

## Legislation Text

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**File #:** Ordinance 05-2017, **Version:** 4

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Agenda Date: 07/18/2017

**Subject:**

An ordinance on second reading for Industrial Wastewater Pretreatment code revisions

<b>Presented By:</b> Keith Reester, Acting Public Works and Utilities Director and Jon Bridges, WWTP Industrial Pretreatment Administrator
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### **POLICY QUESTION:**

Does city council support amendments to the city's Wastewater Utility Ordinance regarding the Industrial Pretreatment Program (IPP)?

### **BACKGROUND:**

The proposed changes will incorporate revisions required by the Environmental Protection Agency (EPA) to the IPP, the 2016 EPA Pretreatment Compliance Inspection, the Industrial Pretreatment Streamlining Rule; and staff recommended changes regarding fees for inspections, re-inspections and septic receiving station rates.

The Wastewater Utility Ordinance was adopted in 1992. The Littleton/Englewood Wastewater Treatment Plant (L/E WWTP) manages the IPP to control industrial/commercial waste entering the wastewater collection and treatment system. The program is designed to prevent pass through of pollutants to the South Platte River, protect the collection and treatment system from damage, protect public and worker health and safety, and improve opportunities to recycle and reclaim municipal and industrial wastewater and sludge. The Colorado Department of Public Health and Environment issued permit no. 0032999 to the Cities of Englewood and Littleton for the operation of the wastewater treatment plant. The IPP is subject to EPA approval.

In 2014, the EPA conducted an audit of the IPP and a Pretreatment Compliance Inspection of the L/E WWTP in 2016. EPA recommended revisions to the Industrial Pretreatment Streamlining Rule. L/E WWTP staff recommended revisions to the L/E WWTP Industrial Pretreatment Division and also recommended revising select fees for inspections, re-inspections and septic receiving station rates.

*This item was heard on first reading at a regular meeting of the city council on May 16, 2017. The second reading was postponed due to posting requirements.*

### **STAFF ANALYSIS:**

These revisions have been reviewed and were found to be acceptable by EPA, and the Englewood and Littleton Acting City Attorneys. The proposed revisions are more clearly presented in the attached Memorandum dated March 16, 2017 from Jon Bridges.

The proposed changes more clearly define legal authority to implement pretreatment regulations and align with existing operating procedures. Industrial pretreatment responsibilities will be delegated to the sanitation district that contributes wastewater to the L/E WWTP and will clarify the definition of “bypass” to EPA’s definition.

Provisions will be added to allow the cities to reduce monitoring reporting requirements to more efficiently streamline procedures. Requirements will be based on discharge volumes and pollutant concentrations.

The Industrial Pretreatment Division noted areas where changes will clear up existing language and enable more efficient management of the IPP.

Changes are necessary to the existing fee structures to cover expenses to implement the pretreatment program and treat hauled wastes. For example, the septic disposal rate was last evaluated 15 years ago.

#### **FISCAL IMPACTS:**

The septage disposal rate will be raised from \$0.06/gallon to \$0.09/gallon. A \$100 fee will be imposed for re-inspections due to failure of businesses to correct noncompliant issues. A \$50 fee will be charged to sanitation districts to recover costs for inspections due to the sanitation district’s inaction, refusal to inspect, or lack of personnel to inspect industrial users. The proposed ordinance will also allow the city to surcharge industrial users not defined as significant industrial users.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the ordinance.

#### **PROPOSED MOTION:**

I moved to approve on second reading and public hearing the ordinance amending the city’s Wastewater Utility Ordinance regarding the Industrial Pretreatment Program.