who falsifies, tampers with, or renders inaccurate any monitoring device or method required under these rules or any permit issued by District thereunder shall be subject to imprisonment for not more than 90 days or the payment of a fine or civil penalty of not more than \$1,000, or both, for each violation.

Section 3. Suspension of Service

- (a) The Director may suspend the wastewater treatment service of the industrial process wastewater or Permit of a User when the Director determines that such suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, an endangerment to the environment, interfere with the operation of the District Sewerage System, or cause the District to violate any condition of its NPDES Permit.
- (b) Any User notified of the suspension of the District's wastewater treatment service or the User's wastewater discharge permit shall, within a reasonable period of time as determined by the Director, cease all discharges to the sewer system. Failure of a User to comply voluntarily with the suspension order may result in the Director taking such steps as deemed necessary, including immediate severance of the sewer connection to prevent or minimize damage to the District Sewerage System or endangerment to any individuals.
- (c) The Director shall reinstate the wastewater treatment service or Permit upon proof by the User of the elimination of the non-complying discharge.

INDUSTRIAL PRETREATMENT ORDINANCE

Section 4. Revocation of Permits

The Board may revoke the Permit of any User for any of the reasons set forth in Article IV Section 2.

Section 5. Civil Liability

Any person discharging waste in violation of these rules or any provision or condition of any Permit issued by the District thereunder shall be subject to civil liability to the District for any or all of the following:

- (1.) The added costs to the District of handling the improper discharge;
- (2.) The costs incurred by the District in correcting the violation, in repairing damage to the sewerage system, and in cleanup of the unauthorized discharge;
- (3.) Any costs or penalties imposed upon the District by regulatory authorities by reason of the violating discharge.

Section 6. Injunctions

Any violation of these rules or any provision or condition of any Permit issued by the District hereunder which causes, or threatens to cause, an imminent endangerment to the health or welfare of persons, an endangerment to the environment, or interference with the operation of the District Sewerage System may be enjoined by the District in the manner as provided by law.

INDUSTRIAL PRETREATMENT ORDINANCE

ARTICLE VI

FEES

Section 1. Purpose

It is the purpose of this Article to provide for the recovery of costs from Users of the District Sewerage System for the implementation of the industrial pretreatment program established herein.

Section 2. Charges and Fees

The District may adopt charges and fees which may include:

- (1.) Fees for monitoring, inspection and surveillance procedures. (These fees will be variable pursuant to the specifications of a permit or other variables).
- (2.) Fees for Permit issuance or renewals.
- (3.) Fees for Appeals
- (4.) Other charges the District may deem necessary to carry out the requirements contained herein.

INDUSTRIAL PRETREATMENT ORDINANCE

ARTICLE VII

EFFECTIVE DATE AND SEVERABILITY

Section 1. Severability

If any provision, paragraph, word, section or article of this Ordinance is invalidated or held to be unconstitutional by a Court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or articles shall not be affected and shall continue in full force and effect.

Section 2. Conflicts

All other ordinances and parts of other ordinances previously adopted by the District that are inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 3. Adoption and Effective Date

- (a) This Ordinance was approved and adopted by the Western Lake Superior Sanitary District on the 17th day of June, 1985 and revised by the Sanitary Board of the Western Lake Superior Sanitary District on the 13th day of November, 2006, and again on the 27th day of June 2016
- (b) The rules and regulations contained herein shall become effective 30 days after the date of adoption and publication of the Ordinance.

Section 4. District's Rights of Revision

The District reserves the right to amend this Ordinance where deemed necessary to comply with the objectives presented in Article I, Section 4 of this Ordinance.

INDUSTRIAL PRETREATMENT ORDINANCE

APPENDIX A

REGULATED INDUSTRIAL CATEGORIES

40 CFR Part:	Industrial Category
405	Dairy products processing point source category
406	Grain mills point source category
407	Canned and preserved fruits and vegetables processing point source category
408	Canned and preserved seafood processing point source category
409	Sugar processing point source category
410	Textile mills point source category
411	Cement manufacturing point source category
412	Concentrated animal feeding operations (CAFO) point source category
413	Electroplating point source category
414	Organic chemicals, plastics, and synthetic fibers
415	Inorganic chemicals manufacturing point source category
417	Soap and detergent manufacturing point source category
418	Fertilizer manufacturing point source category
419	Petroleum refining point source category
420	Iron and steel manufacturing point source category
421	Nonferrous metals manufacturing point source category
422	Phosphate manufacturing point source category
423	Steam electric power generating point source category
424	Ferroalloy manufacturing point source category
425	Leather tanning and finishing point source category
426	Glass manufacturing point source category
427	Asbestos manufacturing point source category
428	Rubber manufacturing point source category
429	Timber products processing point source category
430	The pulp, paper, and paperboard point source category
432	Meat and poultry products point source category
433	Metal finishing point source category
434	Coal mining point source category BPT, BAT, BCT limitations and new source performance standards
435	Oil and gas extraction point source category
436	Mineral mining and processing point source category
437	The centralized waste treatment point source category
438	Metal products and machinery point source category
439	Pharmaceutical manufacturing point source category

INDUSTRIAL PRETREATMENT ORDINANCE

40 CFR Part: Industrial Category

440	Ore mining and dressing point source category
442	Transportation equipment cleaning point source category
443	Effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources for the paving and roofing materials (tars and asphalt) point source category
444	Waste combustors point source category
445	Landfills point source category
446	Paint formulating point source category
447	Ink formulating point source category
449	Airport deicing point source category
450	Construction and development point source category
451	Concentrated aquatic animal production point source category
454	Gum and wood chemicals manufacturing point source category
455	Pesticide chemicals
457	Explosives manufacturing point source category
458	Carbon black manufacturing point source category
459	Photographic point source category
460	Hospital point source category
461	Battery manufacturing point source category
463	Plastics molding and forming point source category
464	Metal molding and casting point source category
465	Coil coating point source category
466	Porcelain enameling point source category
467	Aluminum forming point source category
468	Copper forming point source category
469	Electrical and electronic components point source category
471	Nonferrous metals forming and metal powders point source category

INDUSTRIAL PRETREATMENT ORDINANCE

APPENDIX B

TOXIC POLLUTANT LIST **Priority Pollutants (Clean Water Act)**

<u>Chemical Name</u>	<u>Chemical Name</u>	<u>Chemical Name</u>
ACENAPHTHENE	CHLOROETHANE	ENDRIN ALDEHYDE
ACENAPHTHYLENE	2-CHLOROETHYL VINYL ETHER	ETHYLBENZENE
ACROLEIN	CHLOROFORM	FLUORANTHENE
ACRYLONITRILE	CHLOROMETHANE	FLUORENE
ALDRIN	2-CHLORONAPHTHALENE	GAMMA-LINDANE
ALPHA-ENDOSULFAN	2-CHLOROPHENOL	HEPTACHLOR
ALPHA-LINDANE	4-CHLOROPHENYL PHENYL ETHER	HEPTACHLOR EPOXIDE
ANTHRACENE	CHROMIUM	HEXACHLORO-1,3-BUTADIENE
ANTIMONY	CHRYSENE	HEXACHLOROBENZENE
AROCLOR 1016	COPPER	HEXACHLOROCYCLOPENTADIENE
AROCLOR 1221	CYANIDE	HEXACHLOROETHANE
AROCLOR 1232	DDD	INDENO(1,2,3-CD)PYRENE
AROCLOR 1242	DDE	ISOPHORONE
AROCLOR 1248	DDT	LEAD
AROCLOR 1254	DELTA-LINDANE	MERCURY
AROCLOR 1260	DI-N-OCTYL PHTHALATE	METHANAMINE, N-METHYL-N-NITROSO
ARSENIC	DI-N-PROPYLNITROSAMINE	METHYL BROMIDE
ASBESTOS (FRIABLE)	DIBENZ(A,H)ANTHRACENE	N-NITROSODIPHENYLAMINE
BENZ(A)ANTHRACENE	1,2-DIBROMOETHANE	NAPHTHALENE
BENZENE	DIBUTYL PHTHALATE	NICKEL
BENZIDINE	1,2-DICHLOROBENZENE	NITROBENZENE
BENZO(A)PYRENE	1,4-DICHLOROBENZENE	2-NITROPHENOL
BENZO(B)FLUORANTHENE	1,3-DICHLOROBENZENE	4-NITROPHENOL
BENZO(GHI)PERYLENE	3,3'-DICHLOROBENZIDINE	PENTACHLOROPHENOL
BENZO(K)FLUORANTHENE	DICHLOROBROMOMETHANE	PHENANTHRENE
BENZYL BUTYL PHTHALATE	1,1-DICHLOROETHANE	PHENOL
BERYLLIUM	1,2-DICHLOROETHANE	PYRENE
BETA-ENDOSULFAN	1,1-DICHLOROETHYLENE	SELENIUM
BETA-LINDANE	DICHLOROMETHANE	SILVER
BIS(2-CHLORO-1-METHYLETHYL) ETHER	2,4-DICHLOROPHENOL	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN (TCDD)
BIS(2-CHLOROETHOXY)METHANE	1,2-DICHLOROPROPANE	1,1,2,2-TETRACHLOROETHANE
BIS(2-CHLOROETHYL) ETHER	1,3-DICHLOROPROPENE (MIXED ISOMERS)	TETRACHLOROETHYLENE
BIS(2-CHLOROISOPROPYL) ETHER	DIELDRIN	2,3,4,6-TETRACHLOROPHENOL
BIS(2-ETHYLHEXYL)PHTHALATE	DIETHYL PHTHALATE	THALLIUM
BIS(CHLOROMETHYL) ETHER	DIMETHYL PHTHALATE	TOLUENE
4-BROMOPHENYL PHENYL ETHER	2,4-DIMETHYLPHENOL	1,2-TRANS-DICHLOROETHYLENE
CADMIUM	4,6-DINITRO-O-CRESOL	TRIBROMOMETHANE
CAMPHECHLOR	2,4-DINITROPHENOL	1,2,4-TRICHLOROBENZENE
CARBON TETRACHLORIDE	2,6-DINITROTOLUENE	1,1,2-TRICHLOROETHANE
4-CHLOR-M-CRESOL	2,4-DINITROTOLUENE	1,1,1-TRICHLOROETHANE
CHLORDANE	1,2-DIPHENYLHYDRAZINE	TRICHLOROETHYLENE
CHLOROBENZENE	ENDOSULFAN SULFATE	2,4,6-TRICHLOROPHENOL
CHLORODIBROMOMETHANE	ENDRIN	VINYL CHLORIDE
		ZINC

INDUSTRIAL PRETREATMENT ORDINANCE