



Chandler + Arizona
Where Values Make The Difference

#8

APR 28 2011

MEMORANDUM

MEMO NO. MUA 11-050

DATE: APRIL 28, 2011

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, ACTING CITY MANAGER rd
PAT MCDERMOTT, ASSISTANT CITY MANAGER ^{PM}
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR ^{DS}

FROM: DOUG TOY, SENIOR ENGINEER ^{Doug Toy}

SUBJECT: INTRODUCTION OF ORDINANCE NO. 4238 - AMENDING THE 1999 WASTEWATER PRETREATMENT PROGRAM

RECOMMENDATION:

Staff recommends introduction and tentative approval of Ordinance No. 4238 amending the 1999 Wastewater Pretreatment Program.

BACKGROUND:

Ordinance No. 4238 will update the existing Wastewater Pretreatment Program. The Program was adopted by Council in 1981 and updated in 1982, 1995, and 1999. Major revisions to the Program include updating the local limit discharge concentrations; addition of new definitions; a new provision relating to treatment plant operations, hazardous waste notification, compliance schedules; provisions specifying what must be included in permits issued by the City; adding specificity regarding sampling protocol; modifying the potential penalty for a violation; streamlining administrative provisions in relation to program administration and enforcement; the use of headings and index inclusion; the addition of new trigger level language for Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) permitting, and updating the surcharge limits for conventional pollutants.

The City's Wastewater Pretreatment Program is consistent with requirements set forth in the Federal Clean Water Act and Arizona Department of Environmental Quality (ADEQ) rules. The Pretreatment Program prevents the introduction of pollutants that puts the community or environment at a health or safety risk, or impacts the sewer collection or treatment system in an adverse way.

The City needs to develop and periodically review local limits. These limits control pollutants that could impact the operations of the City's facilities. Previous local limits for the City were established in 1995. A new analysis recommended the 1995 limits be modified by limiting new pollutants, deleting some pollutants, and further restricting existing pollutants.

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Changes to definitions and additions of the provisions are based on an audit performed in March 2008 for the Arizona Department of Environmental Quality (ADEQ). The recommendations included applying new Federal regulations to bring the Program current. The addition of headings and an index created a document that is easier to use.

Surcharge fees are collected from industries that discharge a higher than normal level of waste products that are treatable by conventional methods. Additional funds are needed to cover the extra operational costs incurred from the excess loadings. The appropriate levels and associated fees were calculated in the local limits analysis conducted by the consultant. New limits are set in the revised program. The new fees will be adopted later this year either by another ordinance or by resolution.

DISCUSSION:

Draft copies of the revised Pretreatment Program were sent to the City's Significant Industrial Users (SIUs), the Gila River Indian Community (GRIC), and ADEQ on May 19, 2010. The SIUs were invited to an open forum held on June 16, 2010. Further revisions made to the program incorporated all practical suggestions made by the SIUs. In October 2010, negotiations between the City and ADEQ resulted in new trigger levels for BOD and TSS permitting. The trigger levels monitor BOD and TSS loadings allowing the City to plan additional treatment capacity.

Final draft copies were sent to ADEQ, the GRIC, and the SIUs on January 14, 2011. From January 21 – February 10, 2011, one-on-one meetings with individual SIUs were held as well as a public forum open to all SIUs.

ADEQ completed its final review of the revised Pretreatment Program on January 18, 2011. The City published a Public Notice of Intent to revise the Pretreatment Program in the East Valley section of the Arizona Republic on February 11, 2011. A 30-day comment period was allowed following the publication. The comment period concluded on March 11, 2011 and no comments were received.

FINANCIAL IMPLICATION: None

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4238 amending the 1999 Wastewater Pretreatment Program.

Attachments:
Ordinance No. 4238

ORDINANCE NO. 4238

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING THE CITY OF CHANDLER 2011 WASTEWATER PRETREATMENT PROGRAM AND AMENDING SECTION 51-24 OF CHAPTER 51, CODE OF THE CITY OF CHANDLER, RELATING TO THE CITY OF CHANDLER'S WASTEWATER PRETREATMENT PROGRAM.

WHEREAS, the Municipal Utility Department of the City of Chandler (City) believes that the City of Chandler 1999 Wastewater Pretreatment Program should be updated to better protect City wastewater collection and treatment infrastructure and more effectively and efficiently regulate non-residential users of that infrastructure.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1: That certain document designated as the City of Chandler 2011 Wastewater Pretreatment Program, three (3) copies of which shall remain on file in the Office of the City Clerk, is hereby adopted and declared to be a public record.

SECTION 2: That Section 51-24 of Chapter 51, Code of the City of Chandler, is hereby amended as follows:

51-24. Establishment of wastewater pretreatment program.

That certain document, three (3) copies of which are on file with the City Clerk, marked, known and designated as "City of Chandler ~~1999~~ 2011 Wastewater Pretreatment Program" and each and all of the regulations, terms and provisions contained in such document are hereby adopted by reference thereto and made a part hereof as if set forth at length.

SECTION 3: That City staff is hereby instructed to prepare, by year end, such form Resolutions or Ordinances for City Council consideration as necessary to update and revise the excess pollutant processing charges currently set forth in Section 50-13 of Chapter 50, Code of the City of Chandler, and to add an excess pollutant processing charge for ammonia, all as contemplated under the City of Chandler 2011 Wastewater Treatment Program adopted through this Ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2011.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2011.

ATTEST:

CITY CLERK

MAYOR

Approved as to form:



CITY ATTORNEY

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4238 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2011, and that a quorum was present thereat.

Published:

CITY CLERK

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