

ORDINANCE NO. 3558
COUNCIL BILL NO. 17-1002

AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 13.20.2.1(B) TO ADD ADDITIONAL SPECIFIC PROHIBITIONS TO THE CITY'S DISCHARGE STANDARDS; AMENDING MUNICIPAL CODE SECTION 13.20.2.4 TO ADOPT NEW LOCAL LIMITS PURSUANT TO THE CITY'S EPA NPDES PERMIT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That Coeur d'Alene Municipal Code Section 13.20.2.1(B) is amended to read as follows:*

B. Specific Prohibitions: No user may introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than one hundred forty degrees Fahrenheit (140°F) (60°C) using the test methods specified in 40 CFR 261.21; or
2. Wastewater having a pH less than 6 or more than 12, or otherwise causing corrosive structural damage to the POTW or equipment; or
3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one-half inch ($\frac{1}{2}$ "); or
4. Pollutants, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW; or
5. Wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed one hundred four degrees Fahrenheit (104°F) (40°C) unless the approval authority, upon the request of the POTW, approves alternate temperature limits; or
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through; or

7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; or
8. Trucked or hauled pollutants, except at discharge points designated by the city in accordance with section 13.20.2.12 of this chapter; or
9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair; or
10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the city's NPDES permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than ten percent (10%) from the seasonably established norm for aquatic life; or
11. Wastewater containing any radioactive wastes or isotopes except as specifically approved by the superintendent in compliance with applicable state or federal regulations; or
12. Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, condensate greater than twenty (20) gallons per day, deionized water, noncontact cooling water greater than twenty (20) gallons per day, and unpolluted wastewater, unless specifically authorized by the superintendent; or
13. Sludges, screenings, or other residues from the pretreatment of industrial wastes; or
14. Medical wastes, except as specifically authorized by the superintendent; or
15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test; or
16. Detergents, surface active agents, or other substances which may cause excessive foaming in the POTW; or
17. Any liquid, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two (2) successive readings on an explosion meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter; or

18. Grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dusts, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes; or
19. Any substance which will cause the POTW to violate its NPDES and/or other disposal system permits; or
20. Any wastewater, which in the opinion of the superintendent can cause harm either to the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance, unless allowed under special agreement by the superintendent (except that no special waiver shall be given from categorical pretreatment standards); or
21. Wastewater containing substances not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharges to the receiving waters; or
22. The contents of any tank or other vessel owned or used by any person in the business of collecting or pumping sewage, effluent, septage, or other wastewater unless said person has first obtained testing and approval as may be generally required by the city and paid all fees assessed for the privilege of said discharge; or
23. Persistent pesticides and/or pesticides regulated by the federal insecticide fungicide rodenticide act (FIFRA); or
24. Any hazardous wastes as defined in rules published by the state of Idaho or in 40 CFR part 261.
25. Discharge of Polychlorinated Biphenyls (PCBs) in excess of 0.003 mg/L or any concentration of PCBs or 2,3,7,8-TCDD that causes Pass Through or Interference; or
26. Wastewater containing Fats, Oils or Grease (FOG) that causes or contributes to Pass Through, Interference or otherwise causes the City to clean the collection system more frequently; or
27. Wastewater which contains grease or oil or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two degrees (32°) Fahrenheit (0° Celsius) and one hundred fifty degrees (150°) Fahrenheit (65.5° Celsius); or
28. Wastewater containing free or floating oil and grease, or any discharge containing animal fat or grease by-product in excess of one hundred and fifty milligrams per liter (150 mg/L). This limit will not apply if the industrial user has installed is properly

operating and maintaining a Gravity Grease Interceptor and implementing all required BMPs; or

29. Wastewater generated as a result of wastes pumped from gravity grease interceptors, hydromechanical grease interceptors or grease traps, sand-oil separators or other storage tanks or treatment units back into the POTW, either directly or indirectly, without approval of the City.

Pollutants, substances, or wastewater prohibited by this section may not be processed or stored in a manner that they could be discharged to the POTW.

SECTION 2. *That Coeur d'Alene Municipal Code Section 13.20.2.4 is amended to read as follows:*

A. The superintendent is authorized to establish local limits by 40 CFR 403.5(e). No Significant Industrial User or other permitted Non-Significant Industrial User shall discharge wastewater that exceeds the following limits:

<u>Pollutant^(a)</u>	<u>Daily Maximum Discharge Limit^(a)</u> <u>mg/L</u>
<u>Arsenic</u>	<u>0.13</u>
<u>Cadmium</u>	<u>0.146</u>
<u>Chromium</u>	<u>5.48</u>
<u>Copper</u>	<u>1.96</u>
<u>Lead</u>	<u>0.86</u>
<u>Mercury</u>	<u>0.043</u>
<u>Molybdenum</u>	<u>0.46</u>
<u>Nickel</u>	<u>2.0</u>
<u>Selenium</u>	<u>0.53</u>
<u>Silver</u>	<u>0.69</u>

<u>Zinc</u>	<u>1.25</u>
<u>Ammonia</u>	<u>147</u>
<u>Phosphorus</u>	<u>258</u>

(a) All Pollutants as Total and in mg/L unless otherwise specified.

B. ~~The following pollutant limits are established to protect against pass-through and interference. No person may discharge wastewater containing in excess of the following daily maximum allowable discharge limits:~~

0.10 mg/l	Arsenic
0.15 mg/l	Cadmium
2.55 mg/l	Chromium
0.89 mg/l	Copper
0.39 mg/l	Cyanide
0.99 mg/l	Lead
0.03 mg/l	Mercury
1.13 mg/l	Nickel
150.0 mg/l	Oil and grease (petroleum, animal and vegetable based) or obstruction of the city sanitary line

0.47 mg/l	Selenium
0.43 mg/l	Silver
1.10 mg/l	Zinc
6.0 su	pH minimum
12.0 su	pH maximum

The above limits apply at the point the wastewater is discharged to the POTW (end of pipe) after pretreatment and/or prior to mixing with dilution flows. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The superintendent may impose mass limitations in addition to (or in place of) the concentration based limitations above. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit of applicable pretreatment standard shall apply. The Superintendent may, at his sole discretion, implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users which correspond to the uniform concentration local limits shown in the table above. The MAIL that corresponds to the Daily Maximum Discharge Limits is hereby incorporated by reference.

C. Best management practices (BMPs) may be developed by ordinance or in individual wastewater discharge permits or general permits, to implement local limits and the requirements of section 13.20.2.1 of this chapter. The Superintendent may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional Pretreatment Requirements when, in the judgment of the Superintendent, such limitations are necessary to implement the provisions of this Chapter.

D. The Superintendent may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

E. The Superintendent may develop Best Management Practices (BMPs), by ordinance or in wastewater discharge permits, to implement Local Limits and the requirements of Title 13.

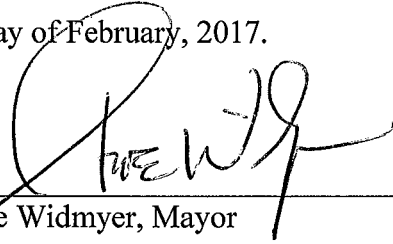
SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

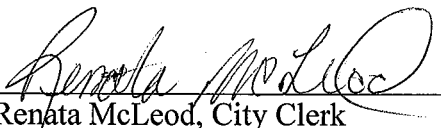
Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on February 7, 2017.

APPROVED, ADOPTED and SIGNED this 7th day of February, 2017.



Steve Widmyer, Mayor

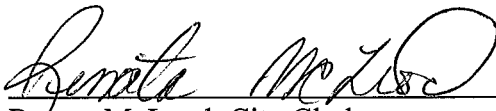
ATTEST:



Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. 3558
Amending Municipal Code Sections 13.20.2.1(B) and 13.20.2.4

AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 13.20.2.1(B) TO ADD ADDITIONAL SPECIFIC PROHIBITIONS TO THE CITY'S DISCHARGE STANDARDS; AMENDING MUNICIPAL CODE SECTION 13.20.2.4 TO ADOPT NEW LOCAL LIMITS PURSUANT TO THE CITY'S EPA NPDES PERMIT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. 3558 IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

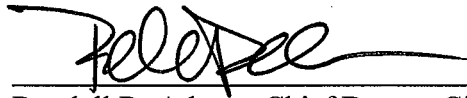


Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. 3558, Amending Municipal Code Sections 13.20.2.1(B) and 13.20.2.4, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 7th day of February, 2017.



Randall R. Adams, Chief Deputy City Attorney