

**JEFFERSON COUNTY
SEWER USE ADMINISTRATIVE ORDINANCE
ADOPTED NOVEMBER 6, 2012**

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**JEFFERSON COUNTY
SEWER USE ADMINISTRATIVE ORDINANCE**

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ARTICLE I. GENERAL PROVISIONS

A. Purpose and Policy

This Ordinance sets forth uniform requirements for all users of the wastewater collection and treatment system for Jefferson County, Alabama, and enables the County to comply with all applicable State and Federal laws required by the Clean Water Act of 1972 and the general Pretreatment Regulations (40 CFR, Part 403), and with the requirements of the Consent Decree.

The objectives of this Ordinance are:

- a) to prevent the introduction of pollutants into the Sewer System that may interfere with the operation of the System or contaminate the resulting sludge;
- b) to prevent the introduction of pollutants into the Sewer System that will pass through the System inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the Sewer System;
- c) to improve the opportunity to recycle and reclaim wastewaters and sludge from the Sewer System;
- d) to minimize the quantities of infiltration/inflow that enters the Sewer System; and,
- e) to minimize the possibility of sanitary sewer overflows; and,
- f) to comply with the objectives of the Consent Decree.

This ordinance provides for the regulation of all contributors to the System through the issuance of permits and through enforcement of general requirements requiring monitoring, compliance and reporting.

This ordinance shall apply to all sewer users in Jefferson County and to persons outside the County who are, by contract or agreement with the County, users of the System. Except as otherwise provided herein, the Environmental Services Department shall administer, interpret, implement, and enforce the provisions of this ordinance. Where not specifically provided herein, the provisions of this ordinance shall be enforced and interpreted consistent with the “Jefferson County Sewer Use Charge Ordinance.”

B. National Categorical Pretreatment Standards

Certain Industrial Users (as defined by the EPA in the General Pretreatment Regulations published in the June 26, 1978 Federal Register, titled Part 403 General Pretreatment Regulations and any revision thereof) are, or hereafter shall become, subject to National Categorical Pretreatment Standards promulgated by the EPA specifying quantities or concentrations of pollutants or pollutant properties which may be discharged into the System. All Industrial Users subject to a National Categorical Pretreatment Standard shall comply with all requirements of such standard and shall also comply with any additional or more stringent limitations contained in this Ordinance. Compliance with

National Categorical Pretreatment Standards for existing sources subject to such standards or for existing sources which hereafter become subject to such standards shall be required within three (3) years following promulgation of the standards unless a shorter compliance time is specified in the standard. Compliance with National Categorical Pretreatment Standards for new sources shall be required upon promulgation of the Standard. Except where expressly authorized by an applicable National Categorical Pretreatment Standard, no Industrial User shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitution for adequate treatment to achieve compliance with such standard.

C. Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- 1) “ADEM” shall mean the Alabama Department of Environmental Management or its duly authorized deputy, agent, or representative.
- 2) “Act”, “The Act”, or “CWA” shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251, *et seq.*
- 3) “All contributors” denotes any Person or Owner contributing wastewater to the System.
- 4) “Alternative grease removal technology” shall mean an automatically operated mechanical device specifically designed to remove grease from the waste stream.
- 5) “ASTM” shall mean the American Society for Testing and Materials.
- 6) “Authorized Representative of an Industrial User” shall mean any one of the following: (1) a principal executive officer of at least the level of Vice-President, if the industrial user is a corporation; (2) a general partner or proprietor if the industrial user is a partner or proprietorship, respectively; or (3) a duly authorized representative of the individual above if such representative is responsible for the overall operation of the facilities from which the discharge originates.
- 7) “Best Management Practices” shall mean any program, process, operating method or measure that controls, prevents, removes or reduces discharge of FOG.
- 8) “BOD₅” or “BOD” (biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in milligrams per liter by weight. BOD shall be determined by standard methods as hereinafter defined.
- 9) “Categorical Standards” shall mean the National Categorical Pretreatment Standards or Pretreatment Standard.

- 10) “CFR” denotes the Code of Federal Regulations.
- 11) “COD” shall mean chemical oxygen demand as determined by standard test methods.
- 12) “Charge(s)” shall mean all applicable charges, fees, assessments, costs or penalties levied under the “Jefferson County Sewer Use Charge Ordinance,” as adopted.
- 13) “Composite Sample” shall mean the makeup of a number of individual samples, so taken as to represent the nature of wastewater or industrial wastes.
- 14) “Condensate” shall mean liquid water resulting from the change of water vapor to liquid by the use of traditional air conditioner units or water heaters.
- 15) “Consent Decree” shall mean the Consent Decree entered on December 9, 1996 in the consolidated cases R. Allen Kipp, Jr. et al. v. Jefferson County, Alabama, et al. (United States District Court for the Northern District of Alabama, Civil Action No. 93-G-2492-S) and United States v. Jefferson County, Alabama, et al. (United States District Court for the Northern District of Alabama, Civil Action No. 94-G-2947-S).
- 16) “Constituents” shall mean the combination of particles, chemicals or conditions existing in the wastewater.
- 17) “Consumption” shall mean the metering of domestic water at a given unit of measure.
- 18) “Cooling Water” shall mean the water discharged from commercial air conditioning, cooling or refrigeration sources such as chillers and cooling towers.
- 19) “Cu. Ft.” denotes cubic feet.
- 20) “County” shall mean the Jefferson County Commission or its employees, duly authorized agents or representatives.
- 21) “Direct Discharge” shall mean the discharge of treated or untreated wastewater directly to the waters of the State of Alabama, as interpreted by ADEM.
- 22) “Director” shall mean the Director of the Environmental Services Department or his designee.
- 23) “Effluent” shall mean the discharge of flow from an industry or a treatment plant facility.
- 24) “Environmental Services Department” or “ESD” shall mean the County department that has direct responsibility for the maintenance, management and operations of the Sewer System.

- 25) "EPA" shall mean the U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Regional Administrator or other duly authorized official of said agency.
- 26) "Explosive Liquid" shall mean any liquid which produces two successive readings on an explosion hazard meter, at the point of discharge into the system, of five percent (5%) or greater or any single reading over ten percent (10%) of the lower explosive limit of the meter.
- 27) "Flammable Liquid" shall mean any liquid having a flash point below 100°F and having a vapor pressure not exceeding 40 psia absolute pressure at 100°F .
- 28) "FOG" shall mean fats, oils, and grease.
- 29) "Food" shall mean any raw, cooked or processed edible substance, ice, beverage or ingredient intended for human consumption.
- 30) "Food Service Facility" shall mean any facility engaged in the preparation of food for human consumption and/or serving of meals, short orders, sandwiches, frozen desserts or other edible products. The term includes restaurants, coffee shops, cafeterias, short order cafes, luncheonettes, taverns, lunchrooms, places which manufacture retail sandwiches, soda fountains, institutional cafeterias, catering establishments and similar facilities by whatever name called.
- 31) "Fryer Oil" shall mean oil that is used and/or reused in fryers for the preparation of foods.
- 32) "Grab Sample" shall mean a sample, which is taken from a waste stream on a one-time basis without regard to the total flow in the waste stream.
- 33) "Grease" shall mean fats, oils and grease used for the purpose of preparing food or resulting from food preparation and includes all elements of FOG. Grease is also generated from washing and cleaning operations such as pot washing, dishwashers, trenches and floor drains. The terms grease and FOG may be used interchangeably.
- 34) "Grease Control Device" shall mean any grease interceptor, grease trap or other approved mechanism, device or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to the balance of the liquid waste being discharged into the System.
- 35) "Grease Interceptor" shall mean an indoor device located in a food service facility or under a sink designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the System by gravity.

- 36) “Grease Permit” or “Food Service Facility Grease Control Program Permit (FSFGCPP)” shall mean the license/authorization to discharge wastewater/liquid waste into the System granted to the Owner of a Food Service Facility or his/her authorized agent.
- 37) “Grease Trap” shall mean an outdoor device located underground and outside of a food service facility designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the System by gravity.
- 38) “Hazardous Waste” shall mean any material or wastes identified by the EPA Hazardous Waste Resolution, Part 261, including all wastes identified in Subpart D thereof, regardless of the quantity of material stored or generated.
- 39) “Health Department” shall mean the State Board of Health as constituted in accordance with Ala. Code § 22-2-1 *et seq.*, and includes the Committee of Public Health or State Health Officer when acting as the Board. The Health Department is not affiliated with the Jefferson County Commission.
- 40) “Holding Tank Waste” shall mean any waste from holding tanks such as vessels, campers, chemical toilets, trailers, septic tanks, and vacuum pump trucks.
- 41) “Impact Fee” shall mean the charge assessed to any sewer user prior to connection with, or access to, the System.
- 42) “Indirect Discharge” shall mean the discharge or introduction into the System of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act (including holding tank waste discharged into the System).
- 43) “Infiltration/Inflow” or “I/I” shall mean the total quantity of water from both infiltration and inflow without distinguishing the source. Infiltration shall mean the water entering a sewer system and service connections from the ground, through sources such as broken or cracked pipe, defective pipe joints, improper connections, manhole walls, etc. Inflow shall mean direct surface or rainwater discharged into the sewer system, including through service connections, from sources such as roof leaders, cellars, yard and area drains, foundation drains, cooling water discharges, drains from springs and swamp areas, cross connections from storm sewers, surface runoff, etc.
- 44) “Industrial User” shall mean any industry producing liquid waste discharging either with or without pretreatment into the System.
- 45) “Industrial Sewer Connection Application” shall mean the application required to be filed by all industrial contributors or potential industrial contributors who intend to connect to the System. This request shall be on forms provided by the County, which specify the quantity, strengths, and any special qualities of their industrial waste.

- 46) "Influent" shall mean the wastewater arriving at a County wastewater treatment plant for treatment.
- 47) "Interference" shall mean the inhibition, unreasonable degradation or disruption of treatment processes, treatment and/or collection operations, or sewer system operations which contributes to a violation of any requirements of the County's NPDES permits, including sanitary sewer system overflows either within the collection system or at any treatment plant due to infiltration/inflow or a lack of treatment of wastewaters containing infiltration/inflow. This term includes the prevention of sewage biosolids use or disposal by the County in accordance with Section 405 of the Clean Water Act, or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Water Act, the Toxic Substances Control Act, or more stringent State criteria (including those contained in any State biosolids management regulation pursuant to title IV of the SWDA) applicable to the method of biosolid disposal or use employed by the County.
- 48) "l" denotes liter.
- 49) "Master Plumber" shall mean any person in continuous and responsible charge of the installation, alteration, repair or renovation of plumbing work and who possesses a current, valid and unrevoked Certificate of Competency issued by the Alabama Plumbers and Gas Fitters Examining Board as a Master Plumber.
- 50) "MBAS" denotes methylene-blue-active substance.
- 51) "mg/l" denotes milligrams per liter and shall mean ratio by weight.
- 52) "Mobile food unit" shall mean a self-propelled or vehicle mounted unit intended to be used as a food service facility.
- 53) "National Pollution Discharge Elimination System Permit" or "NPDES Permit" shall mean a permit issued pursuant to Section 402 of the Act (33 U.S.C. § 1342).
- 54) "National Categorical Pretreatment Standards" shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act which applies to Industrial Users.
- 55) "Natural Outlet" shall mean any outlet used to dispose of liquid waste, which ultimately flows or leads into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- 56) "New Source" shall mean any industrial source, in which the construction is commenced after the publication of proposed regulations prescribing a Section 307(c) National Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the

Federal Register. Where the Standard is promulgated later than 120 days after proposal, a New Source shall mean any source, the construction of which is commenced after the date of promulgation of the standard.

- 57) “pH” shall mean the logarithm of the reciprocal of the concentration of the hydrogen ion. “pH” shall be determined by standard methods as hereinafter defined.
- 58) “Person” or “Owner” shall mean any natural person, individual, firm, company, joint stock company, association, society, corporation, group, partnership, co-partnership, trust, estate, governmental or legal entity, or their assigned representatives, agents or assigns.
- 59) “Pollutant” shall mean any dredged spoil, solid waste, incinerator residue, sewage garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, excess heat, wrecked or discarded equipment, rock, sand, and industrial, municipal, and agricultural waste discharged into water; and shall include any pollutant identified in a National Categorical Pretreatment Standard or any incompatible waste identified in Article II of this Ordinance.
- 60) “Pretreatment” shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the System. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes, or other means except as prohibited by 40 CFR Section 403.6(d).
- 61) “Pretreatment Requirement” shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- 62) “Pretreatment Standard” shall mean either a National Categorical Pretreatment Standard or a pretreatment standard imposed as a result of the User’s discharging any incompatible wastewater regulated by Article II of this Ordinance.
- 63) “Public Water System” shall mean a system for the provision to the public of piped water for human consumption.
- 64) “Receiving Waters” shall mean those waters into which the County’s NPDES permitted effluent is discharged.
- 65) “Restaurant” shall mean an establishment which serves food and/or beverages for human consumption.
- 66) “SWDA” denotes the Solid Waste Disposal Act, 42 U.S.C. § 6901, et seq.

- 67) "Sampling Vault/Port" shall mean the structure downstream of a grease trap, interceptor or alternative grease control device that is specially constructed to allow inspection and sampling prior to discharge of effluent into the System.
- 68) "Sanitary Sewer" shall mean a sewer, which carries wastewater, and from which storm, surface, and ground waters are intended to be excluded.
- 69) "Sewer" or "main sewer" shall mean a pipe or conduit eight (8) inches in diameter or larger intended for carrying wastewater and generally located in public right-of-way or easement.
- 70) "Sewer Connection Permit" shall mean the license to proceed with work on a sewer service line, either as new construction or for the repair of an existing line.
- 71) "Sewer Service Line" shall mean any sanitary sewer line or conduit located outside the building structure which connects the building's plumbing from the outside building wall to the main sewer. The sewer service line is usually four (4) inches in diameter, sometimes six (6) inches in diameter, and in special cases eight (8) inches in diameter or larger. The County does not maintain the sewer service line from the outside building wall to the main sewer.
- 72) "Sewer System" or "System" shall mean a publicly-owned treatment works (POTW), as defined by Section 212 of the Act (33 U.S.C. § 1292), owned by the County. The term shall mean any wastewater treatment facility, any sanitary sewer that conveys wastewater to such treatment facility and any wastewater pumping facility.
- 73) "Shall" is mandatory; "may" is permissive.
- 74) "Significant Industrial User" shall mean any Industrial User of the System that is subject to Categorical Pretreatment Standards and/or who has a discharge flow of 25,000 gallons or more per average work day, or has a flow greater than 5% of the flow in the County wastewater treatment facility providing treatment, or has in its wastewater toxic pollutants as defined herein or within the Act, or is found by the County, ADEM, or the EPA to have significant impact, either singly or in combination with other contributing industries, on the System, the quality of sludge, or effluent quality.
- 75) "Standard Industrial Classification" or "SIC" shall mean the classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- 76) "Standard Methods" shall mean those sampling and analysis procedures established by and in accordance with EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended, or the "Standard Methods for the Examination of Water and Sewer" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water

Environment Federation. In cases where procedures vary, the EPA methodologies shall supersede.

- 77) "SID Permit" shall mean a State Indirect Discharge permit issued by ADEM. Such permits may be issued to dischargers of non-domestic pollutants from any source, including, but not limited to, those regulated under Section 307(b) or (c) of the Act.
- 78) "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes wastewater and polluted industrial wastes.
- 79) "Suspended Solids" shall mean solids that either float on the surface, or are in suspension in water, wastewater, or liquid as defined by standard methods.
- 80) "Temporary food service facility" shall mean a food service facility that is not permanently connected to the System nor operates at the same location for a period of time exceeding 14 days in conjunction with a single event, such as a fair, carnival, circus, exhibition or similar temporary gathering. Temporary food service facilities are not regulated by the Grease Control Program.
- 81) "TOC" shall mean total organic carbon as determined by standard methods.
- 82) "TSS" shall mean total suspended solids as determined by standard methods.
- 83) "Total Solids" shall mean total weight expressed in mg/l of all solids: dissolved, undissolved, organic, or inorganic.
- 84) "Toxic" shall mean detrimental to or adversely affecting the organisms or other processes involved in wastewater treatment.
- 85) "Toxic Pollutant" shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.
- 86) "County Treatment Plant" or "County Plant" shall mean that portion of the County's sewer system designed to provide wastewater treatment.
- 87) "U.S.C." denotes Unites States Code.
- 88) "User" shall mean the occupant and/or the owner(s) of property from which wastewater is discharged into the System and any individual or entity, including any municipality, that contributes, causes, or permits the contribution of wastewater into the System.
- 89) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

90) “Wastewater” shall mean any solids, liquids, gas, or radiological substance originating from residences, business buildings, institutions, and industrial establishments together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the System.

91) “WEF” shall mean the Water Environment Federation.

Terms for which definitions are not specifically provided herein or in the “Jefferson County Sewer Use Charge Ordinance” shall be interpreted as defined in the Glossary of the current edition of “Design of Municipal Wastewater Treatment Plants, Volume 3” (MOP 8) published by the WEF and the American Society of Civil Engineers.

ARTICLE II. DISCHARGE PROHIBITIONS

A. General Discharge Prohibitions

No user shall contribute or cause to be contributed, directly, or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the System. These general prohibitions apply to all such users of the System whether or not the user is subject to National Categorical Pretreatment Standards or any other National, State, or Local Pretreatment Standards or Requirements. A user may not contribute the following substances to the System:

- 1) Any wastewater containing quantities of flammable or explosive liquids, or any liquids, solids, or gases which by reason of their nature or quality are, or may be, sufficient alone or by interaction with other substances to cause fire or explosion or be an interference in any way to the System or to the operation of the System. Prohibited materials include, but are not limited to: alcohols, aldehydes, benzene, bromates, carbides, chlorates, commercial solvents, ethers, fuel oil, gasoline, any hydrocarbon derivatives, hydrides, kerosene, ketones, mineral spirits, motor oils, naphtha, perchlorates, peroxides, sulfides, toluene, xylene and any other substances which the County, the State, or EPA has notified the User is a flame or explosion hazard to the System.
- 2) Any pollutants which will cause corrosive structural damage to the System (in no case with a pH less than 5.0 or higher than 10.5) or wastewater having other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the sewer system or which may be damaging to the operation of the System.
- 3) Solid or viscous substances in amounts which may cause obstruction to the flow in the System or other interference with the operation of the System such as, but not limited to: garbage with particles greater than 1/2 inch, ashes, cinders, animal guts or tissues, paunch, manure, offal, bones, hair, hides or fleshings, entrails, whole bloods, beer or distillery slops, milk residue, ice cream, sugar syrups, feathers, sand, lime residues, stone or marble dust, metal, glass, straw, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, fiberglass, paint or ink residues, gas, tar, asphalt residues, chemical residues, residues from refining or processing of fuel or lubricating facilities, cannery waste, mud, grinding waste, and polishing waste.
- 4) Any wastewater which contains fats, oils, or grease, any non-polar material or any wastewater which contains a substance that will solidify or become viscous within the collection system or at the treatment plant or otherwise interfere with the operations of the System.
- 5) Any uncontrolled wastewater containing spent oils, lubricants, or fuel from vehicles or machinery.

- 6) Any pollutants released at a flow and/or pollutant concentration which will cause interference to the System.
- 7) Any wastewater having a temperature, which will inhibit biological activity in the System resulting in interference, but in no case wastewater with a temperature at the introduction into wastewater treatment plant which exceeds 40 degrees C (104 degrees F). No user shall discharge into any sewer line, or appurtenance of the sewer system, wastewater with a temperature exceeding 65.5 degrees C (150 degrees F). More stringent limitations may be required if it is determined the Sewer System is adversely affected by lower temperatures.
- 8) Any wastewater containing toxic pollutants which either singly or by interaction with other pollutants, would 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 sewer system, or exceed the limitations set forth in a Categorical Pretreatment Standard.
- 9) Any noxious or malodorous liquids, gases, or solids which whether 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 their maintenance and repair.
- 10) Any substance which may cause the System wastewater treatment plant effluent or any other product of the System wastewater treatment plant such as residues, biosolids, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the County is pursuing a reuse and reclamation program. In no case shall a substance discharged to the System cause the County to be in non-compliance with biosolids use or disposal criteria, guidelines, or regulations developed under Section 503 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, or State criteria applicable to the biosolids management method being used.
- 11) Any substance which will cause the County to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- 12) Any wastewater with color that cannot be removed by any County wastewater treatment plant.
- 13) Any liquid or wastewater containing quantities of radioactive waste in excess of presently existing or subsequently accepted limits for drinking water as established by applicable State or Federal regulations.
- 14) Any substance that is introduced to the System in a negligent or vandalistic manner including, but not limited to, cloth, metal, wood, plastic, concrete, rock, glass, leaves, and grass.

15) Any non-permitted liquid leachate from a landfill, drain field, or any type of soil drainage system.

16) Any discharge generated from pools, ponds, or fountains.

B. Prohibitions on Stormwater and Ground Water

Storm water, ground water, rain water, street drainage, roof top drainage, basement drainage, sump pumpings, sub-surface drainage, or yard drainage shall not be discharged through direct or indirect connections to the System. All users of the System are prohibited from discharging stormwater, groundwater, any drainage waters or any waters which may cause or contribute to infiltration/inflow.

C. Maximum Discharge Concentrations

Following herewith are maximum discharge concentrations for any User of the System. The limits are subject to change by the EPA, ADEM, and/or the County. Such change may occur through changes imposed by National Categorical Pretreatment Standards or by the County's determination that an interference exists in the System by reason of any limit set forth herein or by case-specific considerations.

MAXIMUM DISCHARGE CONCENTRATIONS

<u>POLLUTANT</u>	<u>DAILY MAXIMUM, mg/l</u>
Aluminum, dissolved	50.0
Cadmium, total	0.3
Chromium +6	0.2
Chromium, total	5.0
Copper, total	1.0
Cyanide, as CN or HCN	1.0
Iron, total	20.0
Lead, total	0.5
Nickel, total	1.0
Silver, total	0.5
Tin, total	10.0
Zinc, total	3.6
Arsenic	0.10
Ammonia	25.0
Barium	1.0
Chlorides	200.0
Fluorides	1.50
Mercury	0.01
Molybdenum	0.10
Phenol	1.00
Phosphate	30.00
Selenium	0.10

D. Cooling Water

Cooling water discharge may be considered on a case by case basis. Permission to discharge will be granted at the sole discretion of the Director. If permission is denied, all cooling water must be discharged under an NPDES permit issued by ADEM, as applicable.

E. State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or the County's requirements and limitations on discharges described in this Ordinance.

F. Excessive 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 developed by the County or State without prior written approval by the County. Where necessary in the opinion of the County, flow equalization facilities may be required to eliminate peak flow concentration conditions which could overload the System. Equalization units shall have a capacity judged by the County to allow controlled discharge of the flow at such a rate which will eliminate peak flow conditions. Detailed flow equalization plans, facility plans, specifications and operating procedures shall be submitted to the County for review and recommendations in a specified format. However, the County shall not approve the submittal for performance.

G. Possible Inhibitory Discharges

If any waters or wastes are proposed to be discharged to the System which contain the substances or possess the characteristics either enumerated or not enumerated in this Article, and which in the judgment of the County and/or the State and Federal agencies having jurisdiction may cause an interference with the System, the biosolids or receiving waters, or which may otherwise create a hazard to life or constitute a public nuisance, the County may:

- 1) reject the wastes in accordance with Article III of this Ordinance;
- 2) for industries affected by the National Categorical Pretreatment Standards, require pretreatment to an acceptable condition for discharge to the System and state a compliance date which in no case shall exceed three (3) years but may be sooner if so stated in the National Categorical Pretreatment Standards;
- 3) require control over the quantities and rates of discharge;
- 4) require payment to cover the added cost of collecting, transporting, handling and

treating the wastewater not covered by standard Charges.

If the County or ADEM requires or permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment may be reviewed by the County, ADEM, and Federal Agencies having jurisdiction. In any case, the design and installation shall be subject to the requirements of all applicable codes, resolutions, and laws.

H. Accidental Discharges

1. General

Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the County for review and comment. However, the County's review and comment shall in no way be interpreted as a performance approval of such facilities. All existing industrial users shall complete such a plan at the time the industry begins production. No new industrial users who commence this contribution to the sewer system after the effective date of this Ordinance shall be permitted to introduce pollutants into the system until accidental discharge procedures have been reviewed and approved by the County and ADEM and implemented by the Owner or user. Review of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Ordinance. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone 205-942-0681 and notify County personnel of the incident. The notification shall include:

- 1) time of discharge
- 2) location of discharge
- 3) type of waste
- 4) concentration and volume
- 5) corrective action being taken
- 6) company name
- 7) contact official
- 8) phone number

2. Written Notice

Within five (5) days following an accidental discharge, the user shall submit to the County and ADEM a detailed written report which shall include:

- 1) company name
- 2) contact official
- 3) date, time, and type of material discharged
- 4) corrective actions taken at the time of the discharge and degree of success

- 5) a determination that the cause of the discharge was of mechanical or human nature
- 6) a detailed description of new or modified actions which will be instituted to prevent such an occurrence from happening again
- 7) a timetable for implementing the corrective actions

Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred by the County as a result of damage to the system, fish kills, or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance or other applicable law.

3. Notice to Employees

A notice shall be permanently placed on the user's bulletin board or other prominent place advising employees whom to call in the event of a prohibited discharge. Employers shall insure that all employees who may cause or suffer an occurrence of such a discharge are advised of the emergency notification procedure.

I. Hazardous Wastes

It is a violation of this Ordinance to discharge or cause to be discharged any material categorized as a hazardous waste.

ARTICLE III. ENFORCEMENT AND ABATEMENT

A. Violation

Discharge of wastewater in any manner in violation of this Ordinance or of any condition of an SID permit shall be corrected and abated as provided for specifically in this Article or elsewhere in the Ordinance.

B. Violation Notification

Whenever the County determines or has reasonable cause to believe that a discharge of wastewater has occurred in violation of the provisions of this Ordinance, an SID permit, or any other applicable law or regulation, the County shall notify ADEM and the User of such violation. Failure of the County to provide such notice shall not in any way relieve the User from consequences of a wrongful or illegal discharge.

C. Conciliation Meetings

The County and ADEM may, but shall not be required to, invite the User to a conciliatory meeting to discuss the violation and methods of correcting the cause of the violation. If the County, ADEM, and the User agree to appropriate remedial and preventative measures, they shall commit such agreement in writing with provisions for a reasonable compliance schedule and the same shall be incorporated as a supplemental condition of the User's SID permit.

D. Show Cause Hearing

ADEM may issue a show cause notice to the User at a specified date and time to show cause why the User's SID Permit should not be modified, suspended, or revoked for a violation of this Ordinance, or other applicable law or regulation, or conditions in the SID permit of the User. If the County seeks to modify the User's SID permit to establish wastewater characteristic limitations or other control techniques to prevent future violations, it shall notify the User of the general nature of the recommended modifications.

E. Referral to Attorney General

ADEM or the County may refer a case to the State of Alabama Attorney General's office for action for a User's violation of a Categorical Standard or the conditions of the User's SID Permit.

F. Injunctive Relief

ADEM or the County may file civil suits for injunction, damages, or other appropriate relief to enforce the provisions of this Ordinance or other applicable law or regulation.

G. Assessment of Damages to Others

When any unauthorized discharge to the System (including vandalism) results in an obstruction, damage, or any other impairment to the System or to property or person of others, or results in any expense of whatever character or nature to the County, the County may assess the expense to the responsible party.

H. Petition for Federal or State Enforcement

In addition to other remedies of enforcement provided herein, the County may petition the EPA to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunctive relief, or such other remedies as may be provided by applicable Federal or State laws to insure compliance by Industrial Users with applicable pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the sewer system, or to prevent such other water pollution as may be regulated by State or Federal law.

I. Emergency Termination of Service

In the event of an actual or threatened discharge to the System of any pollutant which in the opinion of the County, presents or may present substantial danger to the health or welfare of persons, or causes an interference or degradation to the System, the County shall immediately notify ADEM of the nature of the emergency. The County shall also attempt to notify the User or other person causing the emergency and request their assistance in abating the discharge. The County may also temporarily terminate the service of such User or Users as necessary to abate the condition. Sewer service may be restored by the County at the User's expense when the adverse discharge has been abated or corrected.

J. Termination of Service

The County may disconnect a User from the System when:

- 1) EPA or ADEM informs the County that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is determined that the User is delivering wastewater to the System that cannot be sufficiently treated or requires treatment that is not provided by the County as normal domestic wastewater treatment, or
- 2) the User:
 - a) discharges industrial waste or wastewater that is in violation of the SID Permit issued, or
 - b) discharges any substance to the sewer defined in Article II as being prohibited, or
 - c) discharges any wastewater at an uncontrolled, variable rate in sufficient quantity to cause an interference in the System, or
 - d) fails to pay Charges for sanitary sewer service when due, or
 - e) repeats a discharge of prohibited constituents to the System, or
 - f) fails to allow entry to the User's premises to inspect or repair the sanitary

sewer system.

If the service is discontinued pursuant to this Section, the County may disconnect the User at the User's expense, or continue disconnection until such time as the violation is abated. Reconnection shall be at the discretion of the County and at the User's expense.

K. Other Remedies

For violations of this Ordinance and any rules and regulations of the County respecting the System, the County may pursue any remedy or enforcement authority provided to it by law. These remedies may include directing the public water system provider to discontinue the water supply to the property and the recording of liens.

ARTICLE IV. STATE INDIRECT DISCHARGE PERMITS, DISCHARGE REPORTS, AND ADMINISTRATION

A. Applicability

The provisions of this Article are applicable to Industrial Users, as defined by ADEM, or any Industrial User specified by the County. Any permits issued hereunder to Industrial Users who are subject to or become subject to a “National Categorical Pretreatment Standard” as that term is defined in 40 CFR 403.3(i) shall be conditioned upon the Industrial User’s also complying with all applicable substantive and procedural requirements promulgated by the EPA and ADEM under the “National Categorical Pretreatment Standards” or any other pollutants identified as “priority pollutants.”

B. Application and Permit Requirements for Industrial Users

Prior to discharging non-domestic wastewater into the System, all Significant Industrial Users, as defined by ADEM, and any Industrial User, shall simultaneously submit an application and engineering report to Jefferson County and to ADEM for the purpose of obtaining an SID permit. The original and one copy of said package shall be submitted to ADEM while an additional two (2) copies shall be submitted to Jefferson County. The engineering report shall contain the information specified in Article IV.C. All original application packages shall also include a site plan, floor plan, mechanical and plumbing plans with sufficient detail to show all sewers and appurtenances in the Industrial User’s premises by size, location, and elevation, and the Industrial User shall submit to the County and ADEM revised plans whenever alterations or additions to the Industrial User’s premises affect said plans. Any currently connected User discharging wastewater other than domestic wastewater who has not heretofore filed such a report shall file same with the County and ADEM within ninety (90) calendar days of receiving notice from the County.

C. Report Requirements

The report required by Section B above or other provisions of this Article for all Industrial Users shall contain, in units and terms appropriate for evaluation, the information listed in sub-sections (1) through (9) below. Industrial Users subject to National Categorical Pretreatment Standards shall submit to the County and ADEM a report which contains the information listed in sub-sections (1) through (9) below within one hundred and eighty (180) calendar days after the promulgation by the EPA of a National Categorical Pretreatment Standard under Section 307(b) or (c) (33 U.S.C. 1317(b) or (c) of the Act).

Industrial Users who are unable to achieve a discharge limit set forth in Article II hereof without improved operation and maintenance procedures or pretreatment shall submit a report which contains the information listed in sub-sections (1) through (9) below. Said report shall be certified by a Professional Engineer registered in the State of Alabama and contain all or applicable portions of the following:

- 1) General information including name and affiliation of company, number of employees, product(s) to be manufactured, including rate of production and SIC number(s), hours of operation, and water supply and disposition.
- 2) A map showing location of manufacturing plant (with section, township, range, latitude and longitude), treatment facilities and drainage, and locations of each discharge point. In case of indirect discharges, the location of sewer and point of industry connection should be shown.
- 3) A narrative account of manufacturing operation(s) explaining and/or defining raw materials, processes and products. Blockline or schematic diagrams indicating points of wastewater origin and its collection and disposition should be included.
- 4) The average and maximum total flow of each discharge from such Industrial User to the System, in gallons per day.
- 5) The average and maximum of both quantity and quality of the wastewater discharge from each regulated process from such Industrial User and identification of any applicable Pretreatment Standards and Requirements. The concentration shall be reported as a maximum or average level as provided for in the applicable Pretreatment Standard. If an equivalent concentration limit has been calculated in accordance with a Pretreatment Standard, this adjusted concentration limit shall also be submitted to ADEM for approval.
- 6) Description of existing wastewater treatment facilities including design basis, pretreatment measures, and recovery systems. Means of handling cooling water, storm drainage, and sanitary wastes should be described. Containment systems for product storage areas, loading and intermediate, or raw material handling areas, process areas, and other areas with spill potential should be described. Where applicable, the availability of a Spill Prevention Control and Containment (SPCC) Plan should be indicated.
- 7) When treatment sludges are generated, dewatering and handling methods and location of disposal should be indicated. Quantity and analysis information should also be furnished.
- 8) A statement reviewed and signed by an authorized representative of the Industrial User indicating whether Pretreatment Standards are met on a consistent basis and, if not, whether additional operation and maintenance procedures or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements.
- 9) If additional pretreatment or operation and maintenance procedures will be required to meet the Pretreatment Standards, then the report shall contain the shortest schedule by which the Industrial User will provide such additional pretreatment. The completion date in this schedule shall not be later than the completion date established for the applicable Pretreatment Standards.

D. Incomplete Applications

Industrial Users who have filed incomplete applications will be notified by the County that the application is deficient and the nature of such deficiency. If the deficiency is not corrected within thirty (30) days or within such extended period as allowed by the County, the County shall submit the application for a permit to ADEM with a recommendation that it be denied and notify the applicant in writing of such action.

E. Evaluation of Application

Upon receipt of the County's recommendation, ADEM shall conduct its final evaluation of the completed applications and propose such special permit conditions as it deems advisable. All SID permits shall be expressly subject to all provisions of this Ordinance and all other applicable laws and regulations. Based on the County's recommendation, ADEM may also propose that the SID permit be subject to one or more special conditions in regard to any of the following:

- 1) Pretreatment Requirements;
- 2) The average and maximum wastewater constituents and characteristics;
- 3) Limits on rate and time of discharge or requirements for flow regulation and equalization;
- 4) Requirements for installation of inspection and sampling facilities;
- 5) Specifications for monitoring programs, which may include sampling locations, frequency and method of sampling, number, types, and standards for tests and reporting schedule;
- 6) Requirements for submission of technical reports or discharge reports;
- 7) Requirements for maintaining records relating to wastewater discharge;
- 8) Monthly average and daily maximum discharge concentrations, or other appropriate limits when incompatible pollutants (as set forth in Article II) are proposed or present in the Industrial User's wastewater discharge;
- 9) Other conditions as deemed appropriate by the County to insure compliance with this Ordinance, or other applicable law or regulation. The County reserves the right to require more stringent discharge limits or conditions if it so chooses.
- 10) A reasonable compliance schedule as may be required by applicable law or regulation to insure the Industrial User's compliance with pretreatment requirements or improved methods of operation and maintenance;
- 11) Requirements for the installation of facilities to prevent and control accidental discharges or spills at the Industrial User's premises.

F. Applicant's Notification of Draft SID Permit and Right to Object

Upon completion of its evaluation, ADEM shall issue a draft SID Permit with special conditions to be included. The applicant shall have thirty (30) days from receipt of ADEM draft SID Permit to review same and mail a registered letter stating any objections to the County and ADEM. ADEM may, but shall not be required to, schedule a meeting with the County and applicant's authorized representative within fifteen days following receipt of the applicant's objections, and attempt to resolve disputed issues concerning the draft SID Permit. If applicant files no objection to the draft SID Permit or a subsequent agreement is reached concerning same, ADEM shall issue a SID Permit to applicant with such special conditions incorporated therein.

G. Industrial Impact Permit

In addition to the SID Permit application, the Industrial User shall obtain an impact

permit. Upon determination that the available capacity of the existing System is sufficient to accommodate applicant's wastewater and upon the Industrial User's receipt of an ADEM-issued SID permit, the County shall issue the applicant a permit authorizing such connection and permitting applicant to discharge wastewater from such premises to the System at the rate and in quantities stated therein.

H. Compliance Scheduling and Reporting Requirements

The Industrial User shall comply with the following conditions and requirements pertaining to reporting and compliance scheduling:

- 1) The schedule shall contain certain increments of progress in the form of calendar dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment requirements for the Industrial 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.).
- 2) No increment referred to in Article IV.H.1 shall exceed nine (9) months.
- 3) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the Industrial User shall submit a progress report to the County and ADEM including, as 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 this increment of progress, the reason for the delay, and steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the County and ADEM.
- 4) Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, prior to commencement of the introduction of wastewater into the System, any Industrial User subject to Pretreatment Standards and Requirements shall submit to the County and ADEM a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for those process units which are regulated by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation and maintenance procedure or pretreatment is necessary to bring the Industrial User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User and certified to by a Professional Engineer registered in the State of Alabama.
- 5) Any Industrial User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the System, shall submit to the County and ADEM, at such times and intervals as specified in the respective permit, a report indicating the nature and concentration of pollutants in the effluent which are

limited by such Pretreatment Standard. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in Section C(4) of this Article. At the discretion of the County and ADEM and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the County and ADEM may agree to a specific schedule for report submission.

- 6) The County and ADEM, as applicable, may impose mass limitations on Industrial Users where the imposition of mass limitations are appropriate. In such cases, the report required by Article IV.B. shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the Industrial User. Where mass limitations are imposed on Industrial Users, matching concentration limits may be imposed on Industrial Users.
- 7) The Industrial User shall immediately notify the County of any prohibited discharge under Article II.A.
- 8) The reports required in this Article shall contain the results of sampling and analysis of the discharge, including the flow rate and the nature and concentration, or production and mass limits where requested by the County and ADEM, of pollutants contained herein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard. All analyses shall be performed in accordance with procedures established by the EPA under the provisions of Section 304(h) of the Act (33 U.S.C. § 1314(h)) and contained in 40 CFR Part 136 and amendments thereto, or with any other test procedures approved by the EPA or ADEM. Sampling shall be performed in accordance with the techniques approved by the EPA.

I. Maintenance of Records

Any Industrial User subject to the report requirements established in this Article shall maintain records of all information resulting from any required monitoring activities. Such records shall include for all samples:

- 1) the date, exact place, method, and time of sampling, preservation techniques, and the names of the persons taking the samples;
- 2) the date analyses were performed;
- 3) who performed the analyses;
- 4) the analytical techniques/methods used; and
- 5) the results of such analyses.

J. Retention of Records

Any Industrial User subject to the reporting requirement established in this Article shall be required to retain for a minimum of five (5) years any records of monitoring activities and results (whether or not such monitoring activities are required by this Article) and shall make such records available for inspection and copying by the County, ADEM or the EPA. This period of retention shall be extended during the course of any unresolved litigation involving the Industrial User or when requested by the County, ADEM, or the

EPA.

K. Permit Duration

ADEM will issue SID Permits for a period of five (5) years. Notwithstanding the foregoing, Industrial Users becoming subject to a National Pretreatment Standard shall apply for new permits on the effective date of such National Pretreatment Standards. The County shall notify in writing any User whom it has cause to believe is subject to a National Categorical Pretreatment Standard of the promulgation of such federal regulations, but any failure of the County in this regard shall not relieve the User of the duty of complying with such National Pretreatment Standards. A User must apply in writing to the County and ADEM for a renewal permit within one hundred eighty (180) days prior to expiration of the current permit. Limitations or conditions of a permit are subject to modification or change as such changes may become necessary due to revisions in applicable water quality standards, changes in the County's NPDES permit, changes in Article II of this Ordinance, changes in other applicable law or regulation, or for other just cause. Users shall be notified of any proposed changes in their permit by the County and ADEM at least thirty (30) days prior to the effective date of the change. Any change or new condition in a permit shall include a provision for a reasonable time to achieve for compliance. The user may appeal the decision of ADEM in regard to any changed permit conditions as otherwise provided in this Ordinance.

L. Permit Transfer

SID Permits are issued to a specific Industrial User for a specific operation and facility. An SID Permit shall not be reassigned or sold to a new User or different premises. An SID Permit may be transferred when the facility ownership changes, but ADEM and the County reserve the right to issue a new or modified permit.

M. Permit Revocation

Any permit issued under the provisions of this Article is subject to be modified, suspended, or revoked in whole or in part during its term for cause, including, without limitation, the following:

- 1) Violation of any terms or conditions of the wastewater discharge permit or other applicable law or regulation;
- 2) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; or
- 3) A change in any permit condition that requires either a temporary or permanent reduction or elimination of the regulated discharge.

ARTICLE V. INSPECTION, MONITORING AND ENTRY

A. General

Whenever required to carry out the objective of this Ordinance, including but not limited to, (1) developing or assisting in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, standard of performance, or permit condition under this Ordinance; (2) determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, standard of performance, permit condition or any requirement established under this Ordinance.

- 1) The County and ADEM shall require any Industrial User or any other User including residential and non-residential Users, if deemed necessary, to comply with the requirements this Ordinance, including:
 - (a) establish and maintain such records as required by Article IV of the Ordinance;
 - (b) make such reports as required;
 - (c) install, use and maintain such monitoring equipment and methods (including, where appropriate, biological monitoring methods) as required;
 - (d) sample such effluent (in accordance with such methods, at such locations, at such intervals, and in such manner as the County and ADEM shall prescribe);
 - (e) provide the County, ADEM or EPA with access to the User's premises; and
 - (f) provide such other information as the County or ADEM may reasonably require.
- 2) The authorized representative of the County, ADEM, or EPA, upon presentation of his credentials:
 - (a) shall, within thirty (30) minutes of presenting proper credentials, have a right of entry to all properties for purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Ordinance; and
 - (b) may at any time have access to and copy any records, inspect any monitoring equipment or method required under clause (1), and sample any effluents where the owner or operator of such source is required to sample under such clause.
- 3) Where, in the opinion of the County, construction, repair, or maintenance of any portion of the System is needed, the County, its employees or contractors shall be permitted to enter property and perform such work as may be necessary. The County shall have the right to disconnect illicit or unpermitted sources from the System. The responsibility for payment of the cost and expense of any such activities shall be determined by the County and billed to the user as appropriate.
- 4) Where, in the opinion of the County, construction, repair or maintenance of any portion of the System carrying wastewater, storm water, or surface water is needed, and said portion lies outside of a public easement, the owner thereof shall be advised by the County of the needed construction, repair or maintenance and

be given a reasonable time as determined by the County to complete such work. Upon the owner's refusal or failure to complete such work as aforesaid, the County may, with consent of the owner, perform such work at the expense of the owner. Upon the failure of the owner to perform such work or consent to such work at the owner's expense, the County may disconnect said portion from the System.

B. Requirements

Specific requirements under the provisions of Article V.A shall be established by the County and ADEM for each Industrial User and such requirements shall be included as a condition of the Industrial User's SID permit. The nature or degree of any requirements under this provision shall depend upon the nature of the Industrial User's discharge, the impact of the discharge and economic reasonableness of any such requirement imposed. The Industrial User shall be required to design any necessary facility, and to submit detailed design plans and operating procedures to the County and ADEM for review in accordance with accepted engineering practices. However, the County shall not approve such a submittal for performance.

C. Denied Right of Entry

In the event any User denies the County, ADEM, or EPA, or their authorized representatives, the right of entry to or upon the User's premises for purposes of inspection, sampling effluents, inspecting and copying records, or performing such other duties as shall be imposed upon the User under this Ordinance, the County, ADEM, or EPA shall use such means as shall be advisable and reasonably necessary to discharge its duties under this Ordinance to obtain entry.

D. Denied Duty

Any User failing or refusing to discharge any duty imposed upon him under the provisions of this Article, or who denies the County and ADEM or the EPA the right to enter upon the User's premises for purposes of inspection, sampling effluents, inspecting and copying records, or such other duties as may be imposed upon him under this Ordinance, shall be deemed to have violated the conditions of his SID permit, as applicable, and such permit shall be subject to modification, suspension, or revocation under the procedure established in Article III of this Ordinance.

E. Sampling Structure and Equipment

1. General

All industrial waste connections shall have a sampling structure which will meet the requirements of this Ordinance. The Industrial User shall supply and maintain at its expense such equipment as may be necessary to enable the County to take refrigerated continuous flow proportional samples of the wastewater discharges. If, after initial

sampling and monitoring by the County, it is determined that the structure and equipment are inadequate to obtain data of sufficient quality, the County may require changes or modifications in the structure and equipment as it deems necessary. It shall be the Industrial User's responsibility to maintain such structure and equipment. Any damage or loss which necessitates repair or replacement of the County's sampling equipment shall be assessed and charged to the Industrial User on an actual cost basis.

2. Suggested Sampling Structures

Documents are available to assist the User in constructing the aforementioned sampling structure. These documents are available upon request by contacting the Industrial Pretreatment Office at 205-238-3833.

ARTICLE VI. INDIRECT DISCHARGES

A. Hauled Wastewater

No person may discharge hauled wastewater into the System except in the manner and at such locations as may be designated by the County.

B. Certification of Haulers

Any person engaged in the hauling of wastewater to the System must hold a current valid certificate of competency from the Jefferson County Health Department and a license from the Alabama Onsite Wastewater Board. The discharge of hauled wastewater to the System will not be permitted without evidence of such certification.

C. Wastewater Limitations

The discharge of hauled wastewater shall generally be limited to the following:

- 1) Contents of residential household septic tanks (septage)
- 2) Food Service Facility grease traps/interceptors

The County reserves the right to refuse any hauled wastewater when, in the absolute discretion of the County, it appears that the discharge of hauled wastewater may interfere with the effective operation of the System.

D. Discharge Locations

The County shall designate the locations and times where hauled wastewater may be discharged. Locations and times of operation are subject to change without notice.

Current locations accepting discharge of hauled wastewater are as follows:

- 1) Septage Discharge Facility near the Birmingham Municipal Airport at 1701 40th Street North
- 2) Valley Creek Wastewater Treatment Plant in West Bessemer
- 3) Village Creek Wastewater Treatment Plant in Ensley (facility accepts grease trap discharge)
- 4) Such other places as may be designated by the Director of Environmental Services

E. Monitoring of Discharge

The County may collect samples of each load of hauled wastewater to ensure compliance with this Ordinance. The County may also require the wastewater hauler to provide an analysis of the wastewater of any load prior to discharge.

F. Grease Waste

Grease trap waste shall not be combined with septic tank waste and transported to the disposal site as part of a mixed load. Discharge of mixed septage and waste grease loads are prohibited.

Grease manifests shall accompany all grease interceptor and trap waste to the disposal site. The grease hauler shall complete the middle portion of the grease disposal manifest and deliver the manifest to the disposal site for completion.

Only grease collected in Jefferson County or from Users of the System may be discharged at ESD Facilities. Grease disposal manifests shall accompany all grease interceptor and trap waste and be delivered to the grease disposal site.

G. Other Waste

Other hauled wastewater or liquid waste may, at the discretion of the County, be accepted for discharge at an approved location provided that:

- 1) Wastewater contains no industrial waste or sludges (refer to SID permit and/or Jefferson County Pretreatment Office);
- 2) Wastewater contains no hazardous waste; and
- 3) Wastewater is not otherwise limited by this Ordinance.

Sampling and analysis of such non-domestic septage or grease waste shall be provided. Additional Charges for the discharge of such waste may apply as determined by the County.

ARTICLE VII. BUILDINGS, SEWERS, AND CONNECTIONS

A. User Responsibility

All costs and expenses related to the installation and/or connection of the sewer service line shall be borne by the User. The User shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer service line.

B. Number of Sewers per Building

A separate and independent sewer service line shall be provided for every building. Variances to this rule are subject to approval by the Sewer Permitting and Inspections Office (716 Richard Arrington Jr. Blvd. North, Suite A300, Birmingham, Alabama).

C. Construction Standards

The size, slope, alignment, materials or construction of a sewer service line, and the methods to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the ESD Standard Specifications for Sanitary Sewer Service Lines and Connections, the ESD Standards for Construction of Commercial and Residential Sanitary Sewer Systems, all applicable plumbing codes, and other applicable rules and regulations of the County.

D. Sewer Elevation

Whenever possible, a building's sewer service line shall be designed to operate by gravity flow. In limited circumstances, a private lift station may be approved by the Sewer Permitting and Inspections Office.

E. Connection Standards

The connection of the sewer service line into the public sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the County. In the absence of specific code provisions, the materials and use provided in applicable specifications of ASTM and WPCF Manual of Practice No. 9 shall apply. All such connections shall be made gastight and watertight. The County reserves the right to deny connections.

F. On-Site Requirements

All excavations for sewer service line installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a satisfactory manner.

G. Interceptors

Grease, oil and sand interceptors shall be provided by the Owner when, in the opinion of the County, they are necessary for the proper handling of liquid wastes as provided for in Article II.A. Interceptors shall not be required for individual private living quarters or dwelling units. Prior to installation, all interceptor plans and specifications shall be approved by the County and shall be readily and easily accessible for cleaning and inspection.

H. Facility Maintenance

Where primary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

I. Cross-Connection

Any cross-connection between potable water supply and a sanitary sewer is prohibited.

J. Right of Way Limitations

No private sewer may be extended more than fifty (50) feet in the public right of way. At no time shall a permanent structure be located over a sewer main or sewer service line.

K. Sewer Impact Permits

All persons or entities who intend to connect to the System or modify, expand, or change an existing connection to the System shall obtain an impact permit for plumbing fixtures. Commencement of work prior to obtaining a permit is prohibited and subject to penalty.

Impact permits shall be obtained by the User or a designated agent of the User before a building or plumbing permit will be issued for any residential, commercial, or industrial facilities whose wastewater is treated in the System. The following is required of an applicant in order to secure an impact permit:

- 1) Applicants shall provide a building, site utility and plumbing drawings to the Sewer Permitting and Inspections Office (716 Richard Arrington Jr. Blvd. North, Suite A300, Birmingham, Alabama). Site utility plans are required for Non-Residential Users. It is the responsibility of the applicant to determine the number of fixtures.
- 2) Upon payment of applicable Charges, the applicant shall receive two copies of the impact permit. The applicant shall retain one copy for his or its personal records, and submit one copy to the governing municipal jurisdiction for a building permit, if required.
- 3) A building permit shall not be issued prior to the issuance of an impact permit as outlined in 2) and in accordance with the Unification Agreement.

- 4) The County shall inspect the premise to determine compliance with the impact permit. It shall be the responsibility of the applicant and/or the Owner, or Owner's representative to notify the County of completion of construction. For any plumbing fixtures which were not included in the impact permit, Charges shall be paid in full before a certificate of occupancy is issued.

L. Alternate Waste Systems Conversion Prohibition

All persons, firms or entities owning or occupying any home, mobile home, commercial building or industry currently connected to the System shall not disconnect from the System for the purposes of connection to an alternate waste treatment system. The System shall be deemed the primary source of waste disposal.

M. Sewer Connection Permits

All persons or entities who wish to connect a new service line to the System, or to modify, change, or repair an existing service line or connection to the System, shall obtain a sewer connection or sewer repair permit from the Sewer Permitting and Inspections Office (716 Richard Arrington Jr. Blvd. North, Suite A300, Birmingham, Alabama).

All sewer connection permits shall be obtained prior to starting any excavation for the installation or repair of a sewer service line or connection. Plumbers may also be required to secure excavation permits from other jurisdictions when entering road rights of way. The Sewer Connection Permit shall be obtained by the Owner's plumber from the Sewer Permitting and Inspection Office. The sewer connection permit shall be obtained and signed by a Master Plumber or his duly authorized representative. The plumbing company shall have a current bond with the Jefferson County Commission, and be licensed by the State of Alabama Plumbing and Gas Fitters Board.

ARTICLE VIII. GREASE CONTROL

A. Application and Permit Requirements

All Food Service Facilities having the potential to discharge Fats, Oils and Grease (FOG) into the Sewer System shall obtain a Grease Control Program Permit. On all new construction, a sewer impact permit must be obtained from the Sewer Permitting and Inspection Office (716 Richard Arrington, Jr. Blvd. North, Suite A300, Birmingham, Alabama, prior to the issuance of a Grease Control Program Permit.

1. Procedures

Grease Control Program Permits shall be obtained by the Owner or his designated agent. A Grease Control Program Permit must be obtained before (1) a sewer connection permit is issued for new construction or (2) an impact permit is issued for remodels on existing structures for any food service facility whose wastewater is treated in the System. The following describes the process required by an applicant securing a grease permit.

- a) The Owner shall submit an application for permit to the Grease Control Program Office (1290 Oak Grove Road, Homewood, AL 35209). The Owner shall include a site utility plan and/or plumbing plans with details, size and location of the grease control device and sampling vault inclusive of locations for all sinks, dishwashers, restrooms, sewer connections, etc. (as deemed necessary) along with a recent copy of the water bill for the facility in question. All grease interceptors and traps located at a facility and operated by the same Owner must be included in the permit application, each grease control device shall be identified individually on said application. All information contained in the Food Service Facility Grease Control Program Permit Application shall be certified by the applicant as true and complete prior to the County's review for approval.
- b) Upon submittal and payment, the County will review the permit application for acceptance.
- c) Permit acceptance conditions may include, but are not limited to, the following:
 - i. permit duration,
 - ii. permit fee,
 - iii. permit transfer prohibition,
 - iv. frequency of inspections,
 - v. maintenance requirements,
 - vi. compliance schedule,
 - vii. requirements for retaining records,
 - viii. statement of permission for the County to enter upon the User's property without prior notifications for the purpose of inspection, observation, photography, records examination and copying, measurement, sampling or testing, and
 - ix. other conditions deemed by the County necessary to ensure compliance with this program and other applicable ordinances, laws and regulations.
- d) A Food Service Facility may apply for a Permit Exemption if the Food Service Facility does not discharge significant amounts of FOG to the System. Such

facilities shall engage only in the reheating, hot holding or assembly of ready to eat food products, and as a result, there is no wastewater discharge containing a significant amount of FOG. Food Service Facilities which are granted an exemption from the permit requirement are subject to inspection by ESD inspectors and are required to notify the County if changes are made where grease waste is generated. A permit exemption shall be subject to a single exemption Charge. The exemption will be in effect until there is a change in food service operations that generates FOG or if the facility is linked to a sewer blockage or sanitary sewer overflow.

- e) Permit Denial: The applicant will be advised in writing of the specific cause for the denial within sixty (60) calendar days of the decision to deny the permit application. If the applicant is denied a permit under this program, he shall have the right to appeal such denial to the Director. The appeal shall be filed within fifteen (15) business days of receipt of the notice of denial.

2. Grease Control Device Requirements

All new Food Service Facilities that discharge FOG into the System shall install, operate, and maintain properly sized grease control devices provided in this Ordinance and in accordance with all regulatory authorities having jurisdiction. New construction shall include remodels where plumbing is being re-worked, excavation is being performed on-site, or when there is a change in size or type of food preparation equipment. Existing FSFs may be required to modify existing grease control devices, or to install new or additional grease control devices.

- a) Grease Traps (Outdoor Applications)

Grease traps shall be required for each new and existing Food Service Facility if the service provided by the establishment includes food preparation, operation of a food grinder or an automatic dishwasher.

 - i. Grease traps shall have a capacity of not less than two (2) 1,000 gallon traps installed in series for a total capacity of 2,000 gallons;
 - ii. The Director may approve the use of a single 1,000 gallon trap where site conditions prevent the installation of two 1,000 gallon traps in series; and
 - iii. The Director may approve the use of a single 1,000 gallon trap for food service facilities if a Food Service Facility demonstrates that a single 1,000 gallon trap can accommodate the nature of the food service provided.

Contact the Grease Control Program at 238-3878 for grease trap specifications. If additional Food Service Facilities are added to an existing trap, a professional engineer must certify that the existing trap can properly function with the additional FOG loading.

- b) Grease Interceptors (Indoor Applications)

Grease interceptors may be approved for use by the County for indoor installations if site conditions prevent the installation of outdoor grease traps, if the Food Service Facility operates infrequently, or if the facility is replacing an

existing grease interceptor provided that the Food Service Facility is not equipped with a dishwasher or a food waste grinder.

Grease interceptors shall be sized in accordance with Plumbing and Drainage Institute Standard PDI-G101, Testing and Rating Procedure for Grease Interceptor with Appendix of Sizing and Installation Data.

Discharge of the following materials to an indoor grease interceptor is prohibited:

- i. Wastewater with a temperature higher than 140 degrees F,
- ii. Wastewater discharged from a dishwasher
- iii. Acidic or caustic cleaners, or
- iv. Wastewater discharged from a food waste grinder (disposal).

c) Alternative Grease Removal Technologies

Alternative grease removal technologies may be approved by the County for the purpose of controlling FOG discharge into the sewer system in lieu of a standard grease interceptor or trap if ESD determines the device employing such technology shall be at least as effective as a standard grease interceptor or trap. The approved device shall be wired directly to a circuit breaker and shall contain audio and visual alarms that can only be reset by opening and servicing the device.

The User shall provide the following information to ESD for the evaluation of the proposed technology:

- i. A design that is specific to the Food Service Facility submitting the information prepared and certified by a professional engineer. The County will not consider a general proposal.
- ii. Complete information regarding the performance of the technology and proof of effectiveness in removing FOG from the waste stream.
- iii. Specifications for maintenance service and frequency.
- iv. The manufacturer's installation and operation manuals.

If the alternative technology is approved, the User shall install and maintain the device in accordance with the manufacturer's installation and operation specifications. Maintenance shall be performed at least as often as stipulated in the permit, even if the manufacturer specifies less frequent maintenance.

d) Sampling Location

Grease control device sampling vaults or ports shall be required at all new Food Service Facilities. Existing Food Service Facilities may be required to provide a sampling vault/port if two or more failures have occurred and it has determined that the Existing Food Service Facility is a contributor to the downstream blockage.

3. Action Plan

If it is determined by the ESD that an existing grease interceptor or grease trap does not meet the capacity and/or functionality requirements as set forth in this Ordinance, the Owner shall submit a detailed Action Plan within 30 days of notification. The Action Plan shall clearly identify the method which will be used to address the deficient grease interceptor or trap. Options to address the deficient grease interceptor or trap include the following:

Option 1 – Install a grease interceptor or trap (grease control device) of proper size and install a sampling vault/port. The Action Plan shall identify the location and size of the existing grease interceptor or trap, the location and size of the proposed grease interceptor or trap and sampling vault/port, and the date by which the proposed grease interceptor or trap will be in service. ESD will review the proposed location, size and installation schedule and either approve the Action Plan or request modifications and resubmittal of the Action Plan.

Option 2 – Install one or more additional grease interceptors or traps (grease control devices) in series with the existing interceptor or trap to provide the required capacity and install a sampling vault/port. The Action Plan shall identify the location and size of the existing grease interceptor or trap, the location and size of the proposed grease interceptor or trap and the sampling vault, and the date by which the proposed grease interceptor or trap and sampling vault/port will be in service. ESD will review the proposed location, size and installation schedule and either approve the Action Plan or request modifications and resubmittal of the Action Plan.

Option 3 – Install a grease control device employing alternative technology. The device can be a standalone device or may be used in combination with a conventional passive grease interceptor or trap. The Action Plan shall include manufacturer's information on the specific device to be installed and a drawing showing the Food Service Facility plumbing, the proposed location of the device, and the location of the sampling vault/port.

B. Grease Permit Violations

The Director may revoke a permit or approval in the event that any part of the construction, installation or maintenance of the grease control device is in violation of, or not in compliance with, the provisions of this Ordinance.

Installation, modifications, repairs or replacement of grease control devices shall be inspected by the County. Any work completed without prior approval by the County shall be subject to a non-compliance Charge.

C. Maintenance Requirements for Grease Control Devices

Maintenance shall be performed for grease control devices as determined by inspections, sampling and the application of the 25 Percent Rule, or at intervals specified in the Permit, whichever is more frequent, but no less than every 90 days for outdoor grease

traps and every 14 days for indoor grease interceptors. Maintenance of all grease control devices shall be performed as frequently as necessary to protect the sanitary sewer system against the accumulation of FOG. If multiple grease control devices are installed, all systems in the series must be pumped according to the maintenance schedule.

The 25 Percent Rule requires that the depth of oil and grease (floating and settled) in a trap shall be less than 25 percent of the total operating depth of the trap. The operating depth of a trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the trap.

Food Service Facilities which operate infrequently or only for special events may request a modification to the maintenance schedule specified above. The County may authorize a maintenance frequency related to the operation of the Food Service Facility. The User shall submit a request, in writing, for a modified maintenance schedule which includes all details of operation to the County for review.

The User shall be responsible for the proper removal and disposal of the grease interceptor or trap waste. All waste removed from each grease interceptor or trap must be disposed of properly at an appropriate facility designed to receive grease interceptor or trap waste. All grease waste generated within the System shall be disposed of at designated County facilities.

Maintenance shall include the complete removal of all grease waste from the interceptor or trap including floatable materials, wastewater, sludges, and solids. Grease interceptors and traps shall be operated in accordance with the manufacturer's specifications and/or in accordance with generally accepted engineering standards and practices.

Grease trap maintenance shall include the following minimum services:

- 1) Complete removal of all grease interceptor or trap contents rather than skimming the top grease layer,
- 2) Thorough cleaning of the grease interceptor or trap to remove grease and scum from inner walls and baffles,
- 3) Filling cleaned interceptor or trap with cold potable water, and
- 4) Completion of middle section of the grease disposal manifest form and delivery to waste disposal site along with the grease interceptor or trap waste.

Top skimming, decanting or back flushing of the grease interceptor or trap or its contents for the purpose of reducing the volume of waste to be hauled is prohibited. Vehicles capable of separating water from grease shall not discharge separated water into the grease trap or into the wastewater collection system.

The User shall be responsible for retaining records of the maintenance of all grease control devices including manifests, permits, permit applications, correspondence, sampling data and any other documentation that may be requested by ESD. These records shall include the dates of service, volume of waste removed, waste hauler, and disposal site of waste. These records shall be kept on-site at the location of the grease

control device for a period of three (3) years and are subject to review without prior notification.

D. Grease Control Program Inspections and Compliance

Grease interceptors and traps shall be subject to inspection a minimum of once per year to determine compliance. Frequency of inspections may be increased in order to protect the System against the accumulation of grease. Compliance shall be evaluated based on any of the following criteria:

- 1) Implementation of Best Management Practices (BMPs),
- 2) Grease control device(s) kept in compliance with 25 Percent Rule,
- 3) Regularly scheduled maintenance of grease control device(s),
- 4) Documentation of maintenance and proper disposal,
- 5) Employee education and training and documentation thereof
- 6) Completion of approved action plans, and
- 7) Absence of fryer oil.

Failure to comply with any of these requirements may result in a non-compliance Charge.

If a grease interceptor or trap fails an inspection, the inspector shall notify the User that maintenance must be performed on the grease device within seven (7) calendar days. The inspector will return within 14 calendar days to re-inspect the grease device, and the FSF shall be subject to a re-inspection Charge per grease interceptor or trap. If the grease interceptor or trap is determined to be in compliance, annual inspections shall resume the subsequent year.

If the grease interceptor or trap fails a re-inspection, a notice of non-compliance shall be issued and maintenance must be performed on the grease interceptor or trap immediately. A second re-inspection will be scheduled within 24 hours. The User shall be subject to the re-inspection Charge for each re-inspection.

Any grease interceptor or trap receiving three (3) notices of non-compliance within a 24-month period shall be deemed a nuisance by the County and shall require corrective actions as determined by the County to cure the nuisance, including, if deemed necessary, termination of all discharges to the System

Any alternative technology grease control device found in non-compliance shall be deemed a nuisance by the County. If the user is unable to cure the nuisance, installation of a conventional passive grease trap shall be required.

E. Prohibitions

The following activities are specifically prohibited:

- 1) Introduction of chemical elements directly into the grease control device or any section of the plumbing system.
- 2) Disposal of fryer oil to the System.

F. Grease Haulers

All grease haulers shall be licensed by the Jefferson County Department of Health and hold a Septic Tank Haulers Permit. Grease trap waste shall not be combined with septic tank waste and transported to the disposal site as part of a mixed load. Discharge of mixed septage and waste grease loads are prohibited.

Grease manifests shall accompany all grease interceptor and trap waste to the disposal site. The grease hauler shall complete the middle portion of the grease disposal manifest and deliver the manifest to the disposal site for completion.

Only grease collected in Jefferson County may be discharged at ESD Facilities. Grease collected outside of Jefferson County shall not be accepted for disposal at any ESD Facility. Grease disposal manifests shall accompany all grease interceptor and trap waste and be delivered to the grease disposal site.

ARTICLE IX. GENERAL PROVISIONS

A. Damage to Sewer System

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any portion of the Sewer System.

B. Validity

All resolutions, ordinances, parts of resolutions, or parts of ordinances in conflict herewith are hereby repealed.

C. Severability

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof, or the application thereof to any individual or entity, shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of this Ordinance, it being the Commission's legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independently of each other.

D. Penalties

Violation of any provision of this Ordinance may subject the violator to fine and/or other enforcement remedies available to the County and to ADEM. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to any such fines or enforcement remedies, the County shall be allowed to recover reasonable attorney's fees, interest, penalties, court costs, court reporter's fees and any other expenses of litigation or collections from any person or entity in violation of this Ordinance or the orders, rules, regulation and permits issued hereunder.

ARTICLE X. ORDINANCE IN FORCE

A. Date Effective

This ordinance shall be in full force and effect on the date of adoption by the Jefferson County Commission.

B. Date Adopted

Passed and adopted by the Jefferson County Commission on the 6th day of November, 2012. Approved this 6th day of November, 2012.

by W.D. Carrington, President – Jefferson County Commission

Attest:

Diane Townes

Minute Clerk of the Jefferson County Commission

Approved as to correctness: