

**AN ORDINANCE FOR THE PRE-TREATMENT OF CERTAIN
WASTEWATER DISCHARGES INTO
THE VILLAGE OF FOLSOM Publicly Owned Treatment Works**

BE IT ORDAINED BY THE BOARD OF ALDERMEN of the Village of Folsom, Louisiana:

1. Section xx-01. General Provisions.

(a) Purpose and policy. This article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the Village of Folsom and enables the Village to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403.5). *This ordinance shall apply to all Village of Folsom Sanitary Sewerage users.*

The objectives of this article are:

- (1) To prevent the introduction of pollutants into the Village of Folsom Publicly Owned Treatment Works ("POTW") that will interfere with its operation;
- (2) To prevent the introduction of pollutants into the Village's POTW that will pass through the POTW, inadequately treated, into receiving water, or otherwise be incompatible with the POTW;
- (3) To protect both the POTW personnel who may be affected by the wastewater and sludge in the course of their employment and the general public;
- (4) To promote reuse and recycling of industrial wastewater and sludge from the POTW;
- (5) To enable the Village of Folsom to comply with its National Pollutant Discharge Elimination System ("NPDES") permit conditions, sludge use and disposal requirements, and any other State and Federal laws to which the POTW is subject.

(b) Abbreviations. The following abbreviations, when used in this ordinance, shall have the designated meanings:

BOD	-Biochemical Oxygen Demand
CFR	-Code of Federal Regulations
COD	-Chemical Oxygen Demand
EPA	-U.S. Environmental Protection Agency
mg/l	-milligrams per liter
NPDES	-National Pollutant Discharge Elimination System
POTW	-Publicly Owned Treatment Works
U.S.C.	-United States Code

(c) Definitions. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

(1) Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C.0 1251 et seq.

(2) Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l)Λ.

(3) Village **The Village of Folsom or the Mayor and Board of Alderman of Folsom.**

(4) Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or , where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency, specifically including the Louisiana Department of Environmental Quality ("LaDEQ").

(5) Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operation or this sludge processes, use or disposal; and therefore, is the cause of a violation of the Village's NPDES permit (including an increase in magnitude or duration of the violation) or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

(6) Pass Through. A discharge which exits the POTW into the waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge ro discharges from other sources, is a cause of a violation of any requirement of the Village's NPDES permit, including an increase in the magnitude or duration of a violation.

(7) pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions measured in grams per liter of solution and expressed in Standard Units (SU).

(8) Pollutant. Oil, grease, detergent bi-products, dredged soil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural, and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor).

(9) Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

(10) Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibited in Section XX-02 of this ordinance.

(11) Publicly Owned Treatment Works or POTW. The Village of Folsom municipal wastewater treatment facility, located south of LA 40 at Railroad Avenue. A "treatment works" as defined by Section 212 of the Act (33 U.S.C 1292) which is owned by the Village. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes if a liquid nature and any conveyances, which convey wastewater to a treatment plant.

(12) Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

(13) Superintendent. The person designated by the Village to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance or a duly authorized representative.

(14) User or Industrial User. A source of indirect discharge.

2. Section xx-02. Prohibited Discharge Standards.

(a) General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

(b) Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater.

(1) Pollutants which create fire or explosion hazard in the POTW, including but not limited to waste streams with a closed cup flashpoint of less than 140 degrees F (60 degrees C) using test methods specified in 40 CFR 261.21.

(2) Pollutants that will cause corrosive structural damage to the POTW or equipment, but in no case discharges with a pH lower than 5.0.

(3) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.

(4) Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration that will cause interference with the POTW.

(5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds 104 degrees F (40 degrees C).

(6) Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin, in amounts that will cause interference or pass through.

(7) Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the POTW.

3. Section xx-03. Pre-Treatment Requirements

All sewer users which, in the judgement of the Superintendent, generate or discharge into the Village of Folsom wastewater collection system, either intermittently or continually, any of the prohibited discharges as listed in "2. Section xx-02. Prohibited Discharge Standards", shall within thirty (30) calendar days of notice by the Village, comply with one or all of the following remedies, as directed by the Village:

- (a) Install a grease trap or other suitable device for removal of the pollutant(s) from the user's discharge.
- (b) Provide as required by the **Superintendent** proof of maintenance/cleaning and/or allow for convenient access to the pre-treatment facility by the village or its authorized representative to inspect or provide services (if necessary) to be assumed by the user.
- (c) Cease the discharge of all pollutant(s) from the user's discharge.
- (d) Disconnect all discharge piping from the Village of Folsom wastewater collection system: and obtain LaDHH permit(s) for alternate method(s) of wastewater discharge/disposal.

4. Section xx-04. Maintenance of Pre-Treatment Facilities

All sewer users which have been duly notified per "3. Section xx-03. Pre-Treatment Requirements" shall be responsible for the maintenance of their pre-treatment facility in good working order, and shall be responsible for eliminating pollutants from the user's wastewater discharge.

The payment by the user of "Sewer Pre-Treatment Fees" does not release the user from violations of this ordinance.

5. Section xx-05. Sewer Pre-Treatment Fees.

All sewer users which, in the judgement of the Superintendent, generate or discharge into the Village of Folsom wastewater collection system, either intermittently or continually, any of the prohibited discharges as listed in "2. Section xx-02. Prohibited Discharge Standards", and/or have been duly notified by the Village per "3. Section xx-03. Pre-Treatment Requirements", shall be subject to the following fees, payable to the Village at times and location at the discretion of the Village:

Initial registration permit fee:	\$100.00
Monthly inspection fee:	\$50.00 per month
Grease trap maintenance fee:	\$100.00 per cleaning (weekly, or as necessary)

6. Section xx-06. Penalties for Non-Compliance.

All sewer users which, in the judgement of the Superintendent, generate or discharge into the Village of Folsom wastewater collection system, either intermittently or continually, any of the prohibited discharges as listed in "2. Section xx-02. Prohibited Discharge Standards", and/or have been duly notified by the Village per "3. Section xx-03. Pre-Treatment Requirements", shall be subject to the following penalties for failure to comply with this ordinance:

- (a) Failure to install a grease trap or other suitable device for the removal of pollutant(s) from the user's discharge:
 - (1) First Violation--\$100.00, or five (5) days in jail.
 - (2) Second Violation--\$250.00, or ten (10) days in jail.
 - (3) Third Violation--\$500.00, or thirty (30) days in jail.
 - (4) Fourth Violation--\$100.00 per calendar day for each day violation occurs, or ten (10) days in jail for each day violation occurs.
- (b) Failure to make available to the Village or its authorized representative convenient access to the pre-treatment facility--\$100.00 or five (5) days in jail.
- (c) Discharge into the Village's wastewater collection system any of the pollutants defined in "2. Section xx-02. Prohibited Discharge Standards", paragraph "(b)", items "(1)", "(7)", or "(8)"--\$500.00 or thirty (30) days in jail.

7. Section xx-07. Emergency Suspensions.

The Superintendent may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. **The Superintendent** may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with operation of the POTW, or which presents or may present, an endangerment to the environment.

Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of the user's failure to immediately comply voluntarily with the suspension order, **the Superintendent** may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream endangerment to any individuals. **The Superintendent** may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of **the Superintendent** that the period of endangerment has passed.

8. Section xx-08. Monitoring

(a) Inspections. **The Superintendent** shall have the right to enter the premises of any user to determine whether the user is complying with all the requirements of this ordinance. Users shall allow **the Superintendent** ready access to all parts of the premises for the purposes of inspection sampling, record examination and copying, and the performance of any additional duties.

- A. Where a user has security measures in force which require proper identification and clearance before entry into the premises, the user shall make necessary arrangements with the security so that, upon presentation of suitable identification, **the Superintendent** will be permitted to enter without delay for the purpose of performing specific duties.
- B. **The Superintendent** shall have the right to set up on the user's property such devices as are necessary to conduct sampling and/or metering of the user's operation.
- C. Unreasonable delays in allowing **the Superintendent** access to the user's premises shall be a violation of this ordinance.

(b) Search Warrants. If **the Superintendent** has been refused access to the building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect to verify compliance with this ordinance, or protect the overall public health, safety and welfare of the community, then, **the Superintendent** may seek issuance of a search warrant from the **appropriate Court of the Village.**

9. Section xx-09. Severability.

If any section, subsection, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

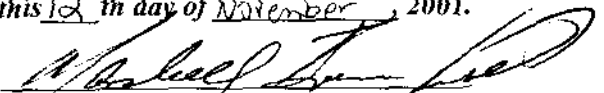
Motion by: Alderman Pittman Second by: Alderman Sambola

Yes: 3

No: 0

Absent/Abstain: 0

And the Mayor declared this ordinance introduced this 12 th day of November, 2001.

BY: 
Marshall Brumfield, Mayor

ATTEST: 
Village Clerk