

CODE OF ORDINANCES SAVANNAH, GEORGIA

DIVISION II

PART 5 - MUNICIPAL UTILITIES^[1]

CHAPTER 2. - SEWAGE COLLECTION AND DISPOSAL^[4]

ARTICLE C. - INDUSTRIAL PRETREATMENT

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Sec. 5-2041. - General provisions; purpose.

The purpose of this article is to establish additional rules and regulations for the direct or indirect discharge of nondomestic wastewaters into the wastewater systems of the City of Savannah:

- a. Implement the national pretreatment standards;
- b. Prevent the introduction of pollutants into the wastewater system which will pass through or interfere with the treatment processes of city's wastewater treatment plants or which may contaminate sewage sludge;
- c. Prevent the introduction of pollutants into the wastewater treatment system which will not be compatible with the treatment process and cause city's treatment plant facility(s) violation under its National Pollutant Discharge Elimination System (NPDES) permit and the applicable rules of all governmental authorities with the jurisdiction over such discharges;
- d. Protect health and safety of the personnel and the general public;
- e. Authorize the issuance of wastewater discharge permits; provide for monitoring, compliance, and enforcement activities; establish administrative review procedures; and require industrial user reporting.

(Ord. of 12-8-1998(6), § 2(I); Ord. of 6-6-2019(21), § 1)

Effective on: 12/11/2020

Sec. 5-2042. - Limitations on wastewater discharges.

- a. *Local limits.* The following pollutant limits are established to protect against pass through and interference at each of the city facilities. No user shall discharge wastewater in excess of the concentrations set forth in column A below,

unless alternative limits are granted in a valid permit to discharge industrial wastewater. Tabulated in column B are the maximum headworks concentrations. Should the concentrations in column B be exceeded, the discharge limits of the industrial users may be reduced to alternative limits, to be set by the administrator, to ensure that the concentration levels in column B are not exceeded.

Limitations on Wastewater Discharge		
	Column A Maximum Daily Limit (mg/l)	Column B Maximum Headworks Limit (mg/l)
<i>President Street</i>		
Ammonia	129	52
BOD ₅	1,350	340
COD	2,700	760
FOG	100	
TSS	750	1600
Cyanide (T)	0.49	0.137
Arsenic	0.26	0.036
Cadmium	0.17	0.027
Copper	1.94	0.357
Lead	1.44	0.298
Mercury	0.14	0.018
Molybdenum	0.03	0.032
Nickel	1.52	0.216
Selenium	0.04	0.043
Zinc	1.34	0.381
<i>Regional Plants</i>		
Ammonia	32	34
BOD ₅	850	320
COD	1,300	730
FOG	100	
TSS	280	300
Bis(2-Chloroethyl)Ether	0.003	0.001
Bis(2-Ethylhexyl)Phthalate	0.013	0.008
Cyanide (T)	0.082	0.017
Arsenic	0.15	0.045
Cadmium	0.008	0.001
Chromium	2.37	0.412
Copper	0.14	0.064
Lead	0.058	0.006
Mercury	0.002	0.00003
Molybdenum	0.08	0.041
Nickel	1.42	0.273
Selenium	0.06	0.010
Silver	0.11	0.036
Zinc	0.88	0.381

In addition, the administrator may limit the discharge of other specific substances not listed above on a case-by-case basis, if the discharge of that substance is shown to interfere with the operation or performance of the receiving POTW or would violate any receiving stream water quality standards upon discharge. All concentrations for metallic substances are for "total" metals. The administrator may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

- b. *Right of revision.* The city reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the wastewater system.
- c. *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 pretreatment requirement. The administrator may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or pretreatment requirements, or in other cases when the imposition of mass limitations is appropriate.
- d. When required by the administrator, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be constructed in accordance with the plans approved by the city engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- e. *State pretreatment standards.* State pretreatment standards located in the Rules of Georgia Department of Natural Resources, Environmental Protection Division, chapter 391-3-6 are hereby incorporated.
- f. *National categorical standards.* Nothing in this article shall be construed as preventing the city from imposing on industries national categorical standards, as they are promulgated. The national categorical pretreatment standards found at 40 CFR chapter 1, subchapter N, parts 405—471, are hereby incorporated by reference.
- g. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the administrator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- h. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the administrator shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).
- i. An industrial user may obtain a variance from a categorical pretreatment standard if the industrial user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- j. An industrial user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

(Ord. of 12-8-1998(6), § 2(II); Ord. of 6-6-2019(21), § 1)

Effective on: 12/11/2020

Sec. 5-2043. - Control of industrial wastewater discharges.

- a. *Submission of plans.* Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater system is required, plans, specifications, schedules for completion and compliance, and any other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the administrator for review. The review of these documents does not relieve and/or exempt the industry, designer(s) and contractor(s) nor their representative from their individual or collective responsibility to comply with the applicable provisions of the local, state and/or federal regulations. Any subsequent alterations or additions to such pretreatment or flow control facilities shall not be made without due notice to and prior review by the administrator.
- b. *Pretreatment facilities operations.* If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost

and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

- c. *Protection from accidental discharge/slug control; accidental discharge/slug control plan.* Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the administrator, for review, and shall be approved by him before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this chapter. The accidental discharge/slug control plan shall be updated at a minimum of every two years. The accidental discharge/slug control plan shall address, at a minimum, the following:
 - 1. Description of discharge practices, including nonroutine batch discharges;
 - 2. Description of stored chemicals;
 - 3. Procedures for immediately notifying the administrator of any accidental or slug discharge, as required by section 5-2045(f) of this chapter; and
 - 4. 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.
- d. *Hauled wastewater.*
 - 1. *Septage.* Septic tank waste may be introduced into the wastewater system only at locations designated by the administrator and at such times as are established by the administrator. Such waste shall not violate section 5-2008(a) of this chapter or any other requirements established by the city. The administrator may require septic tank waste haulers to obtain wastewater discharge permits.
 - 2. *Hauled industrial wastewater.*
 - A. The administrator may require haulers of industrial waste to obtain wastewater discharge permits.
 - B. Generators of hauled industrial waste may be required to obtain wastewater discharge permits.
 - C. Hauled wastewater shall be discharged only at the designated locations.
 - D. The industrial waste hauler may be required to provide a wastewater analysis of any load prior to discharge.
 - E. Industrial waste haulers shall provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial 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 industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

(Ord. of 12-8-1998(6), § 2(III); Ord. of 6-6-2019(21), § 1)

Effective on: 12/11/2020

Sec. 5-2044. - Industrial wastewater discharge monitoring.

- a. *Wastewater discharge permit application.*
 - 1. *Wastewater analysis.* When requested by the administrator, an industrial user must submit information on the nature and characteristics of its wastewater within 30 days of the request. The administrator is authorized to prepare a form for this purpose and may periodically require industrial users to update this information.
 - 2. *Wastewater discharge permit requirement.*

- A. No significant industrial user shall discharge wastewater into the wastewater system without first obtaining a wastewater discharge permit from the administrator, except that a significant industrial user that has filed a timely application pursuant to subsection (a)(3) of this section may continue to discharge for the time period specified therein.
 - B. The administrator may require other industrial users to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.
 - C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or pretreatment requirements or with any other requirements of federal, state, and local law.
3. *Wastewater discharge permitting; existing connections.* Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this chapter [December 8, 1998] and who wishes to continue such discharges in the future shall, within 30 days after said date, apply to the administrator for a wastewater discharge permit in accordance with subsection (a)(5) of this section, and shall not cause or allow discharges to the POTW to continue after 60 days of the effective date of this chapter [December 8, 1998] except in accordance with a wastewater discharge permit issued by the administrator. Those industrial users holding a valid wastewater discharge permit shall, within 60 days after said date, apply to the administrator for a wastewater discharge permit in accordance with subsection (a)(5) of this section, and shall not cause or allow discharges to the POTW to continue after 180 days of the effective date of this chapter [December 8, 1998].
4. *Wastewater discharge permitting; new connections.* Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with subsection (a)(2) of this section, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.
5. *Wastewater discharge permit application contents.* All users required to obtain a wastewater discharge permit must submit a permit application. The administrator may require all users to submit as part of an application the following information:
- A. All information required by section 5-2045(a) of this chapter;
 - B. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - C. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - D. Each product produced by type, amount, process or processes, and rate of production;
 - E. Type and amount of raw materials processed (average and maximum per day);
 - F. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
 - G. Time and duration of discharges; and
 - H. Any other information as may be deemed necessary by the administrator to evaluate the wastewater discharge permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the industrial user for revision.

6. *Application signatories and certification.* All wastewater discharge permit applications and industrial user reports must be signed by an authorized representative of the industrial 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."

7. *Wastewater discharge permit decisions.* The administrator will evaluate the data furnished by the industrial user and may require additional information. Within 30 days of receipt of a complete wastewater discharge permit application, the administrator will determine whether or not to issue a wastewater discharge permit. The administrator may deny any application for a wastewater discharge permit.

b. *Wastewater discharge permit issuance process.*

1. A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the administrator 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. A wastewater discharge permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five years, at the discretion of the administrator. Each wastewater discharge permit will indicate a specific date upon which it will expire. Each permit shall expire at 12:00 midnight on the date of expiration;
 - B. Effluent limits based on applicable pretreatment standards;
 - C. Self-monitoring, sampling, reporting, notification, and recordkeeping requirements. Including an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law;
 - D. 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; and
 - E. A statement of nontransferability without prior notification to the city in accordance with subsection (e) of this section.
2. Wastewater discharge permits may contain, but need not be limited to, the following conditions:
 - A. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - B. 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;
 - C. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
 - D. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - E. The unit charge or schedule of industrial user charges and fees for the management of the wastewater discharged to the POTW;
 - F. Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - G. 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

- H. Other conditions as deemed appropriate by the administrator to ensure compliance with this chapter, and state and federal laws, rules, and regulations.
- c. *Wastewater discharge permit appeals.* The administrator shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the industrial user, may petition the administrator to reconsider the terms of a wastewater discharge permit within 30 days of its issuance.
1. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 2. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
 3. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
 4. If the administrator fails to act within 30 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
 5. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing an action with the Superior Court of Chatham County within 30 days.
- d. *Wastewater discharge permit modification.* The administrator may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised federal, state, or local pretreatment standards or pretreatment requirements;
 2. To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
 3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 4. Information indicating that the permitted discharge poses a threat to the city's POTW, city personnel, or the receiving waters;
 5. Violation of any terms or conditions of the wastewater discharge permit;
 6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 7. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 8. To correct typographical or other errors in the wastewater discharge permit; or
 9. To reflect a transfer of the facility ownership or operation to a new owner or operator.
- e. *Wastewater discharge permit transfer.* Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 90 days' written advance notice to the administrator and the administrator approves the wastewater discharge permit transfer. The notice to the administrator must include a written certification by the new owner or operator which:
1. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 2. Identifies the specific date on which the transfer is to occur; and
 3. 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.
- f. *Wastewater discharge permit revocation.* The administrator may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

1. Failure to notify the administrator of significant changes to the wastewater prior to the changed discharge;
2. Failure to provide prior notification to the administrator of changed conditions pursuant to section 5-2045(e) of this chapter;
3. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
4. Falsifying self-monitoring reports;
5. Tampering with monitoring equipment;
6. Refusing to allow the administrator timely access to the facility premises and records;
7. Failure to meet effluent limitations;
8. Failure to pay fines;
9. Failure to pay sewer charges;
10. Failure to meet compliance schedules;
11. Failure to complete a wastewater survey or the wastewater discharge permit application;
12. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
13. Violation of any pretreatment standard or pretreatment requirement, or any terms of the wastewater discharge permit or this chapter.

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

- g. *Wastewater discharge permit reissuance.* An industrial user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with subsection (a)(5) of this section, a minimum of 90 days prior to the expiration of the industrial user's existing wastewater discharge permit.
- h. *Regulation of waste received from other jurisdictions.*
1. If another municipality, or industrial user located within another municipality, contributes wastewater to the POTW, the administrator shall enter into an intergovernmental agreement with the contributing municipality.
 2. Prior to entering into an agreement required by subsection (h)(1), above, the administrator shall request the following information from the contributing municipality:
 - A. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - B. An inventory of all industrial users located within the contributing municipality that are discharging to the POTW; and
 - C. Such other information as the administrator may deem necessary.
 3. An intergovernmental agreement, as required by subsection (h)(1), above, shall contain the following conditions:
 - A. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this chapter and local limits which are at least as stringent as those set out in section 5-2008 of this chapter. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the city's ordinance or local limits;
 - B. A requirement for the contributing municipality to submit to the administrator a revised industrial user inventory on at least an annual basis;
 - C. A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the administrator;
 - D. A requirement for the contributing municipality to provide the administrator with access to all information that the contributing municipality obtains as part of its pretreatment activities;

- E. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
- F. Requirements for monitoring the contributing municipality's discharge;
- G. A provision ensuring the administrator access to the facilities of industrial users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the administrator; and
- H. A provision specifying remedies available for breach of the terms of the intergovernmental agreement.

(Ord. of 12-8-1998(6), § 2(IV); Ord. of 6-6-2019(21), § 1)

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Sec. 5-2045. - Industrial wastewater discharge reports.

a. *Baseline monitoring reports.*

1. Within either 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 industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the administrator a report which contains the information listed in subsection (a)(2) below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the administrator a report which contains the information listed in subsection (a)(2)(A-E), 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.
2. Industrial users described above shall submit the information set forth below:
 - A. *Identifying information.* The name and address of the facility, including the name of the operator and owner.
 - B. *Environmental permits.* A list of any environmental control permits held by or for the facility.
 - C. *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 industrial user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 - D. *Flow measurement.* Information showing the measured average daily and maximum daily flow, in gpd, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).
 - E. *Measurement of pollutants.*
 - i. The categorical pretreatment standards applicable to each regulated process.
 - ii. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the administrator, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and longterm average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in subsection (j) of this section.
 - iii. Sampling must be performed in accordance with procedures set out in subsection (k) of this section.
 - F. *Certification.* A statement, reviewed by the industrial user's authorized representative 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.

- G. *Compliance schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. 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 subsection (b) of this section.
- H. *Signature and certification.* All baseline monitoring reports must be signed and certified in accordance with section 5-2044(a)(6) of this chapter.
- b. *Compliance schedule progress reports.* The following conditions shall apply to the compliance schedule required by subsection (a)(2)(G) of this section:
1. 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 industrial 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);
 2. No increment referred to above shall exceed nine months;
 3. The industrial user shall submit a progress report to the administrator no later than 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 industrial user to return to the established schedule; and
 4. In no event shall more than nine months elapse between such progress reports to the administrator.
- c. *Categorical pretreatment standard deadline reports.* Within 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 industrial user subject to such pretreatment standards and requirements shall submit to the administrator a report containing the information described in subsection (a)(2)(D-F) of this section. For industrial users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the industrial user's longterm production rate. For all other industrial 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 industrial user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with section 5-2044(a)(6) of this chapter.
- d. *Periodic compliance reports.*
1. All permitted industrial users shall, at a frequency determined by the administrator, 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 controlled by the industrial user's permit. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with section 5-2044(a)(6) of this chapter.
 2. All wastewater samples must be representative of the industrial 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 an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge.
 3. If an industrial user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the administrator, using the procedures prescribed in subsection (k) of this section, the results of this monitoring shall be included in the report.
- e. *Reports of changed conditions.* Each industrial user must notify the administrator of any planned significant changes to the industrial user's operations or system which may alter the nature, quality, or volume of its wastewater at least 90 days before the change.

1. The administrator may require the industrial 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 5-2044(a)(5) of this chapter.
 2. The administrator may issue a wastewater discharge permit under section 5-2044(a)(4) of this chapter or modify an existing wastewater discharge permit under section 5-2044(a)(3) of this chapter in response to changed conditions or anticipated changed conditions.
 3. For purposes of this requirement, significant changes include, but are not limited to, flow increase or decrease of 20 percent or greater, or the discharge of any previously unreported pollutants.
- f. *Reports of potential problems.*
1. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the industrial user shall immediately telephone and notify the administrator 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 industrial user.
 2. Within five days following such discharge, the industrial user shall, unless waived by the administrator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial 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 industrial user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
 3. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in subsection (f)(1), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- g. *Reports from unpermitted industrial users.* All industrial users not required to obtain a wastewater discharge permit shall provide appropriate reports to the administrator as the administrator may require.
- h. *Notice of violation/repeat sampling and reporting.* If sampling performed by an industrial user indicates a violation, the industrial user must notify the administrator within 24 hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the administrator within 30 days after becoming aware of the violation. The industrial user is not required to resample if the administrator monitors at the industrial user's facility at least once a month, or if the administrator samples between the industrial user's initial sampling and when the industrial user receives the results of this sampling.
- i. *Notification of the discharge of hazardous waste.*
1. Any industrial 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 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 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 industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this subsection need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under subsection (e) of this section. The notification requirement in this section does not

apply to pollutants already reported by industrial users subject to categorical pretreatment standards under the self-monitoring requirements of subsections (a), (c), and (d) of this section.

2. Dischargers are exempt from the requirements of subsection (i)(1), above, during a calendar month in which they discharge no more than 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 15 kilograms of nonacute 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 industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
 3. In the case of any new regulations under section 3001 of RCRA identifying any additional characteristics of hazardous wastes or listing any additional substance as a hazardous waste, the industrial user must notify the administrator, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
 4. In the case of any notification made under this section, the industrial 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.
 5. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.
- j. *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 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR 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.
- k. *Sample collection.*
1. Except as indicated in subsection (k)(2), below, the industrial user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the administrator may authorize the use of time proportional sampling or a minimum of four grab samples where the industrial user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with maximum daily limits.
 2. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques. Actual sample type requirements shall be included in the wastewater discharge permit.
- l. *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.
- m. *Recordkeeping.* Industrial users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the industrial user independent of such requirements. 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 years. This period shall be automatically extended for the duration of any litigation concerning the industrial user or the city, or where the industrial user has been specifically notified of a longer retention period by the administrator.

(Ord. of 12-8-1998(6), § 2(V); Ord. of 6-6-2019(21), § 1)

Effective on: 12/11/2020

Sec. 5-2046. - Compliance monitoring.

- a. *Right of entry; inspection and sampling.* The administrator shall have the right to enter the premises of any industrial user to determine whether the industrial user is complying with all requirements of this chapter and any wastewater discharge permit or order issued hereunder. Industrial users shall allow the administrator 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.
1. Where an industrial user has security measures in force which require proper identification and clearance before entry into its premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the administrator will be permitted to enter without delay for the purposes of performing specific responsibilities.
 2. The administrator shall have the right to set up on the industrial user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the industrial user's operations.
 3. The administrator may require the industrial 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 industrial user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.
 4. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or verbal request of the administrator and shall not be replaced. The costs of clearing such access shall be borne by the industrial user.
 5. Unreasonable delays in allowing the administrator access to the industrial user's premises shall be a violation of this chapter.
- b. *Search warrants.* If the administrator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the administrator may seek issuance of a search warrant from the Recorders Court of Chatham County.

(Ord. of 12-8-1998(6), § 2(VI); Ord. of 6-6-2019(21), § 1)

Effective on: 12/11/2020

Sec. 5-2047. - Confidential information.

Information and data on an industrial user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the administrator's inspection and sampling activities, shall be available to the public without restriction, unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the administrator 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 industrial user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes 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. 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.

(Ord. of 12-8-1998(6), § 2(VII))

Sec. 5-2048. - Publication of industrial users in significant noncompliance.

The administrator shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the industrial users which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements.

(Ord. of 12-8-1998(6), § 2(VIII))

Secs. 5-2049—5-2061. - Reserved.