

ORDINANCE NO. 2039

AN ORDINANCE REPEALING CHAPTERS 13.04 SEWER REGULATIONS, 13.08 SEWER RATES, 13.10 INDUSTRIAL WASTE PRETREATMENT AND 13.14 INDUSTRIAL COST RECOVERY IN THEIR ENTIRETY AND ADOPTING NEW AND REVISED CHAPTERS 13.04 SEWER REGULATIONS, 13.08 SEWER RATES, 13.10 INDUSTRIAL WASTE PRETREATMENT AND 13.14 INDUSTRIAL COST RECOVERY

WHEREAS previously, the City Council of the City of Keokuk passed and adopted Chapters 13.04 Sewer Regulations, 13.08 Sewer Rates, 13.10 Industrial Waste Pretreatment And 13.14 Industrial Cost Recovery; and

WHEREAS, the City Council now finds it is desirable to update the above-mentioned Chapters to meet the current and future regulatory requirements and to update and clarify the enforcement requirements of the Pretreatment Program to comply with the Iowa Department of Natural Resources and Environmental Protection Agency Enforcement Response Plan; and

WHEREAS, the City Council finds that in that in order to update and clarify definitions and current and future regulatory requirements and enforcement requirements it is desirable to repeal in their entirety Chapters 13.04 Sewer Regulations, 13.08 Sewer Rates, 13.10 Industrial Waste Pretreatment and 13.14 Industrial Cost Recovery and to adopt new Chapters 13.04 Sewer Regulations, 13.08 Sewer Rates, 13.10 Industrial Waste Pretreatment And 13.14 Industrial Cost Recovery;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, COUNTY OF LEE, STATE OF IOWA AS FOLLOWS:

SECTION 1. Chapter 13.04–Sewer Regulations adopted by the City Council, City of Keokuk, said Chapter adopted by Ordinance Numbers 1570, 1374, 1422 and 1698, is hereby repealed in its entirety.

SECTION 2. A replacement Chapter 13.04-Sewer Regulations, as set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby adopted as Chapter 13.04-Sewer Regulations.

SECTION 3. Chapter 13.08–Sewer Rates adopted by the City Council, City of Keokuk, said Chapter adopted by Ordinance Numbers 1853, 1422, 1857, 1943, 1955, 1970, 1981, 1836, 1374, 1956, 1735, 1968, is herein repealed in its entirety.

SECTION 4. A replacement Chapter 13.08-Sewer Rates, as set forth in Exhibit B attached hereto and incorporated herein by this reference, is hereby adopted as Chapter 13.08-Sewer Rates.

SECTION 5. Chapter 13.10–Industrial Waste Pretreatment adopted by the City Council, City of Keokuk, said Chapter adopted by Ordinance Numbers 1959 and 1997, is hereby repealed in its entirety.

SECTION 6. A replacement Chapter 13.10-Industrial Waste Pretreatment, as set forth in Exhibit C attached hereto and incorporated herein by this reference, is hereby adopted as Chapter 13.10-Industrial Waste Pretreatment.

SECTION 7. Chapter 13.14–Industrial Cost Recovery adopted by the City Council, City of Keokuk, said Chapter adopted by Ordinance Number 1374, is hereby repealed in its entirety.

SECTION 8. A replacement Chapter 13.14-Industrial Cost Recovery, as set forth in Exhibit D attached hereto and incorporated herein by this reference, is hereby adopted as Chapter 13.14-Industrial Cost Recovery.

SECTION 9. SEVERABILITY CLAUSE – If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 10. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Initial passage by the Council on the 20th day of April 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

K. A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

ROLL CALL: CRENSHAW – AYE ALTHEIDE – AYE GARCIA – ABSENT
OLTMANS – AYE HELENTHAL – ABSENT ANDREWS – ABSENT
TILLMAN – AYE BRYANT – AYE GREENWALD – AYE

AYES - 6 NAYS – 0 ABSENT – 3

Second reading this 4th day of May 2023.

K. A. Mahoney, Mayor

Attest: _____
Celeste El Anfaoui, City Clerk

ROLL CALL: CRENSHAW – AYE ALTHEIDE – ABSENT GARCIA – AYE
OLTMANS – AYE HELENTHAL – ABSENT ANDREWS – ABSENT
TILLMAN – AYE BRYANT – AYE GREENWALD – AYE

AYES - 6 NAYS – 0 ABSENT – 3

Third/final reading this 18th day of May 2023.

K. A. Mahoney, Mayor

Attest: _____
Celeste El Anfaoui, City Clerk

ROLL CALL: CRENSHAW – AYE ALTHEIDE – ABSENT GARCIA – AYE
OLTMANS – AYE HELENTAL – ABSENT ANDREWS – AYE
TILLMAN – AYE BRYANT – AYE GREENWALD – AYE

AYES - 7

NAYS – 0

ABSENT – 2

Chapter 13.04 SEWER REGULATIONS¹

Sections:

13.04.010 Depositing sanitary sewage, industrial waste or polluted water.

It is unlawful for any person to place or deposit or cause to be deposited or placed into any sewer under the jurisdiction of the city any sanitary sewage, industrial waste or other polluted water except in accordance with the provisions of this chapter and Chapter 13.10.

(Ord. 1570 § 1, 1993)

13.04.020 Definitions.

The following words and terms as used in this chapter shall mean and be construed as follows, unless the context specifically indicates otherwise:

- (1) "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in parts per million by volume (mg/L).
- (2) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building sewer. The building drain shall extend five feet outside the inner face of the building wall.
- (3) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.
- (4) "City" means the city of Keokuk; "city council" means the duly elected mayor and council members of the city, or other governing body, or their duly authorized representatives.
- (5) "COD" (denoting chemical oxygen demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in parts per million by volume (mg/L).
- (6) "Combined sewer" means a sewer receiving both surface runoff and sewage.
- (7) "Compatible pollutants" are those pollutants which the wastewater treatment plant was designed to treat, and removes to a substantial degree; it includes biochemical oxygen demand, suspended solids and fecal coliform bacteria.
- (8) "Contributor" means any individual, firm, company, association, society, corporation or group responsible for the production of domestic, commercial or industrial waste which is directly or indirectly discharged into the city's sewer system.

¹ For statutory provisions authorizing cities to require connections to a public sewer system, see I.C.A. 364.12. For statutory provisions authorizing cities and towns to construct sewers and plants for the disposition of sewage, see I.C.A. 391.11. For statutory provisions authorizing cities to own, acquire, construct, equip, operate and maintain sewage treatment plants, see I.C.A. Ch. 394. For statutory provisions authorizing cities and towns to rent out sewers, See I.C.A. Ch. 393.

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- (9) "Easement" means an acquired legal right for the specific use of land owned by others.
 - (10) "Floatable oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.
 - (11) "Garbage" means solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
 - (12) "Holding tank waste" means any liquid or water-carried wastes from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.
 - (13) "Industrial wastes" means the liquid wastes from industrial processes as distinguished from sanitary sewage.
 - (14) "Inspector" means the person or persons duly authorized by the city council to inspect and approve the installation of building sewers and their connections to the public sewer system, and to inspect such sewage as may be discharged therefrom.
 - (15) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface groundwater.
 - (16) "Noncompatible pollutants" are any pollutants which are not compatible pollutants as defined in this section.
 - (17) "Normal sewage" means sewage which contains not over four hundred parts per million of suspended solids and not over three hundred parts per million of BOD by weight or seven hundred and five parts per million of COD by weight and which does not contain any of the materials or substances listed in Section 13.04.040 in excess of allowable amounts specified in that section.
 - (18) "Owner" means any individual, firm, company, association, society, corporation or group owning certain sewerage facilities which it uses.
 - (19) "Person" means any individual, firm, company, association, society, corporation or group using the sewage treatment plant or sewerage system.
 - (20) "pH" means the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution. It is used to indicate the concentration of free acid and alkali.
 - (21) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
 - (22) "Public sewer" means a sewer in which all abutting properties have equal rights, and is controlled by public authority.
 - (23) "Roof drain" means a conduit for conveying the rainwater from a roof.
 - (24) "Sanitary sewage" means sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories or institutions, and free from stormwater, surfacewater and industrial wastes.
 - (25) "Sanitary sewer" means a sewer which carries sewage and to which stormwater, surfacewater and groundwaters are not intentionally admitted.
 - (26) "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surfacewaters and stormwaters as may be present.
 - (27) "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

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- (28) "Sewer" means a pipe or conduit for carrying sewage and other waste liquid.
 - (29) "Shall" is mandatory; "may" is permissive.
 - (30) "Storm sewer" or "storm drain" means a pipe or conduit which carries stormwaters and surfacewaters and drainage, but excludes sewage and polluted industrial wastes; it may, however, carry cooling water and unpolluted water.
 - (31) "Superintendent" means the superintendent of the Keokuk Water Resource Recovery Facility and associated sewer systems of the city or his authorized deputy, agent or representative.
 - (32) "Total Nitrogen, TN" means the quantity of oxidizable nitrogen utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).
 - (33) "Total Suspended Solids, TSS" means solids that either float on the surface of, or in suspension of water, sewage, or other liquids and which are removable by laboratory filtering. Expressed in parts per million by volume (mg/L).
 - (34) "Total Phosphorous, TP" means the quantity of oxidizable phosphorous utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).
 - (35) "Unpolluted water" is water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities.
 - (36) "User charge" means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, replacement and debt services of the publicly owned treatment works as defined in Section 13.08.010.
 - (37) "Wastewater" means the spent water of the community. It may be a combination of liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with any groundwater, surfacewater and stormwater that may be present.
 - (38) "Wastewater facilities" or "waste-water system" means all facilities for collecting, pumping, treating or disposing of wastewater.
 - (39) "Wastewater treatment plant" means any arrangement of devices and structures used for treating wastewaters.
 - (40) "Watercourse" means a natural or artificial channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 1570 § 2, 1993)

13.04.030 Discharging polluted waters.

- (a) No person shall discharge or cause to be discharged any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, including interior and exterior fountain drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- (b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the city council. Industrial cooling water or unpolluted process waters may be discharged, upon approval by the city council, to a storm sewer or natural outlet.
- (c) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the

absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No. 9 shall apply.

- (d) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (e) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- (f) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.E.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(Ord. 1570 § 3, 1993)

13.04.050 Grease, oil and sand interceptors.

- (a) Grease, oil or sand interceptors shall be provided when in the opinion of the superintendent they are necessary for the proper handling of liquid waste containing grease in excessive amounts or any flammable waste, sand or other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a standard approved type and capacity which meet city and state code requirements, and shall be readily and easily accessible for cleaning and inspection.
- (b) Where installed, all grease, oil or sand interceptors shall be owned and maintained by the owner at his expense, in continuously efficient operation at all times.

(Ord. 1374 § 1 (part), 1983)

13.04.070 Amendment of discharge requirements.

The city council reserves the right to amend any or all requirements relating to the nature, type, concentration or other analysis of the substances mentioned in this chapter, or other substances, materials, water or wastes, that discharge into any public or private sewer.

(Ord. 1374 § 1 (part), 1983)

13.04.080 Right of entry for inspection.

The city council or its duly appointed superintendent or other authorized representative of the city shall be entitled to access to the premises of any contributor for the purpose of inspection, observation, measurement, sampling and testing at any reasonable time to such extent as may be necessary to carry out the spirit and intent of this chapter, and it shall be deemed a part of the agreement on the part of the contributor as a condition to his permission to connect with the city sewer system, that such access be granted. Industrial users must comply with Chapter 13.10.050-(C)(2)(E).

(Ord. 1570 §6, 1993)

13.04.130 City agreements not abrogated.

No statement in this chapter shall be construed as preventing any special agreement, arrangement or contract between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment subject to the rate and cost as established by the city council.

(Ord. 1374 § 1 (part), 1983)

13.04.140 Connection with public sewer required.

- (a) All private sanitary sewer facilities within three hundred feet of public sewers and located on property which lies adjacent to or abuts a public sewer line including those public sewers which abut any street or alley which in turn abut any private property and lie directly to the front, side or rear of the private property, shall be connected with the public sewer when topographical conditions permit the sewer from a private facility to empty into the public sewer by gravity.
- (b) If it is necessary to cross the entire paved surface of a portland cement or asphaltic concrete street in order to connect to the public sewer, the owner may request in writing for the city council to consider a variance from this section. Factors that will be considered in the city council's decision will include, but not be limited to: type of construction of street, traffic on the street, whether the connection can be made without disturbing the street surface or other municipal and utility improvements, and public health considerations. If any of the factors pertaining to the variance change after a variance is granted, the variance shall be opened for reconsideration by the city council upon recommendation of the public works department.
- (c) New facilities, if not required to connect to the public sewer in accordance with the criteria of this section, shall comply with the current state and county laws and regulations pertaining to private sewage disposal systems.

(Ord. 1422 § 2 (part), 1986)

13.04.150 Connection notice and costs.

Not less than ten days after public sewer facilities become available, the city council shall, by resolution, require notice to be sent by certified mail to the owner of record or the contract purchaser of record and the persons in actual possession of such property if they are different, requiring connection of their sewer facilities to the public sewer. The owner shall make the connection within sixty days of the notice if the sewer was constructed with any public funds or within one year of the notice if the sewer was constructed entirely by private funds. If the connection is not made within the required time, the owner shall pay sewer fees at the normal sewer rates stated in Chapter 13.08 of this code based upon the facility's municipal water consumption or at the minimum sewer charge if the facility is not connected to the municipal water system. If the housing counselor determines that the facility presents a health nuisance due to an open discharge, inadequate maintenance or noncompliance with the current state and county laws and regulations pertaining to private sewage disposal systems, the city may make such connections and assess the cost thereof against the property. The assessment may be spread over a period of not to exceed ten years.

(Ord. 1422 § 2 (part), 1986)

13.04.160 Regulations—Modification authority.

Any section, subsection, clause, phrase or portion of this chapter may be revised by the city council.

(Ord. 1374 § 1 (part), 1983)

13.04.170 Rates and charges.

Rates and charges for wastewater disposal service shall be as set forth in applicable city ordinances or special agreements which may be in effect or amended from time to time.

(Ord. 1374 § 1 (part), 1983)

13.04.180 Violations—Notice—Permit revocation—Liability.

- (a) Any contributor found to be violating any provision of this chapter shall be notified in writing by the city, stating the nature of the violation and providing a reasonable time limit for the correction thereof. The contributor shall permanently cease all violations within the period of time stated in the notice, and shall certify to the city that the corrections have been accomplished.
- (b) Any contributor found to be violating any provision of this chapter who continues such violation beyond the time limit provided in subsection (a) of this section is guilty of a misdemeanor and upon conviction thereof be subject to the penalties prescribed by the laws of the state of Iowa as a misdemeanor. Each day in which such violation shall continue shall be deemed a separate offense.
- (c) In cases of repeated violations, the city may revoke permission for the discharge of wastes into the sewer system, or effect the discontinuation of water or sewer service or both.
- (d) Any contributor violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage incurred as a result of such violation. See Section 1.24.010.

(Ord. 1698 § 12, 1999)

13.04.190 Termination of service—Demolition projects.

Whenever an individual or contractor procures a demolition permit for property located within the city, the sewer lines must be properly and safely capped by the individual or contractor and must be inspected and approved by the city engineer or his designee.

(Ord. 1422 § 8 (part), 1986)

13.04.200 Violation of Section 13.04.190.

Contractors or individuals who fail to have the sewer line capped properly prior to commencing demolition activities are subject to the penalties prescribed by the laws of the state of Iowa as a misdemeanor in Section 1.24.010.

(Ord. 1698 § 13, 1999)

Chapter 13.08 SEWER RATES²

Sections:

13.08.010 Fees—Charging.

All existing and/or future private, commercial and industrial parties which contribute domestic and/or industrial wastes for treatment by the waste treatment works located at 1000 Mississippi Drive shall be charged a fee in proportion to their contribution, taking into the account the costs of operation and maintenance, including replacement and debt service of the publicly owned treatment works. For the purpose of this chapter, "publicly owned treatment works" means the treatment works owned by the city, including any publicly owned devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature and publicly owned sewers, pipes and other conveyances only if they convey wastewater to the Keokuk treatment plant. For the purposes of this chapter, "commercial parties" includes all schools, school property and school district property.

(Ord. 1853 § 1, 2008: Ord. 1422 § 1 (part), 1986)

(Ord. No. 1857 § 1, 10-16-08)

13.08.020 Fees—Rates.

The total fees collected shall be based on the actual costs of operation and maintenance, including replacement plus the cost of debt service, of the publicly owned treatment works as defined in Section 13.08.010.

(Ord. 1422 § 1 (part), 1986)

13.08.030 Classification of users.

- (a) For purposes of this chapter, all contributors to the waste treatment works shall be separated into two classes: class I, major industrial users, and class II, domestic and commercial users, which are further subdivided as described in subsection (c) of this section.
- (b) Class I users are defined as any wastewater contributor that:
 - (1) Has a discharge flow of fifty thousand gallons or more per average workday (if seasonal, the average shall be computed on the period of use); or
 - (2) Contributes wastewater or sewage to the publicly owned treatment works that has a BOD concentration in excess of three hundred milligrams per liter or COD concentration in excess of seven hundred and five milligrams per liter or a Total Suspended Solids concentration in excess of four hundred milligrams per liter; or

²For statutory provisions authorizing cities and towns to levy rentals or charges for the use of their sewers, see I.C.A. Ch. 393.

- (3) Is found by the city's authorized representative to have significant impact, either singly or in combination with other contributing industries, on the sewage system or upon the quality of effluent from the treatment works.
- (c) Class II users are defined as any wastewater contributor which is not covered under class I. Class II users are further subdivided into type A and B users which are defined as follows:
- (1) A class II, type A user is any wastewater contributor that is a one-family or two-family residential dwelling unit.
 - (2) A class II, type B user is any contributor not covered under type A and generally includes, but is not limited to, commercial, minor industrial, institutional and multifamily (three or more) users.
- (Ord. 1422 § 4 (part), 1986)

13.08.040 Class I rates.

Rates for class I users shall be calculated on the total contribution of BOD or COD, TSS, Total Nitrogen, Total Phosphorous and flow.

Rates for class I users are as follows:

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A. Unit Rates, Monitored And Nonmonitored Contributors: Minimum unit rates for service billed after July 1, 2023 will be assessed contributors to the sewage works, as follows:

		July, 2023	July, 2024	July, 2025
	Rate Increase	10%	10%	10%
Nonmonitored Customers - Class 1 Rates				
Basic Service Charge (per bill)		\$13.79	\$15.17	\$16.69
Volume Charge (per one unit or 750 Gallons)		\$7.36	\$8.10	\$8.91
Monitored Customers:				
Basic Service Charge (per bill)		\$13.79	\$15.17	\$16.69
Volume Charge (per 1000 gallons)		\$5.86	\$6.44	\$7.09
BOD (per pound)		\$0.23	\$0.25	\$0.28
TSS (per pound)		\$0.22	\$0.24	\$0.27
COD (per pound)		\$0.11	\$0.12	\$0.13
Total Nitrogen (per Pound)		\$2.00	\$2.20	\$2.42
Total Phosphorous (per Pound)		\$2.00	\$2.20	\$2.42

Effective July 1 of each year, beginning in 2024, the customer base service charges and volume charges as set forth in this section shall be increased ten percent (10.0%) from the prior year, except as amended by ordinance of the City Council. The City shall review said charges and rates every two (2) years to ensure that the system generates adequate revenues to pay the full costs of operation, maintenance and any debt service and to maintain adequate fund balances.

(Ord. No. 1943, § 1, 7-16-15; Ord. No. 1955, § 1, 5-5-16; Ord. No. 1970, § 1, 7-6-17; Ord. No. 1981, § 1, 4-19-18)

Editor's note(s)—Ord. No. 1943, § 1, adopted July 16, 2015, repealed the former § 13.08.040, and enacted a new § 13.08.040 as set out herein. The former § 13.08.040 pertained to similar subject matter and derived from Ord. No. 1937, adopted June 19, 2014.

13.08.045 Class I—Surcharge.

- (a) Each class I user shall be charged the specific rate as set forth in Section 13.08.040 for all amounts of flow, BOD or COD, TSS, Total Nitrogen, and Total Phosphorous and, in addition, a daily surcharge shall be imposed upon each class I user for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous amounts in excess of the allowable maximum per day for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous as set forth in the discharge agreement executed by the user and a monthly surcharge shall be imposed upon each class I user for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous amounts in excess of the allowable per-day average as computed monthly for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous as set forth in the discharge agreement executed by the user. The surcharge for each category shall be calculated as follows:
- (1) Flow: total excess (amount of flow in million gallons per day in excess of the amount of flow allowed by the discharge agreement) plus one multiplied by the prevailing flow rate as set forth in Section 13.08.040 multiplied by the total excess;
 - (2) BOD or COD: total excess (amount of BOD or COD in pounds in excess of the amount of BOD or COD allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing BOD or COD rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
 - (3) TSS: total excess (amount of TSS in pounds in excess of the amount of TSS allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing TSS rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
 - (4) Total Nitrogen: total excess (amount of Total Nitrogen in pounds in excess of the amount of Total Nitrogen allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing Total Nitrogen rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
 - (5) Total Phosphorous: total excess (amount of Total Phosphorous in pounds in excess of the amount of Total Phosphorous allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing Total Phosphorous rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
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(b)

(Ord. 1836 § 1 (part), 2007; Ord. 1426 § 1, 1986)

13.08.050 Billing.

User charges shall be billed at least semiannually or more often based on wastes contributed during the preceding billing period and on unit costs based on the operation and maintenance budget for that year. Individual class I users shall be billed for the amount due as calculated by the method of Section 13.08.040. Individual class II users shall be billed their proportionate share of the total class II user charge calculated by the method of Section 13.08.040. The proportion shall be established by a ratio of water billed, to the user to water billed in the city. Any class II user whose water consumption or discharge to other than the sewer system make this proportion invalid may meter, or otherwise determine, their actual sewage discharge rate and be billed appropriately.

(Ord. 1374 § 1 (part), 1983)

13.08.060 Class II rates.

Rates for the class II users shall be seven dollars and thirty-six cents per unit per month on usage over the minimum rate allowance based on actual or estimated monthly water meter readings. The minimum monthly rate for class II users shall be thirty-three dollars and forty-two cents based on two thousand gallons. For this section, units shall be considered seven hundred fifty gallons of water.

(Ord. No. 1943, § 2, 7-16-15; Ord. No. 1956, § 1, 5-19-16; Ord. No. 1970, § 2, 7-6-17; Ord. No. 1981, § 2, 4-19-18)

Editor's note(s)—Ord. No. 1943, § 2, adopted July 16, 2015, repealed the former § 13.08.060, and enacted a new § 13.08.060 as set out herein. The former § 13.08.060 pertained to similar subject matter and derived from Ord. No. 1937, adopted June 19, 2014.

13.08.070 Minimum contribution.

As the treatment works are constructed larger than would normally be required to accommodate the class I users, and as certain operations and maintenance costs will continue even if class I users temporarily reduce their contributions by a significant amount below their allocation, due to business conditions, strikes, acts of God, etc., the minimum monthly contribution for class I users will be ten percent of the last preceding "normal" month.

(Ord. 1735 § 2, 2002; Ord. 1422 § 1 (part), 1986)

13.08.080 Deposits.

Every consumer with sewer service must sign a written application and make a sewer deposit before a meter is installed or used. If new account elects to participate in the direct payment program the sewer deposit shall be waived.

(Ord. 1374 § 1 (part), 1983)

(Ord. No. 1968, 6-1-17)

13.08.090 Delinquent payment collection.

The service charges, rates or rentals established in this chapter shall be due and payable on the due date corresponding with water statement, at the office of the municipal waterworks.

Delinquent payments and fees will correspond with current fees and penalties set by the Keokuk Municipal Waterworks.

Unpaid service charges, rates or rentals shall constitute a lien upon the premises served by such sanitary utilities, and if not paid within the date specified in this section shall be delinquent. Such charges, rates or rentals which are delinquent and unpaid may be certified by the city clerk to the county auditor for collection in the same manner as other taxes.

(Ord. 1374 § 1 (part), 1983)

(Ord. No. 1968, 6-1-17)

13.08.100 Collection—Responsibility.

- (a) Sewage service charges shall be prepared and billed by Keokuk municipal waterworks and the first billing shall correspond with the regular water charge billing on or after the effective date of such sewer service rates and charges as specified in this chapter.
- (b) The waterworks, under the supervision of the manager thereof, is charged with the responsibility of billing all contributors for the sums of money that are due the city for sewage service under the terms of this chapter and shall collect all such charges at the same time and place and in conjunction with the water rentals in accordance with the schedules of rates as provided in this chapter.
- (c) For faithful performance of duties the waterworks shall be covered by a fidelity bond sufficiently covering such employees or officers charged with the collection of the sewer rental and for services as collection agent will receive reasonable compensation as agreed upon by the city council.
- (d) Any and all funds, fees, rentals, charges or rates collected by the waterworks under the provisions of this chapter shall be remitted to the city clerk to be kept by him in a separate and distinct fund to be known as the sewer rental fund.

(Ord. 1374 § 1 (part), 1983)

13.08.110 Collection—Expenses.

- (a) The actual cost of collecting and accounting for all sewage service charges, including reasonable compensation to the collection agent, the maintenance of all books and records, the employment of all help, the cost of all books, records, materials and supplies, the obtaining and maintaining of all office and storage space, and any and all other costs and expenses reasonably necessary in connection therewith or incidental thereto, shall be a part of the cost of operating the municipal sewage disposal works and facilities of the city. The cost shall be paid from the sewer rental fund to the collection agent upon his certificates certifying to the amount thereof.
- (b) The manager and other authorized representatives of the city shall be entitled to access to the premises of any contributor for the purpose of inspection, observation, measurement, sampling, and testing at any reasonable time to such extent as may be necessary to carry out the spirit and intent of this chapter, and it shall be deemed a part of the agreement on the part of the contributor as a condition of his permission to connect with the sewer system of the city that such access be granted.

(Ord. 1374 § 1 (part), 1983)

13.08.120 Changes and readjustments.

The city may change and readjust the service charges, rates or rentals set forth in this chapter from time to time and may from time to time fix and readjust such charges, rates and rentals for particular classes of unusual conditions and variations in the character and quantity of waste as in the discretion of the city council is deemed fair and equitable, and in any event such service charges, rates or rentals shall be established, adjusted and maintained so as to be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair, replacements and maintenance of the sanitary utilities, and to create a sinking fund sufficient to meet the principal and interest and other charges or indebtedness for constructing the improvements.

(Ord. 1374 § 1 (part), 1983)

13.08.130 Supervision.

The sanitary utilities of the city shall be under the supervision and control of the city, and subject to such supervision and control, the management and operation shall be by a superintendent to be appointed by the city council for such term and at such salary as the council from time to time determines. No assistants, laborers or other helpers in the management or operation of the sanitary utilities shall be employed except as authorized and directed by the city council.

(Ord. 1374 § 1 (part), 1983)

13.08.140 Sewer use funds—Accounts.

- (a) The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance, including replacement and debt service which shall be set up as accounts in the annual budget, and the city shall designate the costs to be paid from the sewer use funds.
- (b) Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purpose than those designated for these accounts. Moneys which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rates shall be adjusted such that the transferred moneys will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

(Ord. 1422 § 1 (part), 1986)

13.08.150 Yearly review.

The city shall review the user fee system every year and revise user charge rates as necessary to ensure that the system generates adequate revenue to pay the costs of operation and maintenance, including replacement and debt service, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement and debt service, among users and user classes.

(Ord. 1422 § 1 (part), 1986)

Chapter 13.10 INDUSTRIAL WASTE PRETREATMENT³

13.10.010 Purpose and policy.

- (a) This chapter sets forth uniform requirements for users of the publicly owned treatment works for the City of Keokuk and enables the City of Keokuk to comply with all applicable state and federal laws, including the

³Editor's note(s)—Ord. No. 1959, § 1, adopted November 17, 2016, repealed the former Chapter 13.10, §§ 13.10.010—13.10.070, and enacted a new Chapter 13.10 as set out herein. The former Chapter 13.10 pertained to similar subject matter and derived from Ord. No. 1422, 1986; Ord. No. 1570, 1993 and Ord. No. 1698, 1999.

Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403).

- (b) The objects of this chapter are:
- (1) To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system, including interference with its use or disposal of municipal sludge;
 - (2) To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
 - (3) To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To improve the opportunities to recycle and reclaim municipal and industrial wastewaters and sludges; and
 - (5) To provide for equitable distribution of the cost of the municipal wastewater system.
 - (6) To enable the City of Keokuk to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.
- (c) This chapter provides for the regulation of contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement of general requirements authorizes monitoring and enforcement activities, requires user reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established in this chapter.
- (d) This chapter shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the municipal wastewater system. Except as otherwise provided in this chapter, the pretreatment program manager of the municipal waste-water system shall administer, implement and enforce the provisions of this chapter.

(Ord. No. 1959, § 1, 11-17-16)

13.10.020 Definitions.

- (a) Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings designated in this section:
- (1) "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et seq.
 - (2) "Approval authority" means the director in an NPDES state with an approved state pretreatment program and the appropriate regional administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.
 - (3) "Authorized representative of industrial user" may be:
 - (A) A principal executive officer of at least the level of vice president, if the industrial user is a corporation;
 - (B) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;

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- (C) A duly authorized representative of the individual designated in subdivisions (A) and (B) of this subsection when made in writing if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- (4) "Biochemical oxygen demand" or "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at twenty degrees centigrade, expressed in terms of concentration (milligrams per liter (mg/l)).
- (5) "Best management practices" or "BMP"s means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 13.10.030. BMPs include treatment requirements, operating procedures, practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. The superintendent may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits to implement local limits and the requirements of Sections 13.10.030 and 13.10.050
- (6) "Building sewer" means a sewer conveying wastewater from the premises of the user to the POTW.
- (7) "Categorical pretreat standards" means National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to the POTW by existing or new industrial users in specific industrial subcategories. These standards, as found in 40 CFR 403.6 and 40 CFR, Chapter I, subchapter N, unless otherwise noted, shall be in addition to general prohibitions specified in Section 13.10.030.
- (8) "Chemical Oxygen Demand" or "COD" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in parts per million by volume (mg/L).
- (9) "City" means the City of Keokuk or the city council of Keokuk.
- (10) "Control authority" means the "City of Keokuk."
- (11) "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (12) "Daily maximum limit" means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day, if taken in accordance with 40 C.F.R. Part 136.
- (13) "Direct discharge" means the discharge of treated or untreated wastewater directly to the waters of the state.
- (14) "Environmental Protection Agency" or "EPA" means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of the EPA.
- (15) "Existing source" means any source of discharge that is not a "new source."
- (16) "Grab sample" means a sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen minutes.
- (17) "Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.

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- (18) "Indirect discharge" or "discharge" means the introduction of pollutants into a POTW from any nondomestic source.
- (19) "Industrial user" or "user" means a source of indirect discharge.
- (20) "Instantaneous limit" means the minimum or maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling.
- (21) "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- (22) "Local limit" means specific discharge limits developed and enforced by the city upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- (23) "Medical waste" means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- (24) "Minor industrial user" means any non-domestic industrial user of the POTW which is not a significant industrial user.
- (25) "Monthly average" means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (26) "Monthly average limit" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (27) "National Pretreatment Standard" or "pretreatment standard" or "standard" means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act which applies to industrial users. This term also includes prohibitive discharge standards and local limits.
- (28) "New source" means any building, structure, facility or installation from which there is or may be a discharge, the construction of which commenced after promulgation of pretreatment standards in accordance with Section 307(c) of the Act which are applicable to such sources but only if the standards are promulgated in accordance with Section 307(c) provided that:
- (A) The building, structure, facility or installation is constructed at a site at which no other source is located;
 - (B) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source;
 - (C) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered;

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- (D) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (B) or (C) of subsection (27) of this section but otherwise alters, replaces or adds to existing process or production equipment;
- (E) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
- (i) Begun or caused to begin as part of a continuous onsite construction program,
 - (ii) Any placement, assembly or installation of facilities or equipment, or
 - (iii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment, or
 - (iv) Entered in to a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this paragraph.
- (29) "National Pollution Discharge Elimination System permit" or "NPDES permit" means a permit issued to a POTW pursuant to Section 402 of the Act.
- (30) "Noncontact cooling water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (31) "Oil and grease" means organic material that can be extracted from water with hexane and determined by weight after evaporation of the hexane. The oil and grease analysis is a method defined analysis and the results are identified by the hexane extracted material (HEM) and the silica gel treated material (SGT-HEM) results reported as milligrams per liter (mg/L).
- (32) "Pass through" means the discharge of pollutants through the POTW into receiving waters 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).
- (33) "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns.
- (34) "pH" means a measure of the acidity or alkalinity of a solution, expressed in standard units..
- (35) "Pollution" means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- (36) "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
- (37) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

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- (38) "Pretreatment requirements" means any substantive or procedural requirements related to pretreatment, other than pretreatment standards, imposed on an industrial user.
- (39) "Publicly owned treatment works" or "POTW" mean a treatment works as defined by Section 212 of the Act, which is owned by a state or municipality. This definition includes any publicly owned devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes publicly owned sewers, pipes and other conveyances only if they convey wastewater to the POTW treatment plant.
- (40) "POTW treatment plant" means the portion of the POTW designed to provide treatment of municipal sewage and industrial waste.
- (41) "Septic tank waste" means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (42) "Sewage" means human excrement and gray water (household showers, dishwashing operations, etc.).
- (43) "Shall" means mandatory; "may" means permissive.
- (44) "Significant industrial user" (SIU) except as provided in paragraphs (iv) and (v) of this section, a significant industrial user is:
- (A) An industrial user subject to categorical pretreatment standards; or
 - (B) An industrial user that:
 - (i) Discharges an average of twenty-five thousand gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (ii) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (iii) Is designated as such by the City of Keokuk on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
 - (iv) The City of Keokuk may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than one hundred gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
 - a. The industrial user, prior to City of Keokuk's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - b. The industrial user annually submits the certification statement required in Section 13.10.050, together with any additional information necessary to support the certification statement; and
 - c. The industrial user never discharges any untreated concentrated wastewater.
 - (v) Upon a finding that a user meeting the criteria in subsections (iv, v) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City of Keokuk may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

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- (45) "Significant noncompliance" means an industrial user is in (SNC) significant noncompliance if its violation meets one or more of the following criteria:
- (A) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
 - (B) Technical review criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by Section 13.10.030 multiplied by the applicable TRC criteria (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH;
 - (C) Any other violation of a pretreatment effluent limit (daily maximum, longer term average, instantaneous limit, or narrative standard) 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);
 - (D) 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;
 - (E) Failure to meet, within ninety 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;
 - (F) Failure to provide, within thirty days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - (G) Failure to accurately report noncompliance;
 - (H) Any other violation or group of violations which the control authority determines will adversely affect the operation or implementation of the local pretreatment program.
- (46) "Slug load or slug discharge" means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 13.10.030 of this chapter. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.
- (47) "State" means the State of Iowa.
- (48) "Standard industrial classification" or "SIC" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of the Management and Budget, 1987, as amended.
- (49) "Stormwater" means any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (50) "Superintendent" means the person designated by the city to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this chapter, or his duly authorized representative, who shall be called the pretreatment program manager.
- (51) "Total Nitrogen" or "TN" means the quantity of oxidizable nitrogen utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).

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- (52) "Total suspended solids" or "TSS" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is measured by laboratory filtering and reported as a concentration (mg/L).
- (53) "Total Phosphorous" or "TP" means the quantity of oxidizable phosphorous utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).
- (54) "Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under the provisions of the Clean Water Act 307(a) or any other acts relating to pollution control which are mandated by the federal or state governments.
- (55) "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and stormwater which may be present, whether treated or untreated, which is contributed to or permitted to enter the POTW.
- (56) "Wastewater discharge permit" means as set forth in Section 13.10.050.
- (57) "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.
- (b) Abbreviations. The following abbreviations shall have the designated meanings:
- BOD — Biochemical oxygen demand.
- BMP — Best management practice.
- BMR — Baseline monitoring report.
- CFR — Code of Federal Regulations.
- CIU — Categorical industrial user.
- COD — Chemical oxygen demand.
- EPA — U.S. Environmental Protection Agency.
- gpd — gallons per day.
- HEM-Hexane extractable material.
- IU — Industrial user.
- mg/l — milligrams per liter.
- NPDES — National Pollutant Discharge Elimination System.
- NSCIU — Non-significant categorical industrial user.
- POTW — Publicly owned treatment works.
- RCRA — Resource Conservation and Recovery Act.
- SGT-HEM — Silica gel treated hexane extractable material.
- SIU — Significant industrial user.
- SNC — Significant noncompliance.
- TN — Total Nitrogen
- TSS — Total suspended solids.

TP — Total Phosphorous

U.S.C. — United States Code.

(Ord. No. 1959, § 1, 11-17-16)

13.10.030 Regulations.

- (a) General Discharge Prohibitions. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through the POTW or interfere with the operation or performance of the POTW. These general prohibitions apply to all nondomestic sources introducing pollutants into the POTW whether or not the source is subject to National Categorical Pretreatment Standards or any other national, state or local pretreatment standards or requirements. A user shall not contribute the following substances to the POTW:
- (1) Any liquids, 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. Any wastewater with a closed-cup flashpoint of less than one hundred forty degrees Fahrenheit or sixty degrees Celsius using test methods specified in 40 CFR 261.21 for closed cup flashpoint. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides and hydrides;
 - (2) Solid or viscous substances in amounts which will cause obstruction to the flow in a sewer or other interference with the operation of wastewater treatment facilities, such as but not limited to grease, garbage with particles greater than one-half inch in dimensions, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;
 - (3) Any wastewater that would intermittently change the pH of the raw waste reaching the treatment plant by more than 0.5 pH units or cause the pH of the waste reaching the treatment plant to be less than 6.0 or greater than 9.0, or wastewater having any other corrosive property capable of causing damage or hazard to structure, equipment and/or personnel of the POTW;
 - (4) 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 POTW, or to exceed the limitations set forth in a categorical pretreatment standard;
 - (5) Any wastewater or noxious or malodorous liquids, gases or solids which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;
 - (6) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or state criteria applicable to the sludge management method being used;

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- (7) Any substance which will cause the POTW to violate its NPDES permit and/or state disposal system permit or the receiving water quality standards;
 - (8) Any wastewater with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions;
 - (9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW treatment plant which exceeds forty degrees Celsius (one hundred four degrees Fahrenheit);
 - (10) Any pollutants, including oxygen-demanding pollutants (BOD or COD.), total nitrogen, total phosphorous and total suspended solids of such characteristics released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW, and any slug load;
 - (11) Radioactive waste.
 - (A) A licensee may discharge licensed material into sanitary sewerage if each of the following conditions is satisfied:
 - (i) The material is readily soluble (or is readily dispersible biological material) in water; and
 - (ii) The quantity of licensed or other radioactive material that the licensee releases into the sewer in one month divided by the average monthly volume of water released into the sewer by the licensee does not exceed the concentration listed in Table 3 of Appendix B to 10 CFR part 20; and
 - (B) If more than one radionuclide is released, the following conditions must also be satisfied:
 - (i) The licensee shall determine the fraction of the limit in Table 3 of Appendix B to 10 CFR Part 20 represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee into the sewer by the concentration of that radionuclide listed in Table 3 of Appendix B to Part 20; and
 - (ii) The sum of the fractions for each radionuclide required by paragraph (a)(11)(B)(i) of this section does not exceed unity; and
 - (iii) The total quantity of licensed and other radioactive material that the licensee releases into the sanitary sewerage system in a year does not exceed five curies (185 GBq) of hydrogen-3, one curie (37 GBq) of carbon-14, and one curie (37 GBq) of all other radioactive materials combined.
 - (C) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material are not subject to the limitations contained in paragraphs (a)—(d) of this section.
 - (12) Discharges of trucked or hauled pollutants except at points designated by the POTW;
 - (13) Discharges of petroleum oil, nonbiodegradable cutting oil, or products of mineral origins or other organic compounds in amounts that will cause interference or pass through. At no times shall a user discharge above the following levels unless authorized by permit.
 - (A) Oils and greases not to exceed:
 - (i) Hexane extractable material (HEM) greater than fifty (50) mg/L.
 - (ii) Silica gel treated-hexane extractable material (SGT-HEM) greater than thirty (30) mg/L.
 - (14) Discharges that result in toxic gases, fumes or vapors within the POTW in a quality that may cause acute worker health and safety problems.

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- (b) When the superintendent or pretreatment program manager determines that the user(s) is contributing to the POTW any of the substances enumerated in subdivision (1) of subsection (a) in such amounts as to interfere with the operation of the POTW, the superintendent or pretreatment program manager shall:
- (1) Advise the user(s) of the impact of the contribution on the POTW; and
 - (2) Develop effluent limitation(s) for such user to correct the interference with the POTW.
- (c) The National Categorical Pretreatment Standards. The National Categorical Pretreatment Standards located in 40 CFR Chapter I, Subchapter N, Parts 405—471 are herewith incorporated into this chapter by reference thereto. Such National Categorical Pretreatment Standards, if more stringent than limitations imposed under this chapter for sources in that category, shall immediately supersede the limitations and schedules for compliance imposed under this chapter.
- (1) Modification of the National Categorical Pretreatment Standards.
 - (A) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the superintendent may impose equivalent concentration or mass limits in accordance with Section 13.10.030.
 - (B) When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the superintendent may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users.
 - (C) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the superintendent shall impose an alternate limit in accordance with 40 CFR 403.6(e).
 - (D) A CIU may obtain a net/gross adjustment to a categorical pretreatment standard in accordance with the following paragraphs of this section.
 - (2) Net/Gross Allowance. Categorical pretreatment standards may be adjusted to reflect the presence of pollutants in the industrial user's intake water in accordance with this section. Any industrial user wishing to obtain credit for intake pollutants must make application to the superintendent. Upon request of the industrial user, the applicable standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraphs (c)(1)(B), (C) of this section are met.
 - (A) Criteria.
 - (i) Either: (i) the applicable categorical pretreatment standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) the industrial user demonstrates that the control system it proposes or uses to meet applicable categorical pretreatment standards would, if properly installed and operated, meet the standards in the absence of pollutants in the intake waters.
 - (ii) Credit for generic pollutants such as biochemical oxygen demand (BOD), chemical oxygen demand (COD), total suspended solids (TSS), and oil and grease should not be granted unless the industrial user demonstrates that the constituents of the generic measure in the user's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
 - (B) Credit shall be granted only to the extent necessary to meet the applicable categorical pretreatment standard(s), up to a maximum value equal to the influent value. Additional

monitoring may be necessary to determine eligibility for credits and compliance with standard(s) adjusted under this section.

- (C) Credit shall be granted only if the user demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The superintendent may waive this requirement if it finds that no environmental degradation will result.
- (3) When a categorical pretreatment standard is expressed only in terms of pollutant concentrations, an industrial user may request that the superintendent convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the superintendent. The superintendent may establish equivalent mass limits only if the industrial user meets all the conditions set forth in subsections (3)(A)(i) through (3)(A)(v) below.
- (A) To be eligible for equivalent mass limits, the industrial user must:
 - (i) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
 - (ii) Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical pretreatment standard, and not have used dilution as a substitute for treatment;
 - (iii) Provide sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;
 - (iv) Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the discharge; and
 - (v) Have consistently complied with all applicable categorical pretreatment standards during the period prior to the industrial user's request for equivalent mass limits.
 - (B) An industrial user subject to equivalent mass limits must:
 - (i) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
 - (ii) Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
 - (iii) Continue to record the facility's production rates and notify the superintendent whenever production rates are expected to vary by more than twenty percent from its baseline production rates determined in paragraph (3)(A)(iii) of this section. Upon notification of a revised production rate, the superintendent will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
 - (iv) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph (3)(a)(i) of this section so long as it discharges under an equivalent mass limit.
 - (C) When developing equivalent mass limits, the superintendent:
 - (i) Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the industrial user by the concentration-based daily maximum

and monthly average standard for the applicable categorical pretreatment standard and the appropriate unit conversion factor;

- (ii) Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
 - (iii) May retain the same equivalent mass limit in subsequent individual wastewater discharge permit terms if the industrial user's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 13.10.030(c)(3)(A)(ii). The industrial user must also be in compliance with Sections 13.10.030(a)(1)—(14) regarding the prohibition of pass through.
- (4) The superintendent may convert the mass limits of the categorical pretreatment standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users. The conversion is at the discretion of the superintendent.
 - (5) Once included in its permit, the industrial user must comply with the equivalent limitations developed in this section in lieu of the promulgated categorical standards from which the equivalent limitations were derived.
 - (6) Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or four-day average, limitations. Where such standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
 - (7) Any industrial user operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based standard shall notify the superintendent within two business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the superintendent of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.
- (d) State Pretreatment Standards.
 - (1) Users must comply with the State of Iowa codified 567-62.
 - (e) Local Limits.
 - (1) The superintendent is authorized to establish local limits pursuant to 40 CFR 403.5(c). Pursuant to which, the following pollutant limits are established to protect against pass through and interference.
 - (A) Specific Pollutant Limitations. The total wastewater discharge of all users, in combination with domestic users, shall not contain in excess of the maximum allowable headworks loading in Table 1 at the headworks of the Keokuk Water Resource Recovery Facility:

Table 1: Maximum Allowable Headworks Load	
CHEMICAL	MAXIMUM ALLOWABLE HEADWORKS LOAD (MAHL) lbs.
Ag	3.300
As	1.688
Cd	1.285
CN	2.409
Cr	24.095
Cu	22.550

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Hg	0.381
Mo	1.519
Ni	10.126
Pb	4.090
Se	2.025
Zn	24.095
BOD	11,900
TSS	13,000
TKN	2,088

- (B) All industrial and commercial dischargers shall not discharge pollutants in excess of the uniform concentration limits in Table 2 unless a different specific limit has been established by the Keokuk Water Resource Recovery Facility Superintendent or designated representative in an industrial wastewater discharge permit.

Table 2: Uniform Concentration Limits	
CHEMICAL	Concentration (mg/L)
Ag	0.495
As	0.252
Cd	0.190
CN	0.295
Cr	3.593
Cu	3.337
Hg	0.057
Mo	0.230
Ni	1.510
Pb	0.537
Se	0.307
Zn	3.370

- (C) The superintendent may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits to implement Local Limits and the requirements of Section 13.10.050 d)(3).
- (f) State Requirements. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter.
- (g) City of Keokuk Right of Revision. The City of Keokuk reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this chapter.
- (h) Excess Discharge. No user shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, or in any other pollutant-specific limitation established by this chapter or any other city ordinance or by the state.
- (i) Accidental Discharge or Slug Discharge.

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- (1) Generally. Each user shall provide protection from accidental or slug discharges of prohibited materials and substances regulated by this chapter. For the purposes of this section, an accidental discharge is any discharge which occurs as a result of human or mechanical error. A slug discharge is defined in Section 13.10.20(45). Facilities to prevent such accidental discharges of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. In the case of a slug or accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions.
 - (2) Upon notification by the city, the user shall develop an accidental discharge/slug control plan to eliminate such discharges. Upon notification, the user will have sixty days to develop and submit to the city for review and approval written procedures, including planned construction plans and specifications, if applicable.
 - (A) An accidental discharge/slug discharge control plan shall address, at a minimum, the following:
 - (i) Description of discharge practices, including nonroutine batch discharges;
 - (ii) Description of stored chemicals;
 - (iii) Procedures for immediately notifying the superintendent of any accidental or slug discharge, as required; and
 - (iv) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
 - (3) Written Notice. Within five days following a slug or accidental discharge the user shall submit to the superintendent or pretreatment program manager a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property, nor shall notification relieve the user of any fines, civil penalties or other liabilities which may be imposed by this chapter or other applicable law.
 - (4) Notice to Employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of an accidental or slug discharge. Employers shall ensure that all employees who may cause or suffer such an accidental or slug discharge to occur are advised of the emergency notification procedure.
- (j) Hauled Wastewater.
- (1) Septic tank waste may be introduced into the POTW only at locations designated by the superintendent, and at such times as are established by the superintendent. Such waste shall not violate this chapter or any other requirements established by the city. The superintendent may require septic tank waste haulers to obtain individual wastewater discharge permits.
 - (2) The superintendent may require haulers of industrial waste to obtain individual wastewater discharge permits. The superintendent may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The superintendent also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this chapter.
 - (3) Industrial waste haulers may discharge loads only at locations designated by the superintendent. No load may be discharged without prior consent of the superintendent. The superintendent may collect

samples of each hauled load to ensure compliance with applicable standards. The superintendent may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

- (4) Industrial waste haulers must provide a waste tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

(Ord. No. 1959, § 1, 11-17-16; Ord. No. 1997, § 1, 9-19-19)

13.10.040 Fees.

- (a) Charges and Fees. The city may adopt charges and fees, relating solely to the matters covered by this chapter and separate from all other fees chargeable by the city, which may include:
 - (1) Fees for reimbursement of costs of setting up and operating the city's pretreatment program;
 - (2) Fees for monitoring, testing, inspections and surveillance procedures;
 - (3) Fees for reviewing accidental discharge procedures and construction;
 - (4) Fees for permit applications;
 - (5) Fees for filing appeals;
 - (6) Fees to specific contributing industrial users for consistent removal (by the city) of pollutants otherwise subject to Federal Categorical Pretreatment Standards;
 - (7) Other fees as the city may deem necessary to carry out the requirements contained in this chapter.

(b)

(Ord. No. 1959, § 1, 11-17-16)

13.10.050 Administration and permits.

- (a) Wastewater Discharge. No nondomestic contributor shall discharge or convey, allow to be discharged or conveyed, any wastewater to the POTW without inquiring on the need for a discharge permit, except as authorized under the provisions of this chapter. A nondomestic contributor, whether permitted or not, must notify the city before changing its discharges.
- (b) Wastewater Discharge Permits.
 - (1) All significant industrial users proposing to connect to the POTW shall obtain a wastewater discharge permit before connecting to or discharging wastewater to the POTW. All industrial users must notify the POTW at least sixty days prior to making changes in their operations which will result in an additional concentration of pollutants being discharged to the POTW as previously identified in their permit application.
 - (2) Permit Application. Users required to obtain a wastewater discharge permit shall complete and file with the city an application, in the form prescribed by the city and accompanied by the appropriate fee. Existing users shall apply for a wastewater discharge permit within thirty days after the effective date of the ordinance from which this chapter is derived, and proposed new users shall apply at least ninety days prior to connecting to or contributing to the POTW. In support of the application, the user may submit, in units and terms appropriate for evaluation, the following information:

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- (A) Name, address and location (if different from the address);
 - (B) Primary SIC number according to the Standard Industrial Classification Manual, Bureau of Budget, 1987, as amended;
 - (C) Wastewater constituents and characteristics, including but not limited to those mentioned in Section 13.10.030, as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(G) of the Act and contained in 40 CFR, Part 136 as amended. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator;
 - (D) Time and duration of contribution;
 - (E) Average daily and thirty-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
 - (F) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by their size, location and elevation;
 - (G) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
 - (H) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet applicable pretreatment standards. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional;
 - (I) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule for categorical pretreatment standards shall not be later than the compliance date established for applicable pretreatment standards;
 - (i) The following conditions shall apply to the schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.),
 - b. No increment referred to in subparagraph (i) of this paragraph shall exceed nine months,
 - c. Not later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent or pretreatment program manager including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reason for delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine

months elapse between such progress reports to the superintendent or pretreatment program manager;

- (J) Each product produced, by type and amount;
 - (K) Type and amount of raw materials used and/or stored on the premises;
 - (L) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
 - (M) Any other information as may be deemed by the city to be necessary to evaluate the permit application. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater discharge permit subject to the terms and conditions provided in this Section 13.10.050.
- (c) Permit Modifications. As soon as possible (not later than ninety days) after any change in the National Categorical Pretreatment Standard, the wastewater discharge permit of the users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a Federal Categorical Pretreatment Standard has not previously submitted an application for a wastewater discharge permit as required by Section 13.10.050(b)(2), the user shall apply for a wastewater discharge permit within ninety days after the promulgation of the applicable Federal Categorical Pretreatment Standard. In addition, the user with an existing wastewater discharge permit shall submit to the superintendent or pretreatment program manager within ninety days after the promulgation of an applicable National Categorical Pretreatment Standard the information required by paragraphs (H) and (I) of subdivision (2) of subsection (b) of this section.
- (d) Mandatory Permit Conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits must contain the following as determined by the superintendent or pretreatment program manager:
- (1) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
 - (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - (3) Limits on the monthly average and daily maximum wastewater constituents and characteristics. This includes requirements for implementation of best management practices, based on applicable pretreatment standards;
 - (4) Specifications for monitoring programs which shall include identifying sampling locations, sampling frequency, number, types, and standards for tests, and reporting schedule;
 - (5) Compliance schedules, if applicable. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law;
 - (6) Requirements to control slug discharge, if determined by the city to be necessary;
 - (7) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with this chapter;
 - (8) Any grant of the monitoring waiver by the city;
 - (9) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city and affording city access thereto;

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- (10) Requirements for notification of the city of any new introduction of wastewater constituents or substantial change in the volume or character of the wastewater constituents being introduced into the POTW;
 - (11) Requirements for the notification of city within twenty-four hours of becoming aware of a violation, and to require such nondomestic users to resample and submit results of the resampling to the city within thirty days;
 - (12) A statement of applicable, civil and criminal penalties for violations of pretreatment standards and requirements.
- (e) Optional Permit Conditions. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:
- (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;
 - (2) Limits on monthly average and daily maximum rate and time of discharge requirements for flow regulation and equalization;
 - (3) Requirements for installation and maintenance of inspection and sampling facilities;
 - (4) Requirements for submission of technical reports;
 - (5) Requirements for notification of slug discharges as per Section 13.10.030(i);
 - (6) Other conditions as deemed appropriate by the city to ensure compliance with this discharge.
- (f) Permit Duration. Permits shall be renewable annually. Any fees payable shall not be prorated. The user shall apply for permit reissuance a minimum of ninety days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements identified in Section 13.10.030 are modified or other just cause exists. Any changes or new conditions in the permit shall include reasonable time schedule for compliance.
- (g) Permit Transfer. Wastewater discharge permits are issued to a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the written approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.
- (h) Reporting Requirements.
- (1) Reports from Unpermitted Users. All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.
 - (2) Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the superintendent within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the superintendent within thirty days after becoming aware of the violation. Resampling by the industrial user is not required if the City of Keokuk performs sampling at the user's facility at least once a month, or if the City of Keokuk performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the City of Keokuk receives the results of this sampling, or if the city has performed the sampling and analysis in lieu of the industrial user. If the city performed the sampling and analysis in lieu of the industrial user, the city will perform the repeat sampling and analysis unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.
 - (4) Baseline Monitoring Reports.

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- (A) Within either one hundred eighty days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the superintendent a report which contains the information listed in paragraph (B), below. At least ninety days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the superintendent a report which contains the information listed in paragraph (B), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (B) Users described above shall submit the information set forth below:
- (i) All information required in Section 13.10.050(b).
 - (ii) Measurement of pollutants.
 - a. The user shall provide the information required in Section 13.10.050(c).
 - b. The user shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the user should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the control authority;
 - d. Sampling and analysis shall be performed in accordance with Sections 13.10.050(l), (m);
 - e. The superintendent may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
 - f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
 - (iii) Compliance Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 - (iv) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable

pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 13.10.050(h)(6)(A)—(E) of this chapter.

- (v) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 13.10.050(aa) of this chapter and signed by an authorized representative as defined in this chapter.
 - (5) Ninety-Day Compliance Report. Within ninety days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to categorical pretreatment standards and requirements shall submit to the superintendent or pretreatment program manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by categorical pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such categorical pretreatment standards or requirements. The report shall state whether the applicable categorical pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable categorical pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.
- (6) Compliance Schedule Progress Reports.
- (A) The following conditions shall apply to the compliance schedule required by this chapter;
 - (B) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
 - (C) No increment referred to above shall exceed nine months;
 - (D) The user shall submit a progress report to the superintendent no later than fourteen days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule; and
 - (E) In no event shall more than nine months elapse between such progress reports to the superintendent.
- (7) Periodic Compliance Reports.
- (A) All significant industrial users shall submit to the superintendent or pretreatment program manager, at the frequency stated in the wastewater discharge permit, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards and/or wastewater discharge permit. In addition, this report shall include a record of all daily flows during the reporting period.
 - (B) In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the superintendent or the pretreatment standard necessary to determine the compliance status of the user.

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- (i) The City of Keokuk may authorize an industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user. This authorization is subject to the following conditions:
- (1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.
 - (2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than five years. The user must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
 - (3) In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
 - (4) The request for a monitoring waiver must be signed in accordance with and include the certification statement.
 - (5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
 - (6) Any grant of the monitoring waiver by the superintendent must be included as a condition in the user's permit. The reasons supporting the waiver and any information submitted by the user in its request for the waiver must be maintained by the superintendent for five years after expiration of the waiver.
 - (7) Upon approval of the monitoring waiver and revision of the user's permit by the superintendent, the industrial user must certify on each report that there has been no increase in the pollutant in its wastestream due to activities of the industrial user.
 - (8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the user's operations, the user must immediately:
 - (A) Comply with the monitoring requirements of their most recent monitoring permit, or other more frequent monitoring requirements imposed by the superintendent, and notify the superintendent.
 - (9) This provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.
- (j) The City of Keokuk may reduce the requirement for periodic compliance reports to a requirement to report no less frequently than once a year, unless required more frequently in the pretreatment standard or by the EPA/State of Iowa, where the industrial user's total categorical wastewater flow does not exceed any of the following:
- (1) Five thousand gallons per day as measured by a continuous effluent flow monitoring device unless the industrial user discharges in batches.
 - (2) 1.19 pounds per day BOD.
 - (3) 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed in accordance with Section 13.10.030.

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- (4) Reduced reporting is not available to industrial users that have in the last two years been in significant noncompliance, as defined in Section 13.10.020 of this chapter.
 - (5) In addition, reduced reporting is not available to an industrial user with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the superintendent, decreasing the reporting requirement for this industrial user would result in data that are not representative of conditions occurring during the reporting period.
 - (k) All periodic compliance reports, permit applications, baseline monitoring reports, and ninety-day compliance reports must be signed and certified using the following certification statement:

"I certify under penalty of the law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
 - (l) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
 - (m) If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the superintendent, using the procedures prescribed in this chapter, the results of this monitoring shall be included in the report.
 - (n) Users that send electronic (digital) documents to the City of Keokuk to satisfy the requirements of this section must contain at a minimum:
 - (1) Industry name/location.
 - (2) Date for the report.
 - (3) Analytical data required in permit.
 - (4) Violations of permit limits.
 - (5) Certification statement.
 - (6) Electronic signature.
 - (o) Reports of changed conditions; each user must notify the superintendent of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least forty-five days before the change.
 - (1) The superintendent may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application in this chapter.
 - (2) The superintendent may issue an individual wastewater discharge permit under this chapter or modify an existing wastewater discharge permit under this chapter in response to changed conditions or anticipated changed conditions.
 - (p) Reports of Potential Problems.
 - (1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a slug discharge or slug load, that might cause potential problems for the POTW, the user shall immediately telephone and notify the

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- superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (2) Within five days following such discharge, the user shall, unless waived by the superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
 - (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
 - (4) Significant industrial users are required to notify the superintendent immediately of any changes at its facility affecting the potential for a slug discharge.
- (q) Reports from Unpermitted Users. All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.
 - (r) Mass Limitations. The superintendent or pretreatment program manager may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required in this subdivision shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature of the concentration, or production and mass where requested by the superintendent or pretreatment program manager, of pollutants contained therein which are limited by the applicable pretreatment standards or wastewater discharge permit. All analysis shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.
 - (s) Records.
 - (1) Any industrial user subject to the reporting requirements shall maintain records of all information resulting from any monitoring activities and documentation associated with best management practices. Such records shall include for all samples:
 - (A) The date, exact place, method and time of sampling, and the names of the person or persons taking the sample;
 - (B) The date analyses were done;
 - (C) The name or names of persons doing the analyses;
 - (D) The analytical techniques used;
 - (E) The results of the analyses.
 - (2) Industrial users subject to the reporting requirements shall keep any monitoring records and analytical results, and records associated with the implementation of best management practices for a minimum of five years and shall make them available for inspection and copying by the city. This period may be extended during any unresolved litigation involving the industrial user.
 - (t) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: An identification of the hazardous constituents contained in the wastes, the estimation of the mass and concentration of such constituents in the wastestream discharged during the calendar month, and an estimation of the mass constituents in the wastestream expected to be discharged during the following twelve months. All notifications must take place no later than one hundred eighty days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 13.10.050(b)(1). The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 13.10.050(k)—(o).

- (1) Dischargers are exempt from the requirements of paragraph k, above, during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
 - (2) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the superintendent, the EPA Regional Waste Management Waste Division Director, the state hazardous waste authorities of the discharge of such substance within ninety days of the effective date of such regulations.
 - (3) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
 - (4) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.
- (u) Analytical Requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Superintendent or other parties approved by EPA.
- (v) Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- (1) Except as indicated in Sections (2) and (3) below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the superintendent. Where time-proportional composite sampling or grab sampling is authorized by the City of Keokuk, the samples must be representative of the discharge. Using protocols including appropriate preservation specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four-hour period may be composited prior to the analysis in the laboratory or in the field. Composite samples for other

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- parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City of Keokuk, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
- (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
 - (3) For sampling required in support of baseline monitoring and ninety-day compliance reports required in [40 CFR 403.12(b) and (d)], a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the superintendent may authorize a lower minimum. For the reports required, the industrial user is required to collect the number of grab samples necessary to assess and assure compliance by with applicable pretreatment standards and requirements.
 - (4) If sampling performed by a user indicates a violation, the user must notify the superintendent within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the superintendent within thirty days after becoming aware of the violation.
- (w) Date of receipt of reports written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
- (x) Monitoring Access Facilities.
- (1) All industrial users may be required to provide and maintain, at the user's own expense, a monitoring access facility to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring access facility should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area located so that it will not be obstructed by landscaping or parked vehicles.
 - (2) There shall be ample room in or near such monitoring access facility to allow accurate sampling and preparation of samples for analysis. The monitoring access facility, sampling equipment, testing equipment and flow measuring equipment shall be provided by all industrial users and maintained at all times in a safe and proper operating condition at the expense of the user.
 - (3) Whether constructed on public or private property, the sampling equipment, flow measurement equipment and monitoring facilities shall be provided by all industrial users in accordance with the city's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety days following written notification by the city.
- (y) Inspection and Sampling. Industrial users shall allow the city or its representative ready access at reasonable times to all areas of an IU's facility including, but not limited to, process areas, areas with floor drains, chemical storage areas, hazardous waste generation and storage areas, pretreatment systems, connections to the sewer, areas where waste hauling and production take place, areas in which an effluent source is located or a pretreatment facility or facility to prevent accidental discharges or in which any records are required to be maintained under this chapter are located for the purpose of inspection, sampling, examination and for copying of records or in the performance of any of their duties under this chapter. The city, approval authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with security guards so that upon

presentation of suitable identification, personnel from the city, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

(z) Pretreatment.

- (1) Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all applicable Federal Categorical Pretreatment Standards within the time limitations specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater at a level or condition acceptable to the city shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facility. The review of such 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 city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.
- (2) The city shall annually publish in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the city, a list of the users which, at any time during the previous twelve months, were in significant noncompliance, as defined in Section 13.10.020, with applicable pretreatment standards and requirements. The notification shall also summarize any enforcement actions taken against the user during the same twelve-month period.
- (3) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.
- (4) Confidential Information. In accordance with 40 CFR Part 2, any information submitted to the city pursuant to this chapter may be claimed as confidential by the submitter. If such a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2. If no such claim is asserted, the city may make the information available to the public without further notice. Information and data provided to the city under this chapter which is effluent data shall be available to the public without restriction.

(aa) Certification Statements.

- (1) Certification of Permit Applications, User Reports and Initial Monitoring Waiver. The following certification statement is required to be signed and submitted by users submitting permit applications in accordance with Section 13.10.050(b), users submitting baseline monitoring reports; users submitting reports on compliance with the categorical pretreatment standard deadlines. Users submitting periodic compliance reports, and users submitting an initial request to forego sampling of a pollutant. The following certification statement must be signed by an authorized representative:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- (2) Annual Certification for Non-Significant Categorical Industrial Users. A facility determined to be a non-significant categorical industrial user by the superintendent pursuant to must annually submit the following certification statement signed in accordance with the signatory requirements. This certification must accompany an alternative report required by the superintendent:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

samples of each hauled load to ensure compliance with applicable standards. The superintendent may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

- (4) Industrial waste haulers must provide a waste tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

(Ord. No. 1959, § 1, 11-17-16; Ord. No. 1997, § 1, 9-19-19)

13.10.040 Fees.

- (a) Charges and Fees. The city may adopt charges and fees, relating solely to the matters covered by this chapter and separate from all other fees chargeable by the city, which may include:
 - (1) Fees for reimbursement of costs of setting up and operating the city's pretreatment program;
 - (2) Fees for monitoring, testing, inspections and surveillance procedures;
 - (3) Fees for reviewing accidental discharge procedures and construction;
 - (4) Fees for permit applications;
 - (5) Fees for filing appeals;
 - (6) Fees to specific contributing industrial users for consistent removal (by the city) of pollutants otherwise subject to Federal Categorical Pretreatment Standards;
 - (7) Other fees as the city may deem necessary to carry out the requirements contained in this chapter.

(b)

(Ord. No. 1959, § 1, 11-17-16)

13.10.050 Administration and permits.

- (a) Wastewater Discharge. No nondomestic contributor shall discharge or convey, allow to be discharged or conveyed, any wastewater to the POTW without inquiring on the need for a discharge permit, except as authorized under the provisions of this chapter. A nondomestic contributor, whether permitted or not, must notify the city before changing its discharges.
- (b) Wastewater Discharge Permits.
 - (1) All significant industrial users proposing to connect to the POTW shall obtain a wastewater discharge permit before connecting to or discharging wastewater to the POTW. All industrial users must notify the POTW at least sixty days prior to making changes in their operations which will result in an additional concentration of pollutants being discharged to the POTW as previously identified in their permit application.
 - (2) Permit Application. Users required to obtain a wastewater discharge permit shall complete and file with the city an application, in the form prescribed by the city and accompanied by the appropriate fee. Existing users shall apply for a wastewater discharge permit within thirty days after the effective date of the ordinance from which this chapter is derived, and proposed new users shall apply at least ninety days prior to connecting to or contributing to the POTW. In support of the application, the user may submit, in units and terms appropriate for evaluation, the following information:

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- (A) Name, address and location (if different from the address);
 - (B) Primary SIC number according to the Standard Industrial Classification Manual, Bureau of Budget, 1987, as amended;
 - (C) Wastewater constituents and characteristics, including but not limited to those mentioned in Section 13.10.030, as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(G) of the Act and contained in 40 CFR, Part 136 as amended. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator;
 - (D) Time and duration of contribution;
 - (E) Average daily and thirty-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
 - (F) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by their size, location and elevation;
 - (G) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
 - (H) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet applicable pretreatment standards. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional;
 - (I) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule for categorical pretreatment standards shall not be later than the compliance date established for applicable pretreatment standards;
 - (i) The following conditions shall apply to the schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.),
 - b. No increment referred to in subparagraph (i) of this paragraph shall exceed nine months,
 - c. Not later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent or pretreatment program manager including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reason for delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine

months elapse between such progress reports to the superintendent or pretreatment program manager;

- (J) Each product produced, by type and amount;
 - (K) Type and amount of raw materials used and/or stored on the premises;
 - (L) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
 - (M) Any other information as may be deemed by the city to be necessary to evaluate the permit application. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater discharge permit subject to the terms and conditions provided in this Section 13.10.050.
- (c) Permit Modifications. As soon as possible (not later than ninety days) after any change in the National Categorical Pretreatment Standard, the wastewater discharge permit of the users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a Federal Categorical Pretreatment Standard has not previously submitted an application for a wastewater discharge permit as required by Section 13.10.050(b)(2), the user shall apply for a wastewater discharge permit within ninety days after the promulgation of the applicable Federal Categorical Pretreatment Standard. In addition, the user with an existing wastewater discharge permit shall submit to the superintendent or pretreatment program manager within ninety days after the promulgation of an applicable National Categorical Pretreatment Standard the information required by paragraphs (H) and (I) of subdivision (2) of subsection (b) of this section.
- (d) Mandatory Permit Conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits must contain the following as determined by the superintendent or pretreatment program manager:
- (1) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
 - (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - (3) Limits on the monthly average and daily maximum wastewater constituents and characteristics. This includes requirements for implementation of best management practices, based on applicable pretreatment standards;
 - (4) Specifications for monitoring programs which shall include identifying sampling locations, sampling frequency, number, types, and standards for tests, and reporting schedule;
 - (5) Compliance schedules, if applicable. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law;
 - (6) Requirements to control slug discharge, if determined by the city to be necessary;
 - (7) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with this chapter;
 - (8) Any grant of the monitoring waiver by the city;
 - (9) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city and affording city access thereto;

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- (10) Requirements for notification of the city of any new introduction of wastewater constituents or substantial change in the volume or character of the wastewater constituents being introduced into the POTW;
 - (11) Requirements for the notification of city within twenty-four hours of becoming aware of a violation, and to require such nondomestic users to resample and submit results of the resampling to the city within thirty days;
 - (12) A statement of applicable, civil and criminal penalties for violations of pretreatment standards and requirements.
- (e) Optional Permit Conditions. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:
- (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;
 - (2) Limits on monthly average and daily maximum rate and time of discharge requirements for flow regulation and equalization;
 - (3) Requirements for installation and maintenance of inspection and sampling facilities;
 - (4) Requirements for submission of technical reports;
 - (5) Requirements for notification of slug discharges as per Section 13.10.030(i);
 - (6) Other conditions as deemed appropriate by the city to ensure compliance with this discharge.
- (f) Permit Duration. Permits shall be renewable annually. Any fees payable shall not be prorated. The user shall apply for permit reissuance a minimum of ninety days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements identified in Section 13.10.030 are modified or other just cause exists. Any changes or new conditions in the permit shall include reasonable time schedule for compliance.
- (g) Permit Transfer. Wastewater discharge permits are issued to a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the written approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.
- (h) Reporting Requirements.
- (1) Reports from Unpermitted Users. All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.
 - (2) Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the superintendent within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the superintendent within thirty days after becoming aware of the violation. Resampling by the industrial user is not required if the City of Keokuk performs sampling at the user's facility at least once a month, or if the City of Keokuk performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the City of Keokuk receives the results of this sampling, or if the city has performed the sampling and analysis in lieu of the industrial user. If the city performed the sampling and analysis in lieu of the industrial user, the city will perform the repeat sampling and analysis unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.
 - (4) Baseline Monitoring Reports.

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- (A) Within either one hundred eighty days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the superintendent a report which contains the information listed in paragraph (B), below. At least ninety days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the superintendent a report which contains the information listed in paragraph (B), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (B) Users described above shall submit the information set forth below:
- (i) All information required in Section 13.10.050(b).
 - (ii) Measurement of pollutants.
 - a. The user shall provide the information required in Section 13.10.050(c).
 - b. The user shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the user should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the control authority;
 - d. Sampling and analysis shall be performed in accordance with Sections 13.10.050(l), (m);
 - e. The superintendent may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
 - f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
 - (iii) Compliance Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 - (iv) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable

pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 13.10.050(h)(6)(A)—(E) of this chapter.

- (v) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 13.10.050(aa) of this chapter and signed by an authorized representative as defined in this chapter.
 - (5) Ninety-Day Compliance Report. Within ninety days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to categorical pretreatment standards and requirements shall submit to the superintendent or pretreatment program manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by categorical pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such categorical pretreatment standards or requirements. The report shall state whether the applicable categorical pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable categorical pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.
- (6) Compliance Schedule Progress Reports.
- (A) The following conditions shall apply to the compliance schedule required by this chapter;
 - (B) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
 - (C) No increment referred to above shall exceed nine months;
 - (D) The user shall submit a progress report to the superintendent no later than fourteen days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule; and
 - (E) In no event shall more than nine months elapse between such progress reports to the superintendent.
- (7) Periodic Compliance Reports.
- (A) All significant industrial users shall submit to the superintendent or pretreatment program manager, at the frequency stated in the wastewater discharge permit, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards and/or wastewater discharge permit. In addition, this report shall include a record of all daily flows during the reporting period.
 - (B) In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the superintendent or the pretreatment standard necessary to determine the compliance status of the user.

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- (i) The City of Keokuk may authorize an industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user. This authorization is subject to the following conditions:
- (1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.
 - (2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than five years. The user must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
 - (3) In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
 - (4) The request for a monitoring waiver must be signed in accordance with and include the certification statement.
 - (5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
 - (6) Any grant of the monitoring waiver by the superintendent must be included as a condition in the user's permit. The reasons supporting the waiver and any information submitted by the user in its request for the waiver must be maintained by the superintendent for five years after expiration of the waiver.
 - (7) Upon approval of the monitoring waiver and revision of the user's permit by the superintendent, the industrial user must certify on each report that there has been no increase in the pollutant in its wastestream due to activities of the industrial user.
 - (8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the user's operations, the user must immediately:
 - (A) Comply with the monitoring requirements of their most recent monitoring permit, or other more frequent monitoring requirements imposed by the superintendent, and notify the superintendent.
 - (9) This provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.
- (j) The City of Keokuk may reduce the requirement for periodic compliance reports to a requirement to report no less frequently than once a year, unless required more frequently in the pretreatment standard or by the EPA/State of Iowa, where the industrial user's total categorical wastewater flow does not exceed any of the following:
- (1) Five thousand gallons per day as measured by a continuous effluent flow monitoring device unless the industrial user discharges in batches.
 - (2) 1.19 pounds per day BOD.
 - (3) 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed in accordance with Section 13.10.030.

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- (4) Reduced reporting is not available to industrial users that have in the last two years been in significant noncompliance, as defined in Section 13.10.020 of this chapter.
 - (5) In addition, reduced reporting is not available to an industrial user with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the superintendent, decreasing the reporting requirement for this industrial user would result in data that are not representative of conditions occurring during the reporting period.
 - (k) All periodic compliance reports, permit applications, baseline monitoring reports, and ninety-day compliance reports must be signed and certified using the following certification statement:

"I certify under penalty of the law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
 - (l) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
 - (m) If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the superintendent, using the procedures prescribed in this chapter, the results of this monitoring shall be included in the report.
 - (n) Users that send electronic (digital) documents to the City of Keokuk to satisfy the requirements of this section must contain at a minimum:
 - (1) Industry name/location.
 - (2) Date for the report.
 - (3) Analytical data required in permit.
 - (4) Violations of permit limits.
 - (5) Certification statement.
 - (6) Electronic signature.
 - (o) Reports of changed conditions; each user must notify the superintendent of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least forty-five days before the change.
 - (1) The superintendent may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application in this chapter.
 - (2) The superintendent may issue an individual wastewater discharge permit under this chapter or modify an existing wastewater discharge permit under this chapter in response to changed conditions or anticipated changed conditions.
 - (p) Reports of Potential Problems.
 - (1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a slug discharge or slug load, that might cause potential problems for the POTW, the user shall immediately telephone and notify the

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- superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (2) Within five days following such discharge, the user shall, unless waived by the superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
 - (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
 - (4) Significant industrial users are required to notify the superintendent immediately of any changes at its facility affecting the potential for a slug discharge.
- (q) Reports from Unpermitted Users. All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.
 - (r) Mass Limitations. The superintendent or pretreatment program manager may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required in this subdivision shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature of the concentration, or production and mass where requested by the superintendent or pretreatment program manager, of pollutants contained therein which are limited by the applicable pretreatment standards or wastewater discharge permit. All analysis shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.
 - (s) Records.
 - (1) Any industrial user subject to the reporting requirements shall maintain records of all information resulting from any monitoring activities and documentation associated with best management practices. Such records shall include for all samples:
 - (A) The date, exact place, method and time of sampling, and the names of the person or persons taking the sample;
 - (B) The date analyses were done;
 - (C) The name or names of persons doing the analyses;
 - (D) The analytical techniques used;
 - (E) The results of the analyses.
 - (2) Industrial users subject to the reporting requirements shall keep any monitoring records and analytical results, and records associated with the implementation of best management practices for a minimum of five years and shall make them available for inspection and copying by the city. This period may be extended during any unresolved litigation involving the industrial user.
 - (t) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: An identification of the hazardous constituents contained in the wastes, the estimation of the mass and concentration of such constituents in the wastestream discharged during the calendar month, and an estimation of the mass constituents in the wastestream expected to be discharged during the following twelve months. All notifications must take place no later than one hundred eighty days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 13.10.050(b)(1). The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 13.10.050(k)—(o).

- (1) Dischargers are exempt from the requirements of paragraph k, above, during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
 - (2) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the superintendent, the EPA Regional Waste Management Waste Division Director, the state hazardous waste authorities of the discharge of such substance within ninety days of the effective date of such regulations.
 - (3) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
 - (4) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.
- (u) Analytical Requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Superintendent or other parties approved by EPA.
- (v) Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- (1) Except as indicated in Sections (2) and (3) below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the superintendent. Where time-proportional composite sampling or grab sampling is authorized by the City of Keokuk, the samples must be representative of the discharge. Using protocols including appropriate preservation specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four-hour period may be composited prior to the analysis in the laboratory or in the field. Composite samples for other

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- parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City of Keokuk, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
- (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
 - (3) For sampling required in support of baseline monitoring and ninety-day compliance reports required in [40 CFR 403.12(b) and (d)], a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the superintendent may authorize a lower minimum. For the reports required, the industrial user is required to collect the number of grab samples necessary to assess and assure compliance by with applicable pretreatment standards and requirements.
 - (4) If sampling performed by a user indicates a violation, the user must notify the superintendent within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the superintendent within thirty days after becoming aware of the violation.
- (w) Date of receipt of reports written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
- (x) Monitoring Access Facilities.
- (1) All industrial users may be required to provide and maintain, at the user's own expense, a monitoring access facility to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring access facility should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area located so that it will not be obstructed by landscaping or parked vehicles.
 - (2) There shall be ample room in or near such monitoring access facility to allow accurate sampling and preparation of samples for analysis. The monitoring access facility, sampling equipment, testing equipment and flow measuring equipment shall be provided by all industrial users and maintained at all times in a safe and proper operating condition at the expense of the user.
 - (3) Whether constructed on public or private property, the sampling equipment, flow measurement equipment and monitoring facilities shall be provided by all industrial users in accordance with the city's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety days following written notification by the city.
- (y) Inspection and Sampling. Industrial users shall allow the city or its representative ready access at reasonable times to all areas of an IU's facility including, but not limited to, process areas, areas with floor drains, chemical storage areas, hazardous waste generation and storage areas, pretreatment systems, connections to the sewer, areas where waste hauling and production take place, areas in which an effluent source is located or a pretreatment facility or facility to prevent accidental discharges or in which any records are required to be maintained under this chapter are located for the purpose of inspection, sampling, examination and for copying of records or in the performance of any of their duties under this chapter. The city, approval authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with security guards so that upon

presentation of suitable identification, personnel from the city, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

(z) Pretreatment.

- (1) Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all applicable Federal Categorical Pretreatment Standards within the time limitations specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater at a level or condition acceptable to the city shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facility. The review of such 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 city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.
- (2) The city shall annually publish in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the city, a list of the users which, at any time during the previous twelve months, were in significant noncompliance, as defined in Section 13.10.020, with applicable pretreatment standards and requirements. The notification shall also summarize any enforcement actions taken against the user during the same twelve-month period.
- (3) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.
- (4) Confidential Information. In accordance with 40 CFR Part 2, any information submitted to the city pursuant to this chapter may be claimed as confidential by the submitter. If such a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2. If no such claim is asserted, the city may make the information available to the public without further notice. Information and data provided to the city under this chapter which is effluent data shall be available to the public without restriction.

(aa) Certification Statements.

- (1) Certification of Permit Applications, User Reports and Initial Monitoring Waiver. The following certification statement is required to be signed and submitted by users submitting permit applications in accordance with Section 13.10.050(b), users submitting baseline monitoring reports; users submitting reports on compliance with the categorical pretreatment standard deadlines. Users submitting periodic compliance reports, and users submitting an initial request to forego sampling of a pollutant. The following certification statement must be signed by an authorized representative:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- (2) Annual Certification for Non-Significant Categorical Industrial Users. A facility determined to be a non-significant categorical industrial user by the superintendent pursuant to must annually submit the following certification statement signed in accordance with the signatory requirements. This certification must accompany an alternative report required by the superintendent:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

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- (a) The facility described as _____ [facility name] met the definition of a non-significant categorical industrial user.
 - (b) The facility complied with all applicable pretreatment standards and requirements during this reporting period;
 - (c) The facility never discharged more than one hundred gallons of total categorical wastewater on any given day during this reporting period; and
 - (d) This compliance certification is based on the following information.

(3) Certification of Pollutants Not Present.

- (A) Users that have an approved monitoring waiver must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the user.

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for 40 CFR ____, I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report.

(Ord. No. 1959, § 1, 11-17-16)

13.10.060 Enforcement.

(a) Enforcement Response Plan

(1) All enforcement under the City of Keokuk Pretreatment Program and this ordinance will follow the requirements listed in the current approved IDNR/EPA City of Keokuk Industrial Pretreatment Enforcement Response Plan

(b) Harmful Contributions.

- (1) The city may immediately suspend the wastewater treatment service and/or a wastewater discharge permit when such suspension is necessary, in the opinion of the city, 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, to the environment, may cause interference to the POTW or causes the city to violate any condition of its NPDES permit.
- (2) Any person notified of a suspension of the wastewater treatment service and/or the wastewater discharge permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize danger to the POTW system or endangerment to any individuals. The city shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrences shall be submitted to the city within fifteen days of the date of the occurrence.

(c) Revocation of Permit. Any user who violates the following conditions of this chapter, or applicable state or federal regulations, is subject to having its permit revoked in accordance with the procedures of this section:

- (1) Failure of the user to factually report the wastewater constituents and characteristics of its discharge;

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- (2) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
 - (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring in accordance with Section 13.10.050(y);
 - (4) Violation of conditions of the permit;
 - (5) Knowingly supplying any false information or statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter;
 - (6) Violation of any of the provisions and/or requirements of this chapter.
- (d) Notification of Violation. Whenever the city finds that any user has violated this chapter, a wastewater discharge permit or any prohibition, limitation or requirement contained in this chapter, in addition to any other action which the city may take pursuant to Section 13.10.070 the city shall serve upon such person a written notice stating the nature of the violation. Within thirty days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the city by the user. Whenever reports and renewal of discharge permits are not submitted as required, there will be assessed an additional fee of one hundred dollars, and submission will be required within seven days after written notification of the violation. An appeal to the city council may be taken by any user aggrieved or affected by any decision by the city regarding this chapter. Such appeal shall be taken within thirty days of the decision by filing with the pretreatment program manager a written notice of the appeal with the appeal fee containing: (1) the name of the applicant; (2) a brief statement setting forth the basis of the appeal, together with any material facts claimed to support the contentions of the appellant; and (3) a brief statement of the relief sought and the reasons why it is claimed that the protested decision should be revised, modified or otherwise set aside. The appeal shall be considered by the city council at its next scheduled meeting with a written decision being issued by the city council at the meeting.
- (e) Show Cause Hearing.
- (1) Show Cause Hearings will follow the current approved IDNR/EPA City of Keokuk Enforcement Response Plan.
- (f) Administrative Compliance Orders. When the superintendent finds that a user has violated, or continues to violate, any provision of this chapter, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the superintendent may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.
- (g) Legal Action. When the superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the superintendent may petition the district court through the city attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The superintendent may also seek such other actions as is appropriate for legal and/or

equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. No. 1959, § 1, 11-17-16)

13.10.070 Penalties—Costs.

(a) Civil Penalties.

- (1) Any user which has violated or continues to violate this chapter, any order or wastewater discharge permit hereunder, or any pretreatment standard or requirement, referred to in 40 CFR 403.8, shall be liable to the city for a civil penalty in an amount not to exceed one thousand dollars for each day a violation exists or continues.
- (2) Additionally, the city may recover reasonable attorney's fees, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the costs of any actual damages incurred by the city.
- (3) In determining the amount of civil liability, the court shall take into account all relevant circumstances, including but not limited to, the extent of harm caused the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factors as justice may require.
- (4) Filing a suit for civil penalties shall not be a prerequisite for taking any other action against a user.

(b) Criminal Penalties.

- (1) Any user that willfully or negligently violates any provision of this chapter, any orders or wastewater discharge permits issued hereunder, or any other pretreatment requirement shall, upon conviction, be guilty of a misdemeanor, are subject to the penalties prescribed by the laws of the State of Iowa as a misdemeanor.
- (2) Any user that willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to the penalties prescribed by the laws of the State of Iowa as a misdemeanor.
- (3) This penalty shall be in addition to any other cause of action for personal injury or property damage available under state or federal law.
- (4) Any user that knowingly makes any false statement, representation or certifications in any application, record, report, plan or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit or order, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be guilty of a misdemeanor and be subject to the penalties prescribed by the laws of the State of Iowa as a misdemeanor. See Section 364, Code of Iowa.

(c) Administrative Fines.

- (1) When the superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement the superintendent may fine such user in an amount not to exceed one thousand dollars. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation.

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- (2) Unpaid charges, fines and penalties shall, after sixty calendar days, be assessed an additional penalty of five percent of the unpaid balance, and interest shall accrue thereafter at a rate of one percent per month. A lien against the user's property will be sought for unpaid charges, fines and penalties.
 - (3) Users desiring to dispute such fines must file a written request for the superintendent to reconsider the fine along with full payment of the fine amount within thirty days of being notified of the fine. Where a request has merit, the superintendent may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The superintendent may add the cost of preparing administrative enforcement actions, such as notices and orders, to the fine.
 - (4) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. No. 1959, § 1, 11-17-16)

Chapter 13.14 INDUSTRIAL COST RECOVERY

13.14.010 Fees.

All existing and/or future industrial developments which contribute process wastes to the facilities constructed under EPA Project No. C190594 shall be charged a fee in proportion to their process waste contribution as compared to the design criteria of the waste treatment works project.

(Ord. 1374 § 1 (part), 1983)

13.14.020 Industrial user or development defined.

- (a) For the purpose of this chapter, "industrial user" or "industrial development" means any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:
 - (1) Division A, agriculture, forestry and fishing;
 - (2) Division B, mining;
 - (3) Division D, manufacturing;
 - (4) Division E, transportation, communications, electric, gas and sanitary services;
 - (5) Division I, services.
- (b) A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

(Ord. 1374 § 1 (part), 1983)

13.14.030 Amount.

The industrial cost recovery amount shall be based on the federal government's share of the grant-eligible portion of the Keokuk total project cost. Industries' payment shall be amortized over a twenty-five-year cost recovery period and shall not include an interest component.

(Ord. 1374 § 1 (part), 1983)

13.14.040 Disposition of funds.

The city shall retain fifty percent of the amount recovered from industrial users incident to Section 13.14.030. Eighty percent of these amounts retained by the city will be deposited annually into a special city fund which will be called the "Keokuk Industrial Cost Recovery Fund—80." The remaining twenty percent of the funds retained by the city will be deposited annually into another special city fund which will be called the "Keokuk Special Projects Fund—20." The remaining fifty percent of the amounts recovered from industrial users, incident to Section 13.14.030, together with any interest earned thereon, shall be returned to the U.S. Treasury, through the U.S. Environmental Protection Agency, on an annual basis.

(Ord. 1374 § 1 (part), 1983)

13.14.050 Use of funds.

Eighty percent of the amounts retained by the city and which will be deposited into the "Keokuk Industrial Cost Recovery Fund—80," together with interest earned thereon, shall be used solely for the eligible costs of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of the U.S. Environmental Protection Agency. The city shall obtain the written approval of the Regional Administrator of the U.S. Environmental Protection Agency prior to commitment of these retained amounts for any expansion and reconstruction.

(Ord. 1374 § 1 (part), 1983)

13.14.060 Investment of funds.

Pending use, the amounts deposited in the "Keokuk Industrial Cost Recovery Fund—80" will be invested by the city in a local banking institution whose deposits are insured by the Federal Deposit Insurance Corporation (F.D.I.C.).

(Ord. 1374 § 1 (part), 1983)

13.14.070 City funds.

Twenty percent of the amounts retained by the city and which will be deposited into "Keokuk Special Projects Fund—20," shall be used as the city desires. However, these funds shall not be used to reduce the sewer use charge to any person or firm.

(Ord. 1374 § 1 (part), 1983)

13.14.080 Determination of amount.

The industrial cost recovery assessment to each industrial user that contributes process wastes to the sanitary sewer system will be based on the average daily contribution from that user. The formula for determining the total amount to be collected from each industrial user is as follows:

- (1) $ICRA = ICRA_a = ICRA_{subsub}$; = total amount owed by one particular industry in any given year.
- (2)

$$ICRA_a = \frac{0.75}{25} \left(\frac{V_u}{V_d} K_q + \frac{B_u}{B_d} K_b + \frac{S_u}{S_d} K_s \right)$$

Where:

$ICRA_a$ = amount owed for industrial cost recovery of the construction of the secondary treatment portion, and accessories thereto, of the Keokuk Water Resource Recovery Facility;

0.75 = that fraction of the grant-eligible costs covered by the federal share;

25 = amortization period, years;

V_u , B_u , S_u = volume of flow (V), amount of BOD, the amount of total suspended solids (TSS), respectively, contributed by a user per unit of time (million gallons per day, pounds per day, etc.);

V_d , B_d , S_d = capacity of the secondary treatment portion per unit of time for V, BOD and TSS, respectively;

K_q , K_b , K_s = the portion of the grant-eligible costs of the secondary treatment works allocated to V, BOD and TSS, respectively, in dollars. K_q , K_b , K_s are to be 18.58 percent, 60.84 percent and 20.58 percent of the grant-eligible cost, respectively.

(3)

$$ICRA_{sub} = \frac{0.75}{25} \left(\frac{V_{us}}{V_{cs}} K_{sc} \right)$$

where:

$ICRA_{sub}$ = amount owed for industrial cost recovery of the federal share of the construction of the new Soap Creek lift station;

0.75 = that fraction of the lift station cost covered by the federal share;

25 = amortization period, years;

V_{us} = volume or lift station capacity (V) contributed by a user per unit of time (MGD);

K_{sc} = cost of construction of Soap Creek lift station.

(Ord. 1374 § 1 (part), 1983)

13.14.090 Testing.

- (a) All industrial users connected to the Keokuk sewerage system shall be self-monitored to determine their hydraulic, organic and solids contribution. The nature and frequency of testing shall be determined by the city and results shall be reported at least monthly. All sampling and testing procedures shall be subject to review and inspection by the city at any time.
- (b) The results of these tests shall be composited and used as the individual industry's average daily flow, BOD and total suspended solids for the industrial cost recovery computation. Prior to June 30th of each year, the city shall conduct a review to determine what industrial users are connected to the Keokuk sewerage system and therefore subject to these charges.

(Ord. 1374 § 1 (part), 1983)