

## ORDINANCE NO. 1520

### AN ORDINANCE MODIFYING THE BUTLER SEWER USE ORDINANCE

WHEREAS, the U.S. EPA (United States Environmental Protection Agency) and the IDEM (Indiana Department of Environmental Management) have notified the Butler Wastewater Department that they are required to comply with provisions in 40 CFR 403.5(a)(1) and 40 CFR 403.5(c) concerning the development of specific limits for the industrial pretreatment program; and

WHEREAS, the 40 CFR 403.5(a)(1) specifically requires the development of limits for pollutants that Pass Through or Interfere with treatment; and

WHEREAS, the Butler Wastewater influent waste stream contains discharges from industrial sources that contain impermissible levels of chlorides; and

WHEREAS, the chlorides are passing through the wastewater treatment plant without receiving treatment; and

WHEREAS, the City of Butler's Sewer Use Ordinance does not presently comply with the requirements in 40 CFR 403.5(a)(1) by not containing a specific local limit for chlorides; and

WHEREAS, the US EPA and IDEM have also required that the Butler Sewer Use Ordinance be amended to add provisions addressing Best Management Practices compliance requirements in the periodic compliance reports submitted by the industries permitted through Butler's industrial pretreatment program; and

WHEREAS, the Butler Pretreatment Program desires that repeat sampling be performed within a specified time period when permit limits are believed to be exceeded.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Butler, DeKalb County, State of Indiana that Sections 52.011, 52.014, 52.073, and 52.077 of the Butler City code are amended as follows:

#### § 52.011 PROHIBITED DISCHARGE STANDARDS.

This Section shall be amended for clarification, as follows:

(B) Specific prohibitions.

(1)(b) Wastewater having a pH less than 6.0 or more than 10, or otherwise causing corrosive structural damage to the POTW or equipment, unless specifically authorized by the Superintendent. In no case may the Superintendent authorize a pH of less than 5 or greater than 11.5 and in no case may the pH cause the discharge to be classified as a hazardous waste.

§ 52.014 LOCAL LIMITS.

- (A) The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following maximum allowable discharge limits.

MAXIMUM DAILY CONCENTRATION	
1.5 mg/L	total aluminum
0.03 mg/L	total arsenic
0.15 mg/L	total cadmium
1.5 mg/L	total chromium
750 mg/L	total chlorides
0.5 mg/L	total copper
0.15 mg/L	total cyanide
10.0 mg/L	total iron
0.5 mg/L	total lead
0.003 mg/L	total mercury
1.0 mg/L	Molybdenum
1.0 mg/L	total nickel
0.10 mg/L	total selenium
0.25 mg/L	total silver
0.5 mg/L	total phenols
1.0 mg/L	total zinc

§ 52.073 PERIODIC COMPLIANCE REPORTS.

This section shall be amended by adding the following sub-sections:

- (D) If a Pretreatment Standard requires compliance with a Best Management Practice (or pollution prevention alternative), the User shall submit documentation required by the Superintendent or the Pretreatment Standard necessary to determine the compliance status of the User.
- (E) The Superintendent may modify the months during which the required reports are submitted after consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., upon receipt of a request for a modified schedule from the User.

§ 52.077 NOTICE OF VIOLATION: REPEAT SAMPLING AND REPORTING

If sampling performed by a user indicates a violation, the user must notify the Superintendent within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis, within 24-hours of becoming aware of the indicated violation and submit the results of the repeat analysis to the Superintendent within thirty (30) days after becoming aware of the violation. The user is not required to resample if the Superintendent monitors at the user's facility at least once a month, or if the Superintendent samples between the user's initial sampling and when the user receives the results of this sampling.

All other provisions of the Ordinance shall remain in full force and effect. This amendment shall be effective immediately upon final passage.

PASSED AND ADOPTED by the Common Council of the City of Butler, DeKalb County, Indiana, this 1st day of March, ~~2009~~ <sup>2010</sup>.

Ron Walter  
 Ron Walter  
 Mayor/Presiding Officer

FIRST READING: 12/7/09

YES Votes: 5 NO Votes: 0

ATTEST:

Angela M. Eck  
 Angela M. Eck, Clerk-Treasurer

SECOND READING: 12/21/09

YES Votes: 5 NO Votes: 0

ATTEST:

Angela M. Eck  
 Angela M. Eck, Clerk-Treasurer

THIRD READING: 3/1/10

YES Votes: 4 NO Votes: 0

ATTEST:

Angela M. Eck  
Angela M. Eck, Clerk-Treasurer

Approved by me this 1st day of March, <sup>2010</sup>2009, at 9:20 a.m./p.m.

Ron Walter  
Ron Walter, Mayor