

1 ORDINANCE NO. 2012-262

2
3 SPONSOR Mr. Pry

4
5 DATE June 25, 2012

COMMITTEE Public Works

6
7 **An Ordinance amending Section 921.05(b)(12) of the Codified Ordinances of the County of**
8 **Summit to authorize the Director of the Executive's Department of Environmental Services**
9 **to require any or a combination of U.S. Environmental Protection Agency's approved**
10 **analysis methods to determine a user's compliance with discharging oils and grease into the**
11 **County's sanitary sewer system, for the Executive's Department of Environmental**
12 **Services, and declaring an emergency.**

13
14 WHEREAS, Section 921.05(b)(12) of the Codified Ordinances of the County of Summit
15 prohibits any water or wastes containing free oils, emulsified oils and/or grease exceeding an
16 average of one hundred parts per million of hexane soluble matter, or insufficient amounts to
17 cause pass through or interference; and

18
19 WHEREAS, the Ohio Environmental Protection Agency has conducted a Pretreatment
20 Audit Inspection Report and has determined that the County's Codified Ordinances should grant
21 to the Director of the Executive's Department of Environmental Services ("Director") the
22 specific authority to conduct testing to determine if the levels of oil and grease introduced in the
23 County's sanitary sewer system are being exceeded by sanitary sewer customers. The current
24 language does not specifically authorize the Director to use discretion in requiring the various
25 analysis methods; and

26
27 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
28 that it is necessary and in the best interest of the County of Summit to amend Section
29 921.05(b)(12) to authorize the Director to apply any method or combination of methods of U.S.
30 Environmental Protection Agency approved tests;

31
32 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
33 of Ohio, that:

34
35 SECTION 1

36
37 Section 921.05 of the Codified Ordinances of Summit County is hereby amended as
38 follows:

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40 **"921.05 USE OF PUBLIC SEWERS; PROHIBITED WATERS AND WASTES**

41
42 (a) General Prohibitions. No user shall introduce or cause to be introduced into the POTW
43 any pollutant or wastewater which causes Pass Through or Interference.

44
45 No person shall access the sewer system or POTW for any activity without express
46 permission of the Director. These general prohibitions apply to all users of the POTW whether or
47 not they are subject to categorical pretreatment standards or any other federal, Ohio or County of
48 Summit pretreatment standards or requirements.

49
50 (b) Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW
51 the following pollutants, substances, or wastewater:

3
4 SECTION 1 (cont'd.)

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6 (1) Pollutants that create a fire or explosive hazard in the POTW, including, but not limited
7 to, waste streams with a closed cup flash point of less than 140 degrees Fahrenheit (60 degrees
8 Celsius) using the test methods specified in 40 C.F.R. Section 261.21;

9
10 (2) Wastewater having a pH less than 6.0 or more than 9.0, or otherwise causing corrosive
11 structural damage to the POTW or equipment; unless specifically allowed by a site-specific
12 industrial wastewater discharge permit;

13
14 (3) Any solid or viscous substances in amounts that will cause obstruction of the flow in the
15 POTW resulting in interference;

16
17 (4) Pollutants, including oxygen demanding pollutants (BOD, etc.), released in a discharge at
18 a flow rate and/or pollutant concentration which, either singly or by interaction with other
19 pollutants, will cause interference with the POTW;

20
21 (5) Wastewater having a temperature greater than 104 degrees Fahrenheit (40 degrees
22 Celsius);

23
24 (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in
25 amounts that will cause interference or pass-through;

26
27 (7) Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in
28 a quantity that may cause acute worker health and safety problems;

29
30 (8) Trucked or hauled pollutants, except at discharge points designated by the Director in
31 accordance with Section 925.10 of this Chapter;

32
33 (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or
34 by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or
35 to prevent entry into the sewers for maintenance or repair;

36
37 (10) Wastewater containing any radioactive wastes or isotopes except in compliance with
38 applicable federal or Ohio regulations;

39
40 (11) Sludges, screenings, or other residues from the pretreatment of industrial wastes;

41
42 (12) Any water or wastes containing free oils, emulsified oils and/or grease exceeding an
43 average of one hundred (100) parts per million of hexane soluble matter, or in sufficient amounts
44 to cause pass through or interference. To determine compliance with this requirement, the
45 Director is authorized, in accordance with Section 925.32 of this title, to apply, at his or her
46 discretion, any U.S. Environmental Protection Agency approved analysis method, or a
47 combination of methods, including but not limited to Hexane Extractable Material (HEM) and
48 Hexane Extractable Material - Silica Gel Treated (SGT-HEM).

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6 (13) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface
7 drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water and
8 unpolluted wastewater, unless specifically authorized by the Director. Where allowed, the
9 discharger shall be subject to payment of the applicable clean water charge specified in
10 Chapter 923;

11
12 (14) Medical wastes;

13
14 (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's
15 effluent to fail any toxicity test;

16
17 (16) Detergents, surface active agents or other substances that might cause excessive foaming
18 in the POTW;

19
20 (17) Wastewater causing two readings on an explosion hazard meter at the point of discharge
21 into the POTW, or at any point in the POTW, of more than ten percent (10%) or any single
22 reading over twenty percent (20%) of the Lower Explosive Limit of the meter; and

23
24 (18) Wastewater that imparts color that cannot be removed by the treatment process, such as,
25 but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color
26 to the treatment plant's effluent, thereby violating the County's NPDES Permit.

27
28 (c) Pollutants, substances, or wastewater prohibited by this Section shall not be processed or
29 stored in such a manner that they could be discharged to the POTW.

30
31 (d) Any wastewater that, in the judgment of the Director, may have a deleterious effect on
32 the POTW or which otherwise or that may create a hazard to life or constitute a public nuisance,
33 the Director may:

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35 (1) Refuse to accept the waste water;

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37 (2) Require pretreatment to an acceptable condition in accordance with Part Nine, Title Five
38 of these Ordinances;

39
40 (3) Exert control over the volume and discharge rate; and/or

41
42 (4) Require payment to cover the added cost of handling and treatment of the wastewater not
43 covered by existing taxes or sewer fees and/or user charges.

44
45 (e) If the Director allows wastewater treatment or flow equalization, the design and
46 installation of the facilities and equipment shall be subject to the review and approval of the
47 Director and shall fully comply with all applicable codes, ordinances and laws.

48 (f) All food establishments which maintain a kitchen or other facilities for the preparation of
49 food shall be required to have a grease interceptor meeting all applicable requirements of the
50

3 SECTION 1 (cont'd.)

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5 Environmental Health Code of the Summit County Combined General Health District. Where
6 installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in
7 continuously efficient operation at all times. Grease traps shall be maintained to the satisfaction
8 of the Director and cleaned in accordance with Department requirements at least once every
9 three months. Evidence of such cleaning shall be made available upon request to the Director.
10 Grease interceptors shall not be required for private living quarters or dwelling units.

11
12 (g) All measurements of wastewater characteristics shall be performed in accordance with
13 the latest edition of Standard Methods at a location or locations specified by the Director.

14
15 If no on-site sampling point is specified, samples may be collected at the nearest downstream and
16 upstream manholes in the public sewer to the point at which the user's public sewer lateral is
17 connected.

18
19 (h) No statement contained in this section shall be construed as preventing any special
20 agreement or arrangement between the County and any user whereby an industrial waste of
21 unusual strength or character may be accepted by the County for treatment, subject to payment of
22 appropriate compensation to the Department. Such agreement shall not be in violation of federal
23 or Ohio pretreatment standards.

24
25 (i) No user shall cause slug discharges of water or wastes.

26
27 (j) Each user discharging more than ten percent (10%) of wastewater treatment plant
28 capacity or 100,000 gallons in any one (1) day, may be required to construct and maintain, at the
29 user's own expense, a wastewater flow equalization facility. This facility shall have a capacity of
30 one-half of the facility's average daily wastewater volume. The public sewer outlet shall be
31 equipped with a flow restrictor or other approved devices, the use of which shall be regulated by
32 the Director.”

33
34 SECTION 2

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36 This Ordinance is hereby declared an emergency in the interest of the health, safety and
37 welfare of the citizens of the County of Summit and for the further purpose to immediately grant
38 the Director of the Executive's Department of Environmental Services the necessary authority to
39 better protect the County's sanitary sewer system, as set forth above.

40
41 SECTION 3

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43 Provided this Ordinance receives the affirmative vote of eight members, it shall take
44 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
45 effect and be in force at the earliest time provided by law.
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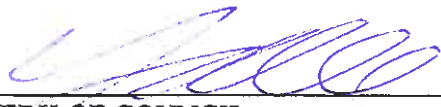
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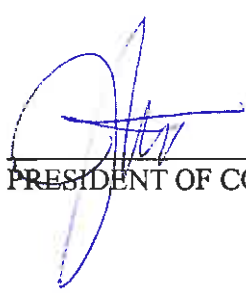
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4 SECTION 4

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6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED June 18, 2012

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15 ADOPTED June 25, 2012

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19 CLERK OF COUNCIL

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23 PRESIDENT OF COUNCIL

24
25 APPROVED June 26, 2012

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27 
EXECUTIVE

ENACTED EFFECTIVE June 26, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro