

CHAPTER 7-02

WASTEWATER REGULATIONS

7-02-001-0002 DEFINITIONS

The general definitions found in Section 7-01 (Water Services) shall apply to this chapter. In addition, for the purposes of this chapter, the following words and terms shall have the following meanings, unless the context indicates otherwise:

ALERT LIMIT: The level at which, if exceeded by a significant industrial user, it is recommended that the POTW or City conduct an evaluation to determine if that discharge had or is having impact on the plant effluent quality, and if pass-through or interference was or is occurring leading to compliance concerns at the POTW, then voluntary correction or enforcement action is recommended.

APPROVED LABORATORY PROCEDURES: The measurements, tests and analysis of the characteristics of water and wastes in accordance with analytical procedures as established in 40 CFR Part 136 as revised.

AVERAGE QUALITY: The arithmetic average (weighted by flow value) of all the "daily determinations of concentration," as that term is defined herein, made during a calendar month.

BEST MANAGEMENT PRACTICES or BMPs: The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 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.

BOD (biochemical oxygen demand): 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 degrees (20°) centigrade, expressed in milligrams per liter.

BRANCH SEWER: An arbitrary term for a sewer which receives sewage from lateral sewers from a relatively small area.

BUILDING CONNECTION: The connection to the public sewer and extension therefrom of the sewer to the property line in an alley or street, or to the easement line in an easement, whichever is applicable, depending on the location of the public sewer.

BUILDING OFFICIAL: The Chief Building Inspector, or authorized representative.

BUILDING SEWER: The service line from the building to the sewer main.

BYPASS: The intentional diversion of waste streams from any portion of an industrial user's facility.

CATEGORICAL STANDARD: Limits for pollutants that are set by the EPA for individual types of industry listed in 40 CFR 403.

COD (chemical oxygen demand): 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.

COLLECTION SYSTEM: Any and all lines, manholes, or other mechanical or physical appurtenances which may be involved with the conveyance of wastewater to or from the City water reclamation plant(s).

COOLING WATER: The clean wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling, or refrigeration.

DAILY COMPOSITE SAMPLE: A sample of effluent, discharge or other source of pollutants continuously collected, manually or automatically, over a normal operating day. Samples ~~should~~ shall be collected over a twenty-four (24) hour period or at least an eight (8) hour period during production, ~~but preferably over a twenty-four (24) hour period,~~ with one (1) sample being drawn at least once every two (2) hours. Composites should be flow proportional wherever feasible. ~~Volatile pollutant aliquots must be combined in the laboratory immediately before analysis.~~

DAILY DETERMINATION OF WASTEWATER QUALITY: For composite samples, "daily determination of wastewater quality" shall be the concentration of any parameter tested in a daily composite sample. For grab samples, the "daily determination of wastewater quality" shall be the arithmetic average (weighted by flow value) of the concentrations of any parameter in each grab sample obtained in any calendar day.

DEVELOPER: 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.

DISCHARGE: The disposal of sewage, water or any liquid from any sewer user into the sewerage system.

DOMESTIC WASTE: A typical, residential-type waste which requires no pretreatment under the provisions of this chapter before discharging into the sanitary sewer system, excluding all commercial, manufacturing and industrial wastes.

EFFLUENT: Wastewater or other liquid - raw, partially or completely treated - flowing from a basin, treatment process, or treatment plant.

FINAL: The local limits established by ordinance and to remain in effect which are recommended to remain until the system is reevaluated as a whole, during the next local limits update.

GRAB SAMPLE: An individual sample of effluent, discharge or other source of pollutants collected in less than fifteen (15) minutes.

HAZARDOUS DISCHARGE: A discharge which is considered by the City to be an imminent hazard to health, the environment, or the POTW.

INDIRECT DISCHARGE: The introduction of pollutants into a POTW from any nondomestic source regulated under Section 307(b), (c) or (d) of the Clean Water Act as amended 33 U.S.C. § 1251, et seq.

INDUSTRIAL PRETREATMENT DISCHARGE PERMIT: 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.

INDUSTRIAL USER: A source of indirect discharge.

INDUSTRIAL WASTE: 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.

INFLOW: 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 stormwater, surface runoff, street wash waters or drainage.

INTERFERENCE: Inhibition or disruption of the sewer system, treatment processes or operations which contribute to a violation of any requirement of a National Pollutant Discharge Elimination System permit. The term includes prevention of sewage sludge use or disposal by the cities in accordance with Section 405 of the Act, or any criterial guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the City.

INTERIM: Guiding limits while the POTW or City investigates other sources of pollutants and ways of controlling those sources.

LATERAL SEWER: A sewer which discharges into a branch or other sewer and has no other common tributary to it.

MAIN SEWER: A sewer which receives sewage from one (1) or more branch sewers as tributaries.

MAINTENANCE: Keeping the treatment works in a state of repair, including expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.

NATURAL OUTLET: Any outlet into a watercourse, ditch, or other body of surface or ground water.

NPDES PERMIT: The permit or permits issued to and held by the City under the National Pollutant Discharge Elimination System, pursuant to 33 U.S.C. § 1342 and 40 CFR Parts 122 through 125.

PARAMETER: See "TREATMENT PARAMETER."

PASS-THROUGH: An effluent flow which exits the POTW in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources 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).

PERMITTEE, PERMIT HOLDER: Any person, firm, association, corporation or trust which owns, operates, possesses or controls an establishment or plant being operated under a valid industrial pretreatment permit to discharge waste into the City sewer system.

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

POTW: Publicly owned treatment works.

PRETREATMENT: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the POTW, as further defined and described in 40 CFR 403.3(q).

PRETREATMENT STANDARDS or PRETREATMENT REQUIREMENTS: Any substantive or procedural requirements relating to pretreatment, including the specific pollutant limits set forth in Section 7-02-001-0008.

PUBLIC SEWER: A lateral, branch, main or trunk sewer controlled and maintained by the City of Flagstaff.

RECLAIMED WASTEWATER: The treated effluent which is the product of the municipal wastewater system, although not suitable for human consumption, may be used for certain industrial or commercial purposes.

REPLACEMENT: 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.

REPRESENTATIVE SAMPLE: A sample which takes a portion of the user's discharge which will be indicative of all the constituents of the discharge.

SANITARY SEWER: A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SEVERE PROPERTY DAMAGE: Substantial physical damage to property, damage to the treatment facilities which caused them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. "Severe property damage" does not mean economic loss caused by delays in production.

SEWAGE/SEWERAGE: A combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwater as may be present.

SEWAGE TREATMENT PLANT: Any arrangement of devices and structures used for treating sewage.

SEWER: A pipe or conduit for carrying sewage.

SEWER TAP: Includes hole cut into main line and saddle to which to connect.

SLUG LOAD: Any pollutant discharged in quantities large enough to cause interference, upset, or pass-through at the POTW.

STANDARD INDUSTRIAL CLASSIFICATION (SIC): A coded classification of industries based upon economic activity developed by the U.S. Department of Commerce as published in the Standard Industrial Classification Manual, 1987, Office of Management and Budget.

STANDARD METHODS: 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.

STORM SEWER or STORM DRAIN: A sewer or drainage which carries storm and surface waters, but excludes sewage and polluted industrial wastes.

SURCHARGE: An additional charge levied against industrial users for exceeding certain thresholds of BOD or TSS, as described in Section 7-02-001-0040(H) and set forth in Section 7-02-001-0041(A).

SUSPENDED SOLIDS (SS): 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 the "Standard Methods" as defined herein.

SYSTEM DESIGN CAPACITY: The design capacity for normal domestic wastewater as established by accepted engineering standards.

TREATMENT PARAMETER: A fundamental characteristic of sewage around which treatment is designed, such as, but not limited to, flow, BOD, and suspended solids.

TSS: Total suspended solids, expressed in milligrams per liter, in a user's discharge.

TRUNK SEWER: A sewer which receives sewage from many tributary main sewers and serves as an outlet for a large territory.

UPSET: An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user. This does not include noncompliance due to operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

U.S.C.: The United States Code, as amended.

USER: 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.

VOC (volatile organic compounds): Those parameters included in EPA method 624/625.

WASTEWATER SYSTEM: All facilities for collection, pumping, treating, and disposing of sewage. As used in this chapter the terms "sewer system" or "wastewater system" shall have the same meaning and definition.

WATERCOURSE: A channel in which a flow of water occurs, either continuously or intermittently. (Ord. 1104, 12/04/1979; Ord. 1236, 11/29/1982; Ord. 1681, Amended, 12/04/1990; Ord. 1693, Amended, 05/07/1991; Ord. 1723, Amended, 04/07/1992; Ord. 1950, Revised, 08/05/1997; Ord. 2015-09, Amended, 06/02/2015; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0004)

7-02-001-0007 PROHIBITED SUBSTANCES

- A. The Water Services Director shall have the authority to regulate the volume and flow rate of discharge to the sewage works and to establish permissible limits of concentration for various specific substances, materials, or wastes that can be accepted into the sewage works, and to specify those substances, materials, waters or wastes that are prohibited from entering the sewage works.
- B. The following are prohibited from the City wastewater collection system:
1. Any substance that interferes with the POTW or wastewater collection system.
 2. Any liquids, solids, or gases which by reason of their nature or quantity could be sufficient, either alone or by interaction with other substances, to cause injury to the POTW from fire or explosion. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge to the POTW, be more than five percent (5%), nor any single reading over ten percent (10%), of the lower explosive limit (LEL) of the meters. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, trichloroethylene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, waste streams with a closed cup flash point of less than one hundred forty degrees (140°) Fahrenheit or sixty degrees (60°) centigrade using the test methods specified in 40 CFR 261.21.
 3. Any water which contains a solid or viscous substance which could obstruct the flow in the collection system or interfere with the POTW.
 4. Any particles greater than one-half (1/2) inch in any dimension, animal tissues, manure, ashes, cinders, sand, metal, glass, straw, paper, wood, plastics, gas, tar, asphalt and grinding wastes.
 5. Any substance that can cause corrosive damage to the POTW or collection system and any substance with a pH of less than 6.05 standard units (s.u.) or greater than 11.0 s.u.
 6. Any liquid or vapor which causes the temperature entering the POTW to exceed one hundred four degrees (104°) Fahrenheit (40° C) or any liquid or vapor with a temperature greater than one hundred sixty degrees (160°) Fahrenheit (71° C).
 7. Any toxic or radioactive substance in sufficient quantity to interfere with the POTW or collection system or to create a health or environmental hazard.
 8. Any substance requiring unusual attention or expense of the City unless specifically authorized. Compensatory payments be determined by the City to be paid by the user who contributes any such authorized substance.
 9. Any noxious or malodorous liquid, gas or solid which creates a public nuisance, health or environmental hazard, or inhibits entry into any part of the wastewater system for maintenance or monitoring.
 10. Any water with a volume greater than twenty (20) GPM containing dyes, inks or other color-causing substances that change the typical color in the wastewater collection system.
 11. Any substance causing a hazard to health or to the environment.
 12. Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that cause interference or pass-through.
 13. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

14. Unless otherwise approved by the Water Services Director, any stormwater, surface water, groundwater, roof runoff, surface drainage, or unpolluted process waters that may constitute inflow as defined herein.

154. Any combination of substances contributed by one (1) or more users which results in any of the above situations.

165. The following pesticides are expressly prohibited from discharge into the City sewer system: 4,4'-DDD; 4,4'-DDE; 4,4'-DDT; Aldrin, and Heptachlor. (Ord. 1693, Amended, 05/07/1991; Ord. 1896, Amended, 11/21/1995; Ord. 1958, Amended, 10/07/1997; Ord. 1989, Amended, 01/19/1999; Ord. 2002-08, Amended, 07/16/2002; Ord. 2007-23, Amended, 03/20/2007; Ord. 2015-09, Amended, 06/02/2015; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0009)

7-02-001-0008 STANDARDS FOR DISCHARGE

A. A technically based determination of local industrial user discharge limits for heavy metals, organics and other pollutants, for which there exists a specific discharge limit at the POTW, be made by the City Water Services Director and EPA. Such determination shall take into account removal percentages of the POTW, and dilution factors.

B. The following specific limits shall apply to all industrial user discharges and may be modified, with prior notice to the industrial user and an opportunity to respond, to comply with applicable State and/or Federal regulations.

Parameter Maximum	(mg/L)
Inorganics	
Lead	0.08 4 1
Copper	0.20 1 5
Zinc	1.40 3 0
Mercury	0.017 BMP (interim)
Cyanide (total)	0.24
Arsenic	0.18 3 1
Silver	0.30
Selenium	0.015
Sulfides	5 4 5
HEM [a]	(152 mg/L) *(Qmax)= lb/day load (interim)200
Volatile Organic Compounds	
Methylene Chloride	4 1
Toluene	0.14
Benzene	0.10 2
Total Trihalomethanes	0.32 alert
Bromodichloromethane	0.08 alert
Bromoform	0.08 alert
Chloroform	0.08 alert
Dibromochloromethane	0.08 alert
Bromide	0.50 5
Semivolatile Organic Compounds	

Parameter Maximum	(mg/L)
Bis(2-ethylhexyl) phthalate (BEHP)	Best management practices (BMP)
Pesticides	
Aldrin	Prohibited
Conventional Pollutants	
BOD	1,000 mg/L (surcharges if >400 mg/L) 700 lb/day*
TSS	1,200 mg/L (surcharges if >450 mg/L) 130 lb/day*
Total Nitrogen	173 mg/L
pH	6.05 < pH ≤ 11.0
Ammonia	173
Total Kjeldahl Nitrogen (TKN)	173
Nitrate/Nitrite	10

* lbs/day = pollutant concentration in mg/L x 8.34 (pounds/gallon) x flow in million gallons per period

C. The City may set limits based on mass measurements of pollutants for a particular substance or a particular user if it is necessary for adequate regulation. Discharge limits be set in order to meet any limits set for sludge disposal.

D. Industrial users meet the requirements of the U.S. Code of Federal Regulations, 40 CFR 403 and the amendments thereof. No discharge may exceed any Federal categorical standard or cause the POTW to exceed its AZPDES [or APP](#) Permit. The City may request approval to modify a Federal categorical standard, according to 40 CFR 403.

E. Dilution may not be used to meet a standard or limit unless it is expressly authorized by the categorical standard set by the EPA or by the City.

F. Bypass Prohibition.

1. Notice of Bypass to Occur.

a. If an industrial user knows in advance of the need for a bypass, it shall submit prior notice to the [Utilities-Water Services](#) Director, if possible, at least ten (10) days before the date of the bypass.

b. An industrial user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the Water Services Director within twenty-four (24) hours from the time the industrial user becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the industrial user becomes aware of the bypass. The written submission shall contain 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 reoccurrence of the bypass.

2. Prohibition of Bypass. Bypass is prohibited, and the Water Services Division may take enforcement action against an industrial user for a bypass unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were no feasible alternatives to the bypass;
- c. The user submitted notices as required above.

G. O&M Requirements.

1. Industrial users required to install suitable pretreatment facilities to treat waste streams which do not meet City discharge limits shall provide necessary maintenance on such equipment to ensure their continued and efficient operation. ~~Such facilities shall be attended by a person who has obtained certification as a wastewater operator by ADEQ at a level appropriate for the facilities being tended.~~

2. An industrial violation of City discharge limits, which is due to operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, carelessness or improper operation will not be considered unintentional by the City of Flagstaff.

3. All industrial users shall maintain their general facilities in such a manner as to eliminate or minimize the possibility of discharge of substances by that industry, which are in violation of applicable pretreatment standards. (Ord. 1693, Amended, 05/07/1991; Ord. 1896, Amended, 11/21/1995; Ord. 1950, Revised, 08/05/1997; Ord. 2002-08, Amended, 07/16/2002; Ord. 2007-23, Amended, 03/20/2007; Ord. 2015-09, Amended, 06/02/2015; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0010)

7-02-001-0010 INDUSTRIAL SELF-MONITORING

A. Significant industrial users, at the user's expense, must provide safe and convenient access for sampling by the City. A City approved manhole must be provided from which a sample that is representative of the total discharge can be taken. There must be unobstructed access to the open flow in the manhole so that a grab sample can be taken and so that sampling equipment can be set up in the manhole.

B. Sampling and analysis must be performed by significant industrial users, at their own expense, at least twice each year, in two (2) separate quarters, (~~April – June and October – December~~ January – March and July - September), and results of such sampling submitted to the City before the last day of each respective quarter or as directed by the City. ~~The City may perform such sampling for the significant industrial user if they so choose.~~

C. ~~If a test result is not within the limits of this chapter or the categorical standards from any semiannual sampling, completed by the permitted industrial user, the industrial user shall immediately notify the City within 24 hours of becoming aware of the violation (i.e. issuance of final lab report) If any sample that is taken by the industrial user or the City is not within the limits of this chapter or the categorical standards, then~~ The industrial user, or the City if they so choose, shall repeat the sampling within thirty (30) days of becoming aware of the violation, or more often if it is determined to be necessary by the City.

DC. ~~A minimum of four (4) grab samples, pulled at least every two (2) hours, Grab samples~~ must be used when sampling for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. ~~For all other pollutants,~~

E. ~~Twenty-four (24) hour composite samples must be obtained through flow-proportional composite sampling techniques, where feasible. The City may waive flow-proportional composite sampling for any industrial user that demonstrates that flow proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. Sampling must be performed for five (5) consecutive days and be representative of the effluent being discharged on a typical production day or as directed by the City.~~

FD. The flow must be measured by the industrial user at the time that the sample is taken, according to 40 CFR 403.12.

GE. The methods of sampling must be performed in accordance with 40 CFR 136 and any other applicable Federal, State, or local requirements. ~~and~~ The sampling location and type must be approved by the City. An authorized representative of the industry (see Section 7-02-001-0012) shall sign and submit with these sample results, a statement verifying the validity of the methods and location.

HF. All records of sampling, analysis and flows must be kept by the industrial user and the City for at least three (3) years. All records must be available to the City upon request. (Ord. 1693, Enacted, 05/07/1991; Ord. 2015-09, Amended, 06/02/2015; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0012)

7-02-001-0011 REPORTING REQUIREMENTS

A. Within one hundred eighty (180) days of the promulgation by the EPA of a categorical standard or within one hundred eighty (180) days of a final administrative decision, the industrial users that are subject to the standard must report the information provided for in 40 CFR 403.12(b). This information must also be supplied by existing sources of discharge as well as new sources that discharge after the standards have been promulgated.

B. All industrial users must immediately report to the Water Services Division any discharge, including accidental discharge, which contains a slug load, a prohibited substance, or any substance which might be harmful to the POTW, the collection system, the environment or to any person.

C. The industrial user must provide a written report (separate from the immediate report) within five (5) days of the detection of the upset. The report must include the nature and volume of the discharge, the period of noncompliance including exact dates and time or if not corrected the anticipated time the upset is expected to continue, the action being taken by the industrial user to correct the problem and preventive measures needed to avoid future spills.

D. The significant industrial user shall report to the City ~~immediately prior to~~ any significant changes in production, including, but not limited to, production rate, product, raw materials utilized, rate of discharge, concentration of pollutants being discharged, etc._

E. If in the course of self-monitoring, a categorical ~~or significant~~ industrial user becomes aware of a violation of ~~their the categorical~~ limits ~~set forth in their discharge permit~~, they shall notify the City within twenty-four (24) hours of becoming aware of such.

~~F. If an industrial user subject to reporting requirements of this section monitors any pollutant more frequently than required by the City, using the procedures prescribed in Section 7-02-001-0010, the results of this monitoring shall be submitted to the City also.~~

~~GF.~~ All industrial users shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing and within one hundred eighty (180) days of any discharge into the POTW of a substance, which, if otherwise disposed of would be a hazardous waste under 40 CFR Part 261 as required in 40 CFR 403.12(p)(1) through (4). (Ord. No. 1693, Enacted, 05/07/1991; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0013)

7-02-001-0016 INSPECTIONS AND MONITORING

A. Any authorized employee of the Water Services Division shall, upon presentation of ~~his their~~ credentials, have ~~free~~ access ~~at all reasonable hours~~ to any commercial or industrial premises connected to or disposing of any type waste to the City wastewater system for the purpose of surveillance and/or an inspection of the premises to determine the nature and quantity of wastes discharged to the City wastewater system, or for examining or copying records, required by 40 CFR 403.12(m). The ~~commercial/~~industrial user must make ~~freely~~ available to the City any and all records which would enable them to make an accurate determination of the constituents and flow of the user's waste stream.

B. ~~Service men, industrial pretreatment inspectors, sanitary engineers, or other designated representatives~~ ~~Authorized employee~~ of the Division, whose duty it may be to enter upon commercial or industrial premises to make inspections and collect samples or measure the quantity of wastes discharged to the City sewer, shall be provided with credentials to identify them as authorized representatives for the Division.

C. No person, except an authorized employee of the Division, shall have or exhibit any credentials of that Division. It shall be the responsibility of each employee or authorized representative of the Division, upon resignation or dismissal, to deliver and surrender at the office of the Water Services Director all credentials of the Division in his/her possession.

D. Questionnaires will be provided to all new businesses entering the City of Flagstaff to gather information pertaining to waste that may be generated by such. If any waste other than domestic is discharged from such an

establishment, the City may perform an inspection of such premises at least annually or more often as necessary to determine its status of compliance with this chapter.

E. The City of Flagstaff or its designated representative shall have the authority to randomly sample industrial user waste streams and analyze for any pollutants that would be anticipated to be present for that particular user utilizing EPA approved methods. The City will review and analyze self-monitoring reports submitted by industrial users and make notification to such user of any compliance action to be taken as a result of such.

F. The information from the City's inspection and monitoring activity will be available to the administrative authority of the State and/or EPA. This information will also be made available to the general public upon request with the exception of that information protected by Section 7-02-001-0013. The City will maintain these records for a minimum of three (3) years.

~~G. The industrial user shall be financially responsible for any sampling and analysis performed by the City which is not routine as provided for in this chapter.~~ (Ord. 1693, Amended, 05/07/1991; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0018)

7-02-001-0018 PUBLIC NOTIFICATION, DEFINITION OF SIGNIFICANT VIOLATION

A. The City shall give notice of any decisions being made about the pretreatment program which may interest the public, special interest groups, or government agencies. Information about the operation or requirements of the program will be given to any party which requests it. ~~The water commission~~~~An advisory committee~~ may be used for public information and input if there is an interest expressed in this.

B. The City will publish in the largest local newspaper, at least once each year, a list of industrial users who have not been in compliance with any substantial portion of this chapter at any time during the previous year. For the purpose of this section, an industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

1. Chronic violation of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a six (6) month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six (6) 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);
3. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority 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);
4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
6. Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, ninety (90) day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. Failure to accurately report noncompliance;
8. Any other violation or group of violations which the Water Services Director determines will adversely affect the efficient operation of the City water reclamation plants or implementation of this chapter. (Ord. 1693, Rep&ReEn, 05/07/1991; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0020)

7-02-001-0049 PERMITS REQUIRED FOR INDUSTRIAL USERS

All significant industrial users, as defined by Section 7-02-001-0009(A)(1), shall obtain a permit for connection and discharge [or any modification that changes the treatment, production, flow, etc. of the existing facility](#), to the City's sewer system from the Director. (Ord. 1693, Amended, 05/07/1991; Ord. 2018-32, Amended, 12/04/2018)

7-02-001-0050 INDUSTRIAL USER PERMITS

A. The significant industrial user shall make application for such permit, at least ninety (90) days prior to commencement of discharge, on a form provided by the Director. An applicant shall pay a fee as determined by the City of Flagstaff for each application and thereafter be issued an industrial pretreatment discharge permit which shall be valid for a period of five (5) years from the date of issuance or less as determined by the Director.

Industrial Pretreatment Discharge Permit Fee

(Effective 1-1-07)	(Effective 1-1-08)	(Effective 1-1-09)	(Effective 1-1-10)
\$100 per year	\$150 per year	\$200 per year	\$250 per year

B. Upon expiration of such permit, an applicant who holds a valid wastewater discharge permit and is in compliance with the terms and conditions established by this chapter shall file an application for renewal of an industrial pretreatment discharge permit, at least ninety (90) days prior to the expiration date of the previous permit, together with the existing fee and, thereafter, shall be issued a renewed industrial pretreatment discharge permit, which shall be valid for a period of five (5) years from the date of issuance of the renewal or less as determined by the Director.

C. The applicant shall submit the information contained in subsections (D) through (G) of this section and any other information requested by the City at the time of submittal, or the application will be rejected and the applicant required to resubmit with the appropriate fee.

D. An applicant seeking an industrial pretreatment discharge permit or renewal shall submit, as part of its application, the results of an analysis, compliant with standard methods, conducted by a laboratory certified by the State of Arizona Department of Health Services, of a representative daily composite sample of the effluent discharge from the applicant's plant.

E. An applicant shall submit as part of its application for a permit a discharge report which includes, but not be limited to, the nature of process, volumes, rates of flow, production quantities, concentrations in the wastewater discharge and any other information that may be relevant to the generation of waste.

F. An applicant, as part of its application for a permit, shall submit a plan showing the location and size of on-site sewers, sampling point, pretreatment facilities, City sewers and any other pertinent physical details.

G. An applicant as part of its application for a permit shall list each product manufactured, the type, amount and rate of production and the chemical components and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged into the sewer system.

H. In the event a producer of industrial waste which is authorized to make a connection to the City sewer for pretreated industrial waste disposal under the provisions hereof is sold, leased, or its operation is assumed or taken over by another person, firm or corporation other than that named in the permit, a new application for a permit shall be made by the new owner, lessee or operator. No permit issued under the provisions hereof shall be assignable and a violation of this provision shall be grounds for summary suspensions or revocation of such permit by the Director.

I. It shall be a condition of the permit that the City may at any time test any of the wastes being discharged by the company or plant for quality or quantity. A duly authorized City representative may enter the permittee's premises at any time during business or operational hours for the purpose of inspecting plant operations to estimate quality or quantity of wastes.

J. It shall be a condition of the permit that the permittee shall install facilities, approved by the City Engineer at the permittee's expense for the purpose of the City's representative inspecting, observing and sampling representative flows in accordance with Section 7-02-001-001~~65~~.

K. It shall be a condition of the permit that additional periodic reports as may be required by the Director to properly monitor the discharge of the industrial wastes, be submitted to the Director.

L. Issuance of an industrial pretreatment discharge permit shall not release the permit holder from the obligation to comply with all other provisions of this chapter.

M. The City may change the conditions of any permit ~~from time to time as may be necessary~~ in order to comply with requirements of Federal or State regulations. [An industrial user may petition the Director to modify their permit for monitoring parameters or process changes. The User must submit sampling reports and/or documentation to support their petition.](#) (Ord. 1693, Amended, 05/07/1991); Ord. 2002-08, Amended, 07/16/2002; Amended Ord. ded, 09/07/2010; Ord. 2017-28, Amended, 11/21/2017)