

ORDINANCE NO. 19,895

AN ORDINANCE TO REGULATE THE DISCHARGE OF INDUSTRIAL WASTEWATER TO THE PUBLIC SEWER SYSTEM, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND TO COMPLY WITH REQUIREMENTS OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND STREAMLINE AND CLARIFY THE GENERAL PRETREATMENT REQUIREMENTS FOR EXISTING AND NEW SOURCES OF POLLUTION AT 40 CFR §403; TO REPEAL ORDINANCE NO. 17,966; AND FOR OTHER PURPOSES, ALL PERTAINING TO THE SEWER LINES AND SYSTEM WITHIN THE JURISDICTION OF THE CITY OF LITTLE ROCK, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, on March 16, 1999, the Board of Directors of the City of Little Rock, Arkansas, adopted Ordinance No. 17,966, regulating the discharge of industrial wastewater to the public sewer system, providing penalties for the violation thereof, repealing all ordinances or parts thereof in conflict therewith consisting of Articles VI, VII, VIII, and IX of Ordinance No. 15,344 passed on September 1, 1987, and for other purposes, all pertaining to the sewer lines and system within the jurisdiction of the City of Little Rock, Arkansas, and declaring an emergency; and,

WHEREAS, it is necessary that certain provisions in Ordinance No. 17,966 need to be revised in order to make certain ministerial changes and also substantive changes to comply with requirements of the United States Environmental Protection Agency and streamline and clarify provisions of the general pretreatment regulations for existing and new sources of pollution pursuant to 40 CFR §403; and,

WHEREAS, the Little Rock Sanitary Sewer Committee ("LRSSC") pursuant to its Resolution No. 2007-19, dated November 21, 2007, has requested that these changes to Ordinance No. 17,966 be made, effective on or before December 31, 2007, as required by NPDES Permit AR 0021866 and the National Pretreatment Program set forth in 40 CFR §403, and the most expedient way to make these changes due to the large number thereof is to adopt a new ordinance replacing and repealing Ordinance No. 17,966, dated March 16, 1999; and

WHEREAS, the provisions as hereinafter set forth contain the revisions and additions necessary to comply with applicable federal and state laws and regulations prescribing requirements on industrial discharges, including, but not limited to, the penalty or fines in the amount of \$1,000.00 for each violation by Industrial Users of pretreatment standards or requirements, as

required by applicable federal law and now authorized by Arkansas law, as set forth in A.C.A. § 8-4-103(g) (1); and,

WHEREAS, said revisions and additions are necessary to more effectively regulate industrial discharges to the sewer system of the City of Little Rock and enable the Little Rock Wastewater to more efficiently and effectively operate the sewer system by regulating industrial discharges according to the provisions contained herein, the titles to which are hereinafter set forth in the following table of contents for convenience of reference only, and not to define or limit any of the terms or the provisions, as hereinafter set forth in this Ordinance:

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WHEREAS, it is essential that the Little Rock Sanitary Sewer Committee should have the authority to perform all acts as provided in this Ordinance, in order to effectively regulate the use and operation of the public sewer system of the City of Little Rock and the provisions of this Ordinance are necessary for the immediate preservation and protection of the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

SECTION 1 - GENERAL PROVISIONS

1.1 Title, Purpose, and Policy

This Ordinance shall be known as "the Pretreatment Ordinance" and sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the City of Little Rock and enables Little Rock Wastewater, hereafter LRW, to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 *et seq.*) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this Ordinance are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation, contaminate the resulting biosolids, or interfere with the use and disposal of wastewater or biosolids in compliance with applicable statutes and regulations;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote re-use and recycling of wastewater and biosolids from the Publicly Owned Treatment Works;
- E. To enable LRW to comply with its National Pollutant Discharge Elimination System permit conditions, biosolids use and disposal requirements, and any other Federal or State laws to which LRW is subject.
- F. It is in the best interest of LRW to clarify and update the provisions of the existing Sewer Use Ordinance (17,966) to achieve compliance with the Clean Water Act and regulations pursuant to 40 CFR 403 (General Pretreatment Regulations) as amended October 14, 2005.
- G. To promote and encourage pollution prevention and waste minimization and waste reduction at Industrial Users prior to their recycling, treatment, or disposal options.

This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring,

compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of such fees as necessary for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the CEO shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the CEO may be delegated by the CEO to other LRW personnel.

1.3 Abbreviations

The following abbreviations, when used in this Ordinance, shall have the designated meanings:

BMP	-	Best Management Practice
BOD	-	Biochemical Oxygen Demand
BTEX	-	Benzene, Toluene, Ethylbenzene, Xylene
CFR	-	Code of Federal Regulations
CIU	-	Categorical Industrial User
COD	-	Chemical Oxygen Demand
EPA	-	U.S. Environmental Protection Agency
gpd	-	gallons per day
IU	-	Industrial User
mg/L	-	milligrams per liter
NPDES	-	National Pollutant Discharge Elimination System
O&G	-	Oil and Grease
POTW	-	Publicly Owned Treatment Works
RCRA	-	Resource Conservation and Recovery Act
SIC	-	Standard Industrial Classification
SIU	-	Significant Industrial User
SNC	-	Significant Noncompliance
TSS	-	Total Suspended Solids
U.S.C.	-	United States Code

1.4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

- A. Act or "the Act" The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.
- B. And/Or shall mean one item or the other or a combination of both or all.

C. Approval Authority The Arkansas Department of Environmental Quality.

D. Authorized Representative of the User.

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Manager or CEO.

- E. Batch Discharge. The discharge of wastewater to a POTW on an intermittent basis.
- F. Best Management Practices or BMPs. Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 A and B of this Ordinance[40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.
- G. Biochemical Oxygen Demand or BOD. The relative oxygen requirements of water and wastewater as determined by generally accepted standard laboratory procedures. The test measures the quantity of oxygen utilized in the biochemical oxidation of organic matter and inorganic matter such as sulfides, ferrous iron, and reduced forms of nitrogen. The test is conducted under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/L).
- H. BTEX. The sum of the milligram per liter concentrations of benzene, toluene, ethylbenzene, and xylene.
- I. BTEX Waters. Those waters associated with underground petroleum storage tanks. This may include water inside the tanks, water within the excavation pit upon removal of such tanks, or contaminated groundwater in the immediate vicinity of such a tank.
- J. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- K. CEO. The Chief Executive Officer of Little Rock Wastewater, or his duly authorized deputy, agent or representative.
- L. City. The City of Little Rock, Arkansas.
- M. Composite Sample. A series of individual grab samples collected over a known period of time or proportional to flow and combined to make one sample.

- N. Chemical Oxygen Demand or COD. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
- O. Control Authority. Little Rock Wastewater.
- P. 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.
- Q. Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- R. Extra Strength Surcharge or Surcharge. The additional monthly sewer charge assessed to persons discharging wastewater exceeding the average domestic concentrations for BOD, COD, TSS, and/or Oil and Grease. The surcharge is based on the pounds of pollutant discharged and reflects the additional cost of treating high strength discharges.
- S. Garbage. The solid wastes from the domestic and commercial preparation, cooking and disposing of food, and from the handling, storage, and sale of produce.
- T. Grab Sample. A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
- U. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
- V. Industrial User or User. A source of indirect discharge.
- W. 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 operations or its biosolids processes, use or disposal; and therefore, is a cause of a violation of the POTW's NPDES permit or of the prevention of biosolids use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State

regulations contained in any State biosolids 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.

- X. Landfill Leachate. Those waters collected from the under drainage collection system of a sanitary landfill.
- Y. Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, dialysis wastes, pharmaceutical medications, and wastes containing radioactive isotopes.
- Z. Maximum Allowable Discharge Limit. The maximum amount of a pollutant (either in concentration or mass) that is allowed to be discharged to the POTW
- AA. NPDES. The National Pollutant Discharge Elimination System.
- BB. New Source.
 - (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous on-site construction program

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

CC. Non-contact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

DD. Non-significant Industrial User. Any industrial or commercial facility with pollutant levels above domestic background.

EE. Oil and Grease or O&G. A group of substances with similar physical characteristics are determined quantitatively on the basis of their common solubility in an organic extracting solvent. These substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials. It includes other materials recovered by the solvent from an acidified sample (such as sulfur compounds, certain organic dyes, and

chlorophyll) and not volatilized during the test. At the discretion of the CEO, the Oil and Grease test may be determined by the latest approved listing in 40 Code of Federal Regulation, Part 136.

- FF. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
- GG. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- HH. pH. A measure of the hydrogen-ion concentration in a solution, expressed in standard units as the logarithm (base ten) of the reciprocal of the hydrogen-ion concentration in gram moles per liter (g/mole/L). On the pH scale (0 to 14), a value of 7 at 25°C (77°F) represents a neutral condition. Decreasing values indicate increasing hydrogen-ion concentration (acidity); increasing values indicate decreasing hydrogen-ion concentration (alkalinity).
- II. Pollutant. Dredged spoil, 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., TSS, turbidity, color, BOD, COD, cyanide, oil & grease, heavy metals, toxicity, or odor).
- JJ. POTW Treatment Plant. That portion of the publicly owned treatment works (POTW) designed to provide treatment to wastewater.
- KK. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

- LL. Pretreatment Program. LRW's EPA and/or Arkansas Department of Environmental Quality approved program to administer the requirements of 40 CFR 403, the General Pretreatment Regulations, and associated National Categorical Standards as adopted into Section 4 of Regulation No. 6: Regulations for State Administration of the National Pollutant Discharge Elimination System.
- MM. Pretreatment Requirement. Any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.
- NN. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
- OO. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this Ordinance.
- PP. Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by the City of Little Rock. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.
- QQ. Sampling/Inspection Manhole. An approved access point to a building sewer which is used for the purpose of collecting a wastewater sample.
- RR. Sanitary Sewer. A sewer in which sewage is carried, and to which storm, surface, and ground water are not intentionally admitted.
- SS. Secure Sample Point. Any access point to a building sewer which is used for the purpose of collecting a wastewater sample where LRW is required to maintain custody of the sample and can be secured via approved structure by LRW.
- TT. Septic Tank Waste. Any domestic sewage from holding tanks such as vessels, campers, trailers, and septic tanks.
- UU. Sewage. The spent or used water of a community or industry containing dissolved and suspended matter.
- VV. Sewer. A pipe or conduit for carrying sewage.

- WW. Sewer Committee. The City of Little Rock Sanitary Sewer Committee of Little Rock Wastewater.
- XX. Shall is mandatory; May is permissive.
- YY. Significant Industrial User.
- (1) A User subject to categorical pretreatment standards; or
- (2) A User that:
- (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blow down wastewater);
- (b) Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- (c) Is designated as such by the CEO on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- ZZ. Slug Load or Slug Discharge. Any discharge at a flow rate or pollutant concentration which could cause a violation of the prohibited discharge standards in Section 2.1 of this Ordinance. A slug discharge is any discharge of a non-routine, episodic nature, included but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any way violate the POTW's regulations, local limits or permit conditions.
- AAA. Standard Industrial Classification (SIC) Code. A classification pursuant to the *North American Industry Classification System - United States, (1997)* issued by the United States Office of Management and Budget's Economic Classification Policy Committee.
- BBB. State. The State of Arkansas.
- CCC. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt.

- DDD. Total Suspended Solids or TSS. The total suspended solids are wastewater residues removed by laboratory filtering and retained on a standard glass-fiber filter with a nominal pore size of 2.0 μm (or smaller) and dried to a constant weight at a temperature of 103° - 105° centigrade.
- EEE. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of the Clean Water Act 307(a) or other acts.
- FFF. Upset. An exceptional incident in which a discharger unintentionally and temporarily is in a state of non-compliance with the standards set forth in this Ordinance or the discharger's Industrial Wastewater Discharge Permit, due to forces beyond the reasonable control of the discharger, and excluding non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.
- GGG. User or Industrial User. A source of indirect discharge.
- HHH. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

SECTION 2 - GENERAL SEWER USE REQUIREMENTS

2.1 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, or in any way contaminates the POTW biosolids, scum, or residues to such a level as to render them unacceptable for economical reuse or reclamation. 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) Liquids, solids, or gases which by reason of their nature and quantity are, or may be, sufficient either alone or by interaction with other substances to cause

a fire or explosion hazard or be injurious in any other way to the POTW or the operation of the POTW. Such materials include, but are not limited to, gasoline, diesel, benzene, naphtha, fuel oils, kerosene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, or sulfides, or any waste stream with a closed cup flash point of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;

- (2) Water or wastes having a pH lower than 5.0 S.U. or greater than 12.0 S.U. or having any other corrosive property capable of causing damage or a hazard to the structures, equipment, and personnel of the POTW. In no case shall waters or wastes be discharged at such a flow rate and/or pH which will cause the influent at the POTW treatment plant to be lower than 6.0 S.U. or greater than 9.0 S.U.;
- (3) Solid or viscous substances in quantities or of such size capable of creating a stoppage, plugging, breakage, or any reduction in sewer capacity or any other damage to the POTW such as, but not limited to, commercial food service oil and grease, ashes, cinders, sand, plastic, wood, un-ground garbage, whole blood, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc. Any additional sewer or sewerage maintenance expenses caused by such a discharge, or any other expenses attributable thereto will be charged to the User by LRW. Any refusal to pay the additional maintenance expense duly authorized by the CEO shall constitute a violation of the provisions contained herein;
- (4) Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference, upset, or loss of efficiency at POTW. In no case shall a slug load have a flow rate or contain a concentration or quantity of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantity, or flow during normal operation of the discharger;
- (5) Waters, wastes, or vapors discharged at such a volume or temperature which will inhibit biological activity in the treatment plant resulting in interference, but

in no case any such waters or wastes which will cause the POTW influent or pumping station wetwell temperature to exceed 104°F (40.0°C). Any liquid or vapor having a temperature higher than 130° F (54.4° C) at the point of discharge;

- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
- (7) Waters or wastes containing toxic or poisonous solids, liquids, or gases, or oxygen demanding wastes, in sufficient quantity, either singly or by interaction with other wastes to injure or cause interference with any sewage treatment process, to contaminate the POTW sludges, scum, or residue to such a level to render them unacceptable for economical reuse or reclamation, to pass through the POTW and cause a violation of the POTW's NPDES Permit or create a toxic effect in the receiving stream, to cause a public nuisance, or to constitute a hazard or an acute health or safety problem to the POTW workers or the public;
- (8) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (9) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the NPDES permit;
- (10) Unusual concentrations of inert suspended solids such as, but not limited to, Fuller earth, lime slurries, and lime residues, or dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, de-ionized water, non-contact cooling water, and unpolluted wastewater;

- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes, no discharge of "any pharmaceutical medications, prescription or 'over the counter', unused or expired;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surfactant, or other substances which may cause excessive foaming in the POTW; or
- (17) Wastewater causing two successive readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 10% or any single reading over 20% of the Lower Explosive Limit of the meter.
- (18) Hauled or trucked liquid wastes, except at the specific discharge point(s) designated by LRW.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 National Categorical Pretreatment Standards

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated. Those standards, if more stringent than the limitations imposed by the latest approved "Technically Based Local Limits Development Document" for sources in that sub-category, shall supersede the limitations imposed by the Local Limits.

- A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the CEO may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- B. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the CEO may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users. In accordance with 40 CFR 403.6(c) (2).

- C. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the CEO shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).

2.3 State Pretreatment Standards

State pretreatment standards located in Section 4 of Regulation No. 6: Regulations for State Administration of the National Pollutant Discharge Elimination System for a particular industrial sub-category, if more stringent than the requirements of this Ordinance, shall supersede the requirements of this Ordinance, are hereby incorporated by reference and will be imposed where applicable and shall include, but is not limited to, discharge limitations and reporting requirements. This shall include those regulations currently promulgated or which will be promulgated in the future including any amendments, and shall be recognized as part of this Ordinance.

2.4 Local Limits

No person shall discharge any waters or wastes at a concentration that would exceed the concentration of pollutants, including but not limited to, those identified in the "Technically Based Local Limits Development Document," and adopted by the CEO of Little Rock Wastewater and approved by the Arkansas Department of Environmental Quality and the Little Rock Sanitary Sewer Committee.

LRW will develop and assign specific discharge permit limitations, or Best Management Practice (BMP), when deemed appropriate by the CEO, for pollutants for permitted Users based on criteria approved by the CEO. The specific permit limits or BMP shall ensure that local limit pollutant concentrations will protect the wastewater treatment plant from upset. The Local Limits shall apply to the total flow or total process discharge from the Industrial Users. In developing specific permit limits, the CEO may impose mass limitations in addition to, or in place of, specific concentration-based limits. In addition, LRW may develop specific discharge limitations, or BMP for any other toxic pollutants which the CEO of LRW may determine to be of sufficient quantity to cause POTW interference and/or pass through, endanger the health and safety of the POTW personnel or the public health, cause a POTW permit violation or render the POTW sludges unacceptable for economic reuse or reclamation.

The CEO may develop Best Management Practices (BMPs), by Ordinance or in individual wastewater discharge permits or general permits, to implement Local Limits and the requirements of Section 2.1.

2.5 Right of Revision

LRW shall at all times have the right to establish, by Ordinance or in individual wastewater discharge permits, more stringent standards or requirements on discharges to the POTW, consistent with the purpose of this Ordinance, than may be specified in this Ordinance or the "Technically Based Local Limits Document".

2.6 Dilution

No User shall ever 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 a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The CEO may impose mass limitations on Users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 2.1 of this Ordinance within the time limitations specified by EPA, the State, or the CEO, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the CEO for review, and shall be acceptable to the CEO before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to LRW under the provisions of this Ordinance.

3.2 Additional Pretreatment Measures

- A. If any waters or wastes which are discharged or which are to be discharged into the public sewers contain or possess any of the characteristics enumerated in Section 2.1(A), 2.1(B), 2.4, and/or 14.1 of this Ordinance and in the judgment of the CEO, may have a deleterious effect upon the sewage works, processes, equipment, sludges, or receiving waters, or which otherwise creates a hazard to life or constitutes a

public nuisance, the CEO may (a) reject the wastes, (b) require pretreatment to an acceptable condition for discharge to the public sewer, and/or (c) require control over the quantities and rate of discharge.

If the CEO requires the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the CEO and subject to all applicable codes, Ordinances, and laws. Where pretreatment or flow equalization facilities are provided for any waters or wastes, they shall be continuously maintained in satisfactory and effective operation by the owner or occupant at his own expense.

- B. Whenever deemed necessary, the CEO may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Ordinance.
- C. The CEO may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- D. Grease, oil, and sand interceptors shall be provided when, in the opinion of the CEO, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, any flammable wastes, or sand; except that such interceptors shall not be required for residential Users. All interception units shall be of type and capacity approved by the CEO and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the User at their expense. Storage, handling, transportation, and disposal of all wastes generated from such interceptors shall be performed in accordance with all applicable Federal, State, and local regulations that pertain to that type and/or class of waste.
- E. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
- F. When required by the CEO, the owner of any property serviced by a building sewer carrying industrial waste shall provide

a secure sample point or sampling/inspection manhole which is constructed in accordance with the latest revision of the Little Rock Wastewater Specification Requirements for Sanitary Sewers. The secure sample point or sampling/inspection manhole shall be safely located and accessible to duly authorized employees and/or representatives of LRW at all times. When deemed necessary by the CEO, the secure sample point or sampling/inspection manhole shall be provided with meters or other appurtenances to facilitate the monitoring of the wastewater. The cost of the installation and maintenance of a secure sample point or sampling/inspection manhole shall be borne by the owner. Any construction and/or alteration of a secure sample point or sampling/inspection manhole shall be approved by the CEO before any construction has begun.

Any secure sample point or sampling/inspection manhole located in a parking lot or other area where any vehicles may reasonably be expected to be parked must be protected by a permanent barrier, railing, or other means if it is determined necessary by the CEO to ensure continued and uninterrupted access to the secure sample point or sampling/inspection manhole by LRW personnel.

- G. Whenever deemed necessary, the CEO may require the pretreatment system operator(s) to be licensed in accordance with the State of Arkansas' Regulation Number 3, including all amendments thereto, for the operation of industrial wastewater treatment systems.

3.3 Accidental Discharge/Slug Control Plans

The CEO shall evaluate whether each Significant Industrial User needs an accidental discharge/slug control plan or other action to control slug discharges. The CEO may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the CEO may develop such a plan for any User. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the CEO of any accidental or slug discharge, as required by Section 6.7 of this Ordinance; and

- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

3.4 Hauled Wastewater

- A. Septic tank waste originating from domestic sources may be introduced into the POTW only at locations designated by the CEO, and at such times as are established by the CEO. Such waste shall not violate Section 2 of this Ordinance or any other requirements established by the CEO. The CEO may require septic tank waste haulers to obtain wastewater discharge permits.
- B. Other hauled liquid wastes may be introduced into the POTW also, with prior approval of the CEO. These other wastes may include, but are not limited to, landfill leachate and waters associated with the removal of underground petroleum storage tanks (BTEX waters). The acceptance of such waters for introduction to the POTW shall comply with Little Rock Wastewater current policies on the acceptance of landfill leachate and BTEX.

The CEO may require haulers of industrial waste to obtain individual or general wastewater discharge permits. The CEO also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this Ordinance.

Industrial waste haulers may discharge loads only at locations designated by the CEO. No load may be discharged without prior consent of the CEO. The CEO may collect samples of each hauled load to ensure compliance with applicable Standards. The CEO may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

- C. The CEO shall require all haulers of liquid wastes discharged into the POTW to use the LRW manifest system for each load of hauled liquid waste. This form must contain, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of waste and state whether any wastes are RCRA hazardous wastes.

- D. Waste Haulers of waste materials removed from grease interceptors, solids traps or other such devices shall not, at any time, discharge any material retained by such devices back into the sanitary sewer collection system.

SECTION 4 - WASTEWATER DISCHARGE PERMITS

4.1 Wastewater Survey

When requested by the CEO, all Industrial Users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The CEO is authorized to prepare a form for this purpose and may periodically require Industrial Users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the Industrial User and shall be considered a violation of this Ordinance.

4.2 Permit Requirements

- A. All significant industrial dischargers are required to have a valid Class "C" or Class "S" Industrial Wastewater Discharge Permit. A Class "C" Industrial Wastewater Discharge Permit will be issued to any industrial user with processes subject to a Categorical Pretreatment Standard and a Class "S" Industrial Discharge Permit will be issued to all other significant industrial dischargers. A Class "N" Industrial Wastewater Discharge Permit or General Control Permit may be issued to any non-significant industrial or commercial customer when it is deemed necessary by the CEO. All Industrial Wastewater Discharge Permits issued by the CEO to Industrial Users or dischargers will have a specific Discharge Permit Number corresponding to the type of permit issued, e.g., C-04, S-32, N-15.

No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the CEO, except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this Ordinance may continue to discharge for the time period specified therein.

- B. The CEO may also require any other Users to obtain wastewater discharge permits as necessary to carry out the purposes of this Ordinance.
- C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this Ordinance and subjects the wastewater discharge permittee to

the sanctions set out in Sections 10 through 12 of this Ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

4.3 Permitting - Existing Connections

Any existing Industrial User identified by LRW and required by the CEO to obtain an Industrial Wastewater Discharge Permit shall be notified by the CEO in writing and shall complete and return an Industrial Wastewater Discharge Permit Application within the time established by the CEO. The CEO may deny or condition the contribution of pollutants by such User in the Industrial Wastewater Discharge Permit.

4.4 Permit - New Connections

Any User required by the CEO to obtain an individual wastewater discharge permit or a general permit who proposes to begin or recommence discharging industrial wastes into the POTW must obtain a discharge permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence. The CEO may deny or condition the contribution of pollutants by such User in the Industrial Wastewater Discharge Permit.

4.5 Application Contents

All Users required to obtain an individual wastewater discharge permit or general permit by the CEO shall submit an Industrial Wastewater Discharge Permit Application to LRW, the form for which shall be provided by LRW. The information required in the Permit Application shall, where requested or appropriate, include, but is not limited to:

- A. Name, address, and location of the Industrial User or discharger and the name of the operator and owner with contact information.
- B. Standard Industrial Classification Number (SIC Code).
- C. The nature and concentrations of any pollutants or materials prohibited or regulated by this Ordinance, including the EPA's Priority Pollutant Listing for each pollutant or material.

- D. The time of day and duration of each discharge.
- E. The average daily and maximum daily flow rates including any daily, monthly, or seasonal variations. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in Section 2.2.C of this Ordinance(40 CFR 403.6(e)).
- F. Site plans and details showing all plumbing including storm and sanitary sewers, sewer connections, manholes, sampling/inspection manholes, the location and description of any pretreatment equipment, and the appropriate location for monitoring all wastes covered by the permit.
- G. A description of facilities, activities, and plant processes including all materials which are or may be discharged to the public sewer.
- H. A list of all raw materials used at the facility including MSDS (Material Safety Data Sheets) for all chemicals that are used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.
- I. Compliance schedules, where applicable, which meet applicable requirements of the Federal Regulations.
- J. Any other information as may be deemed necessary by the CEO to evaluate the wastewater discharge permit application.
- K. Environmental Permits. A list of any environmental control permits held by or for the facility.
- L. Measurement of Pollutants.
 - a. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by The CEO, of regulated pollutants in the discharge from each regulated process.
 - c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.11 of this Ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit

- documentation as required by the CEO or the applicable Standards to determine compliance with the Standard.
- e. Sampling must be performed in accordance with procedures set out in Section 6.12 of this Ordinance.

Incomplete or inaccurate applications will not be processed and will be returned to the User for revision. This could result in a delay in the issuance to the discharge permit.

4.6 Application Signatories and Certification

All wastewater discharge permit applications and User reports must be signed by an authorized representative (defined in section 1.4.D) of the User and contain the following certification statement:

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

- A. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the CEO prior to or together with any reports to be signed by an Authorized Representative.

SECTION 5 - WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

5.1 Wastewater Discharge Permit Duration

A wastewater discharge permit shall be issued for a specified time period, not to exceed five(5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five(5) years, at the discretion of the CEO. Each wastewater discharge permit will indicate a specific date upon which it will expire.

5.2 Wastewater Discharge Permit Contents

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the CEO to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the CEO in accordance with Section 5.4 of this Ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- (4) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or Best Management Practices) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and
- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- (6) Requirements to control Slug Discharge, if determined by the CEO to be necessary

B. Individual Wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

- (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (3) Requirements for the development and implementation of spill/slug control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
- (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
- (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
- (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
- (8) Other conditions as deemed appropriate by the CEO to ensure compliance with this Ordinance, and State and Federal laws, rules, and regulations.

5.3 Wastewater Discharge Permit Modification

The CEO may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;

- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the POTW and/or its personnel, the receiving waters, or the beneficial use of biosolids;
- E. Violation of any terms or conditions of the wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- H. To correct typographical or other errors in the wastewater discharge permit; or
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator.

5.4 Wastewater Discharge Permit Transfer

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the CEO and the CEO approves the wastewater discharge permit transfer. The notice to the CEO must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

5.5 Wastewater Discharge Permit Revocation

The CEO may revoke a wastewater discharge permit for good cause subject to following the procedure set forth in Section 10

hereinafter, including, but not limited to, the following reasons:

- A. Failure to notify the CEO of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the CEO of changed conditions pursuant to Section 6.6 of this Ordinance;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the CEO timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this Ordinance.

Wastewater discharge permits shall be void upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular User are void upon the issuance of a new wastewater discharge permit to that User.

5.6 Wastewater Discharge Permit Reissuance

A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 4.5 of this Ordinance, a minimum of sixty (60) days prior to the expiration of the User's existing wastewater discharge permit.

The CEO will notify the User of his responsibility to reapply for reissuance of the permit at least ninety (90) days prior to the re-application date.

5.7 Regulation of Waste Received from Other Jurisdictions

- A. All dischargers to the City of Little Rock POTW, which are outside the jurisdiction and are not part of another incorporated city, shall be required to agree by written contract to abide by the conditions set forth in this Ordinance, subsequent revisions and amendments to this Ordinance, and any rules and/or regulations promulgated by the Sewer Committee of the City of Little Rock in accordance with Section 7.1(F) of this Ordinance.

- B. All incorporated cities which discharge to the City of Little Rock POTW shall agree by written contract to adopt an Ordinance which meets the requirements of 40 CFR 403, General Pretreatment Regulations, and will be at least as stringent as the conditions set forth in this Ordinance. This agreement must also contain a provision that allows for the adoption of any and all rules and/or regulations promulgated by the Sewer Committee of the City of Little Rock in accordance with Section 7.1(F) of this Ordinance and shall delegate to the City of Little Rock the powers to enforce the provisions of all laws, rules, and/or regulations adopted in accordance with this Section.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

- A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical Users currently discharging to or scheduled to discharge to the POTW shall submit to the CEO a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical Users subsequent to the promulgation of an applicable categorical standard, shall submit to the CEO a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

B. Users described above shall submit the information set forth below:

- (1) Identifying Information. The name and address of the facility, including the name of the operator and owner.
- (2) Environmental Permits. A list of any environmental control permits held by or for the facility.
- (3) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- (4) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
- (5) Measurement of Pollutants.
 - (a) The categorical pretreatment standards applicable to each regulated process.
 - (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the CEO, of regulated pollutants in the discharge from each regulated process.
 - (c) Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - (d) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.11 of this Ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the CEO or the applicable Standards to determine compliance with the Standard.
 - (e) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - (f) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process

if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

- (g) The CEO may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
 - (h) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.
- (6) Compliance Certification. A statement, reviewed by the User's authorized representative as defined in Section 1.4.D and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 6.2 of this Ordinance.
- (8) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 4.6 of this Ordinance by an authorized Representative as defined in Section 1.4.D of this Ordinance.

6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.1(B)(7) of this Ordinance and/or any compliance schedule issued by the CEO under Section 10.5 of this Ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable pretreatment standards. Such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation;
- B. No increment referred to above shall exceed nine (9) months;
- C. The User shall submit a progress report to the CEO no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- D. In no event shall more than nine (9) months elapse between such progress reports to the CEO.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any User subject to such pretreatment standards and requirements shall submit to the CEO a report containing the information described in Section 6.1(B)(4-6) of this Ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 2.2; 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4.6 of this Ordinance.

6.4 Periodic Compliance Reports

- A. All Significant Industrial Users shall, at a frequency determined by the CEO, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documents required by the CEO or the pretreatment standard necessary to determine the compliance status of the user. All periodic compliance reports must be signed and certified in accordance with Section 4.6 of this Ordinance.
- B. When LRW conducts the sampling and flow data collection for the Significant Industrial User, the reporting requirements listed under 6.4.A. above shall be waived.
- C. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- D. If a User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the CEO, using the procedures prescribed in Section 6.11 of this Ordinance, the results of this monitoring shall be included in the report.
- E. All Significant Industrial Users required by the CEO to submit Periodic Compliance Reports shall use the form supplied by the CEO or other approved form.

6.5 Monthly Self-Monitoring Reports

- A. When required by the CEO, all Industrial Users subject to a National Categorical Pretreatment Standard shall submit a monthly self-monitoring report indicating the nature and concentration and/or mass of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All monthly self-monitoring reports must be signed and certified in accordance with Section 4.6 of this Ordinance.

- B. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- C. If a User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the CEO, using the procedures prescribed in Section 6.11 of this Ordinance, the results of this monitoring shall be included in the report.
- D. All categorical Industrial Users required by the CEO to submit monthly self-monitoring reports shall use the form supplied by the CEO or other approved form.

6.6 Reports of Changed Conditions

Each User must notify the CEO of any planned significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change.

- A. The CEO may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.5 of this Ordinance.
- B. The CEO may reissue a wastewater discharge permit under Section 5.6 of this Ordinance or modify an existing wastewater discharge permit under Section 5.3 of this Ordinance in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants.
- D. No User shall implement the planned change condition(s) until and unless the CEO has responded to the Users notice.

6.7 Reports of Potential Problems

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a slug discharge or a slug load, that may cause potential problems for the POTW,

the User shall immediately telephone and notify the CEO of the incident. This notification shall include the location of the discharge, type of waste, concentration, and volume, if known, and corrective actions taken by the User.

- B. Within five (5) days following such discharge, the User shall, unless waived by the CEO, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- D. Significant Industrial Users are required to notify the CEO immediately of any changes at its facility affecting the potential for a Slug Discharge.

6.8 Other Reports - Permitted and Unpermitted Users

All Users shall provide appropriate reports to the CEO as the CEO may require. Such reports may request, but are not limited to, the nature and characteristics of the Users wastewater (industrial waste survey). Failure to complete requested reports or survey shall be considered a violation of this Section and considered reasonable grounds for legal action as provided by this Ordinance.

6.9 Notice of Violation/Repeat Sampling and Reporting

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

If the City performed the sampling and analysis in lieu of the Industrial User, the City will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis.

6.10 Notification of the Discharge of Hazardous Waste

- A. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.6 of this Ordinance. The notification requirement in this section does not apply to pollutants already reported by Users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 6.1, 6.3, 6.4, and 6.5 of this Ordinance.
- B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the CEO, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- D. In the case of any notification made under this section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued thereunder, or any applicable Federal or State law.

6.11 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA. All samples shall be collected at the secure sample point, sample/inspection manhole, or process sampling point as designated by the CEO.

All independent laboratories performing analyses for Industrial Users, including, but not limited to self monitoring reports, Periodic Reports on Continuing Compliance, Baseline Monitoring Reports, and/or split sample verification, shall be certified by the Arkansas Department of Environmental Quality Laboratory Certification Program for the specific analysis being performed. The CEO reserves the right to reject any analysis performed by an independent laboratory that is not duly certified for a particular analysis.

6.12 Sample Collection

- A. If as a result of any sampling and analyses authorized by the CEO, or due to the existence of any other information, the CEO may have sufficient reason to suspect the presence of toxic or prohibited substances as limited or prohibited by this Ordinance to exist in the wastewater discharge of a facility, the CEO may direct the owner or operator of said

facility to have a representative of that facility's wastewater subjected to the appropriate physical, chemical, and biological tests performed by a qualified laboratory acceptable to the CEO. The purpose of such tests shall be to determine the conformance of the wastewater characteristics to this Ordinance. A prompt report shall be made in writing to the CEO by the laboratory stating the results of the tests. The costs associated with the sampling and testing required by this section shall be borne by the owner or operator.

- B. Any sampling, testing, and/or sample delivery associated with duplicate sample analysis in excess of the regularly scheduled sampling and analysis performed by LRW that is requested by an industrial customer for the purpose of assessing a surcharge or enforcement of this Ordinance will be borne by the owner or operator of the facility. The owner or operator of the facility which has a duplicate analysis performed by an independent laboratory will submit a prompt report in writing from the laboratory giving the results of the analyses and all quality assurance information relative to the analyses.
- C. Except as indicated in Section D and E below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the CEO. Where time-proportional composite sampling or grab sampling is authorized by LRW, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by LRW, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- D. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab sample collection techniques.
- E. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab

samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the CEO may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)) and 6.5, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

- F. Sampling and testing shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. The sampling methods performed shall include at a minimum procedures for sample chain of custody, preservation techniques, and holding times.

6.13 Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.14 Record Keeping

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.4. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or LRW, or where the User has been specifically notified of a longer retention period by the CEO.

SECTION 7 - POWER AND AUTHORITY OF INSPECTORS

7.1 Right of Entry: Inspection and Sampling

The CEO shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance and any wastewater discharge

permit or order issued hereunder. Users shall allow the CEO ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties. The CEO may conduct inspection and sampling tasks at a minimum of once a year for every User.

- A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the CEO will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The CEO shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- C. The CEO may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected or sampled shall be promptly removed by the User at the written or verbal request of the CEO and shall not be replaced. The costs of clearing such access shall be born by the User.
- E. Unreasonable delays and/or refusals in allowing the CEO access to the User's premises for the purpose of making an inspection authorized by this section shall be a violation of this Ordinance.
- F. In addition to the provisions of this Ordinance, the Sewer Committee of the City of Little Rock is specifically authorized to make such other reasonable rules and regulations in regard to the construction, use, and operation of sanitary sewers to be connected to, or connecting into, the mains of the Little Rock Wastewater system. Such rules and regulations so made and adopted at a regular meeting of the Sewer Committee shall become effective as follows:

- (1) A public notice of intent to enact and intention of proposed rules and regulations shall be placed in a daily newspaper in the City of Little Rock, Arkansas, one (1) day for each of two (2) successive weeks with a brief summary of the proposed rules and regulations.
- (2) The proposed rules and regulations shall be available for public inspection and reproduction at the office of the CEO of Little Rock Wastewater for thirty (30) days following the first publication of the public notice.
- (3) A correct copy of those rules and regulations shall be filed for permanent record with the City Clerk of the City of Little Rock together with any written objections to the proposed rules and regulations at the end of the thirty (30) day public review period.
- (4) Said rules and regulations shall become effective on the filing of said copy for permanent record with the City Clerk.

7.2 Search Warrants

If the CEO has been refused access to a building, structure, or property, or any part thereof, and if the CEO 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 and/or sample as part of a routine inspection and sampling program of LRW designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then upon application and affidavit by the Little Rock Sanitary Sewer Committee by its attorney, the appropriate Municipal Court Judge of the City of Little Rock, Arkansas, may issue a search and/or seizure warrant describing therein the specific location subject to the warrant. The warrant shall specify what, if anything, may be searched and/or seized on the property described. Such warrant shall be served at reasonable hours by the CEO or the Little Rock Sanitary Sewer Committee attorney in the company of a uniformed police officer of the City of Little Rock, Arkansas. In the event of an emergency affecting public health and safety, inspections shall be made without the issuance of a warrant.

SECTION 8 - CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the CEO's inspection and sampling activities, shall be available to the

public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the CEO, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets, secret processes, or proprietary information shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report subject to the provisions of the Arkansas Freedom of Information Act, A.C.A. § 25-19-101 et seq. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NON-COMPLIANCE

The CEO shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, during the previous twelve (12) months, were in significant non-compliance with applicable pretreatment standards and requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D), or (H) of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

- C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the CEO determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the CEO's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report non-compliance; or
- H. Any other violation(s), which may include a violation of Best Management Practices, which the CEO determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Non-compliance Incident

Whenever the CEO or his designated agent finds that any User has violated or is violating this Ordinance, a wastewater discharge permit or order issued hereunder, or any other requirement, the CEO or his agent may notify the User of non-compliance. This notification may be oral or written. Within thirty (30) days of the receipt of the notice of non-compliance incident, the User must notify LRW of the reason for the non-compliance and the steps taken to prevent any recurrence. Submission of this information in no way relieves the User of liability for any violation occurring before or after receipt of the notice of the non-compliance incident. Nothing in this section shall limit the authority of LRW to take any action, including emergency actions or any other enforcement action, without first issuing a notice of a non-compliance incident.

10.2 Notice of Violation

When the CEO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the CEO shall serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the CEO. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the CEO to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

10.3 Consent Orders

The CEO is authorized to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any User responsible for non-compliance. Such orders, assurances, or other similar documents will include specific action to be taken by the User to correct the non-compliance within a time period specified by the document. Such order, assurances, or other similar documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this Ordinance and shall be judicially enforceable.

10.4 Show Cause Hearing

- A. The CEO may order any User which causes or contributes to violation(s) of this Ordinance, wastewater discharge permits, or orders issued hereunder, or any other pretreatment standard or requirement, to appear before the Sewer Committee and show cause why a proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the User show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User. Whether or not the User appears as ordered, immediate enforcement action may be pursued following the hearing date. A show cause hearing shall not be a prerequisite for taking any other enforcement action.

- B. The Sewer Committee may itself conduct the show cause hearing and take the evidence or the Sewer Committee or its Chairman may designate the CEO to:
- (1) Issue in the name of the Sewer Committee notices of hearings requiring attendance, testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
 - (2) Take the evidence; and
 - (3) Transmit a report of the evidence and hearing, including transcripts and other evidence together with recommendations to the Sewer Committee for action thereon.
- C. At any hearing held pursuant to this Ordinance, any testimony taken must be under oath and be recorded by cassette tape. Any party desiring stenographic recording may provide the same at its own expense. A copy of a cassette tape or of the stenographic recorded transcript will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof (such as postage, printing, copying expense, etc.). Any decision made as a consequence of any hearing held pursuant to this Ordinance shall be subject to review by appeal to the Circuit Court of Pulaski County, in accordance with the law of Arkansas.
- D. Following the show cause hearing, the hearing officer, if other than the Sewer Committee, shall within ten (10) days after the hearing submit his findings and recommendations to the members of the Sewer Committee. Following receipt of the recommendations, the Sewer Committee shall consider the findings and recommendations at its next regularly scheduled meeting or at any special meeting called for that purpose at which meeting the Sewer Committee shall take such action as it deems necessary. Within fifteen (15) days after consideration of the matter, the Sewer Committee shall have served on all parties the action recommended. If the Sewer Committee finds that legal action should be brought against the User for the violation(s), the Sewer Committee may institute such action to seek such civil and/or equitable relief including but not limited to injunctive relief, as may be appropriate; provided, however, that no suit to collect civil or criminal penalties may be initiated until after such time that a resolution authorizing such suit is duly adopted by the Sewer Committee pursuant to A.C.A. § 8-4-103 (g) (1) & (2).

Additionally, the Sewer Committee, through the CEO, may issue to any User in violation, notice that following a specified period of time, the sewer service will be discontinued unless its pretreatment facility shall have installed adequate devices or other related appurtenances are properly operated. Other orders and directives as necessary and appropriate may be issued.

An order directing the cessation of sewer service shall not preclude legal or equitable action as the Sewer Committee may deem appropriate under the circumstances.

10.5 Compliance Orders and Schedules

When the CEO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the CEO may issue an order or schedule to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued subject to notice and right to a hearing as provided herein unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the non-compliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.6 Cease and Desist Orders

When the CEO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the User's past violations are likely to recur, the CEO may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and,
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened

violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.7 Administrative Fines

- A. When the CEO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the CEO may fine such User in an amount not to exceed \$1,000.00. Such fines shall be assessed on a per violation basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation. Each day of a continuing violation shall be deemed a separate violation.
- B. Users desiring to dispute such fines must file a written request for the CEO to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Where a request has merit, the CEO may convene a hearing on the matter. In the event the User's request is granted, the payment, together with any interest accruing thereto, shall be returned to the User. The CEO may add the costs of preparing administrative enforcement actions, such as notices and orders, to a fine. Collection of a fine can only be effected in a court of competent jurisdiction.
- C. Issuance or pursuit of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User, and in no event shall legal proceedings be initiated to collect said fine or penalty without a resolution of the Sewer Committee authorizing such court action.

10.8 Emergency Suspensions

The CEO may immediately suspend a User's discharge, after notice to the User and a hearing within five (5) days of the suspension, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The CEO may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the CEO 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, or endangerment to any individuals. The CEO may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the CEO that the period of endangerment has passed, unless the termination proceedings in Section 10.9 of this Ordinance are initiated against the User.

- B. A User who is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the CEO prior to the date of any show cause or termination hearing under Sections 10.4 or 10.9 of this Ordinance.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

10.9 Termination of Discharge

In addition to the provisions in Section 5.5 of this Ordinance, any User who violates the following conditions of this Ordinance, wastewater discharge permits, or orders issued pursuant to any provision of this Ordinance may be subject to discharge permit termination:

- A. Violation of wastewater discharge permit conditions;

- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;

- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or

- E. Violation of the pretreatment standards in Section 2 of this Ordinance. Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 10.4 of this Ordinance why the

proposed action should not be taken. Exercise of this option by the CEO shall not be a bar to, or a prerequisite for, taking any other action against the User.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief

When the CEO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Sewer Committee may commence proceedings for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Ordinance on activities of the User. The Sewer Committee may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A complaint for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.2 Civil Penalties

- A. A User who has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to LRW for a maximum civil penalty of \$1,000.00 per violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation; and, each day of a continuing violation may be deemed a separate violation.
- B. The CEO may recover all costs recoverable under the law of Arkansas, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by LRW.
- C. In determining the amount of civil liability, a Court of competent jurisdiction may take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- D. Filing a suit for civil or criminal penalties shall not be a bar against, or a prerequisite for, taking any other action

against a User, provided, that no such suit to collect civil or criminal penalties shall be commenced without a resolution of the Sewer Committee authorizing such court action.

- (1) For Users with properties located within the corporate limits of the City of Little Rock, no suit to collect civil or criminal penalties or fines may be initiated until after such time that a resolution authorizing the suit is duly adopted by the Sewer Committee, as the governing body pursuant to Ark. Code Ann § 8-4-103.
- (2) For Users with properties located outside the corporate limits of the City of Little Rock, the Board of Directors of the City of Little Rock hereby delegates authority to the Sewer Committee to be the governing body to authorize, by resolution, legal actions to collect civil or criminal penalties or fines.

11.3 Criminal Prosecution

- A. A User who willfully or negligently violates any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 per violation or imprisonment for such term as allowed by law or both; provided that no criminal prosecution may be commenced without a prior resolution of the Sewer Committee authorizing such prosecution.
- B. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least one hundred dollars (\$100.00) but not more than five hundred dollars (\$500.00) for any one (1) specified offense or violation thereof, and not less than one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) for each repetition of such event or violation, or be subject to imprisonment for such term as allowed by law, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- C. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate

any monitoring device or method required under this Ordinance shall, upon conviction, be punished by a fine of at least one hundred dollars (\$100.00) but not more than five hundred dollars (\$500.00) for any one (1) specified offense or violation thereof, and not less than one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) for each repetition of such event or violation, or be subject to imprisonment for such term as allowed by law, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

11.4 Remedies Nonexclusive

The remedies provided for in this Ordinance are not exclusive. The CEO may take any, all, or any combination of these actions against a non-compliant User. Enforcement of pretreatment violations will generally be in accordance with LRW's enforcement response plan. However, the CEO may take other action against any User when the circumstances warrant. Further, the CEO is empowered to take more than one enforcement action against any non-compliant User.

SECTION 12 - SUPPLEMENTAL ENFORCEMENT ACTION

12.1 Performance Bonds

The CEO may decline to issue or reissue a wastewater discharge permit to any User who has failed to comply with any provision of this Ordinance, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such User first files a satisfactory bond, payable to the Sewer Committee, in a sum not to exceed a value determined by the CEO to be necessary to achieve consistent compliance.

12.2 Liability Insurance

The CEO may decline to issue or reissue a wastewater discharge permit to any User who has failed to comply with any provision of this Ordinance, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

12.3 Public Nuisances

A violation of any provision of this Ordinance, an individual wastewater discharge permit, a general permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the CEO. Any person(s) creating a public nuisance shall be subject to the provisions of the City Code for the City of Little Rock governing such nuisances, including reimbursing the City and/or the Sewer Committee for any costs incurred in removing, abating, or remedying said nuisance.

12.4 Payment of Outstanding Fees and Penalties

The CEO may decline to issue or reissue an individual wastewater discharge permit or a general permit to any User who has failed to pay any outstanding fees, fines, or penalties incurred as a result of any provision of this Ordinance, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder.

SECTION 13 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

13.1 Upset

- A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary non-compliance with categorical pretreatment standards because of forces beyond the reasonable control of the User. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An upset shall constitute an affirmative defense to an action brought for non-compliance with categorical pretreatment standards if the requirements of paragraph (C), below, are met.
- C. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and the User can identify the cause(s) of the upset;

- (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - (3) The User has submitted the following information to the CEO within twenty-four (24) hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five (5) days:
 - (a) A description of the indirect discharge and cause of non-compliance;
 - (b) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.
- D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for non-compliance with categorical pretreatment standards.
- F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

13.2 Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for non-compliance with the general prohibitions in Section 2.1(A) of this Ordinance or the specific prohibitions in Sections 2.1(B)(3) through (18) of this Ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- A. A local limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the pass through or interference; or
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when LRW was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

13.3 Bypass

- A. For the purposes of this section,
 - (1) "Bypass" means the intentional diversion of wastestreams from any portion of a User's treatment facility.
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A User may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this section.
- C.
 - (1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the CEO at least ten (10) days before the date of the bypass, if possible.
 - (2) A User shall submit oral notice to the CEO of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The

CEO may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

- D. (1) Bypass is prohibited, and the CEO may take an enforcement action against a User for a bypass, unless
- (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (c) The User submitted notices as required under paragraph (C) of this section.
- (2) The CEO may approve an anticipated bypass, after considering its adverse effects, if the CEO determines that it will meet the three conditions listed in paragraph (D)(1) of this section.

SECTION 14 - EXTRA STRENGTH SURCHARGE RATES

14.1 General

The CEO may at any time collect appropriate samples from any Industrial or Commercial User's discharge and conduct analyses to determine the concentrations of BOD/COD, TSS, pH, and Oil and Grease (O&G). If the sampling and analyses performed by the CEO or his designated assistant indicates concentrations of BOD/COD, TSS, and O&G exceeding the limits set forth in 14.2 below, he shall compute an extra strength surcharge as set by the existing Sewer Rate Ordinance, and the owner shall be liable for payment of the amount thereof. The collection of an extra strength surcharge is not a penalty, but rather allows LRW to defray the costs of treating industrial wastewater concentrations that are above average domestic wastewater concentrations. The surcharge shall be considered a sewer charge for which the owner shall be liable in accordance with the applicable law of the State of Arkansas, as amended and upon default in such payment, LRW shall be entitled to those remedies set forth in said statute.

14.2 Computations

The extra strength surcharge shall be calculated in accordance with the provisions of the applicable rate Ordinance (the same being incorporated by reference) using the following limits and calculations:

- 1) BOD in excess of 250 mg/L
- 2) COD in excess of 400 mg/L
- 3) TSS in excess of 250 mg/L
- 4) O&G in excess of 50 mg/L

$$\begin{aligned} \text{SURCHARGE} = & [(\text{BOD}_x - 250 \text{ mg/L}) (8.34) (V) (A)] \text{ or} \\ & [(\text{COD}_x - 400 \text{ mg/L}) (8.34) (V) (A)] + \\ & [(\text{TSS}_x - 250 \text{ mg/L}) (8.34) (V) (B)] + \\ & [(\text{O\&G}_x - 50 \text{ mg/L}) (8.34) (V) (C)] \end{aligned}$$

Where:

BOD _x	=	concentration of BOD in mg/L
COD _x	=	concentration of COD in mg/L
TSS _x	=	concentration of TSS in mg/L
O&G _x	=	concentration of O&G in mg/L
8.34	=	weight of one gallon of water, pounds
V	=	flow in million gallons per month
A	=	unit charge for BOD/COD
B	=	unit charge for TSS
C	=	unit charge for O&G

SECTION 15 - MISCELLANEOUS PROVISIONS

15.1 Pretreatment Charges and Fees

The CEO may adopt fees for reimbursement of costs of setting up and operating the Little Rock Wastewater Pretreatment Program which may include, but is not limited to the following:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications and reviewing construction plans;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of sample collection and analyzing a User's discharge, and reviewing monitoring reports or BMP's and certification statements submitted by Users;
- C. Fees for reviewing and responding to accidental discharge, including reasonable costs incurred for labor, materials,

and proper disposal of incompatible wastes not subject to treatment by the POTW Treatment Plant;

- D. Fees for reviewing written requests for discharge of special wastes;
- E. Fees for filing appeals; and
- F. Other fees as the CEO may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees, fines, and penalties chargeable by the City.

SECTION 16 - SEVERABILITY

The provisions of this Ordinance are severable, and if any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction, it shall not affect the remainder of this Ordinance and the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

SECTION 17 - REPEAL OF PRIOR ORDINANCE

All Ordinances and parts of Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict, including, but not limited to, Ordinance No. 17,966, adopted on March 16, 1999.

SECTION 18 - AUTHORITY OF LITTLE ROCK SANITARY SEWER COMMITTEE, EFFECTIVE DATE, DECLARING AN EMERGENCY

The City Board of Directors of the City of Little Rock has determined that it is essential that the Little Rock Sanitary Sewer Committee should have the authority to regulate the use of public and private sewers in accordance with the provisions contained in this Ordinance in order to accomplish the purposes thereof. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public health, safety, and welfare, shall be in full force and effect immediately after its passage and approval.

PASSED: December 21, 2007

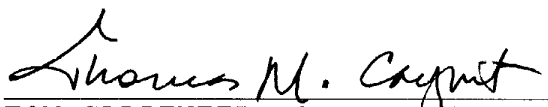
APPROVED:


MAYOR MARK STODOLA

ATTEST:


CITY CLERK NANCY WOOD

APPROVED:


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