

1 ORDINANCE NO. 2012-261

2  
3 SPONSOR Mr. Pry

4  
5 DATE June 25, 2012

COMMITTEE Public Works

6  
7 **An Ordinance amending Section 925.32 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 the U.S. Environmental Protection Agency's approved**  
10 **testing methods in pollutant analyses for the County's wastewater discharge permit**  
11 **applications or reports, for the Executive's Department of Environmental Services, and**  
12 **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, Section 925.32 of the Codified Ordinances of the County of Summit, user  
20 must submit information on the nature and characteristics of its wastewater, as requested by the  
21 Director of Environmental Services, in accordance with the techniques prescribed in 40 C.F.R.  
22 Part 136, as amended; and

23  
24 WHEREAS, the Ohio Environmental Protection Agency has conducted a Pretreatment  
25 Audit Inspection Report and has determined that the County's Codified Ordinances must grant to  
26 the Director of the Executive's Department of Environmental Services ("Director") specific  
27 authority to conduct testing to determine if the levels of oil and grease introduced in the County's  
28 sanitary sewer system are being exceeded by sanitary sewer customers. The current language of  
29 Section 925.32 does not specifically authorize the Director to use discretion in requiring the  
30 various testing methods of pollutant analyses; and

31  
32 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
33 that it is necessary and in the best interest of the County of Summit to amend Section 925.32 to  
34 authorize the Director to require any method or combination of methods of testing approved  
35 under 40 C.F.R. Part 136;

36  
37 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State  
38 of Ohio, that:

39  
40 SECTION 1

41  
42 Section 925.32 of the Codified Ordinances of Summit County is hereby amended as  
43 follows:  
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3  
4 SECTION 1 (cont'd.)

5  
6 **“925.32 WASTEWATER ANALYSIS.**

7  
8 (a) When requested by the Director, a user must submit information on the nature and  
9 characteristics of its wastewater within ninety (90) calendar days of the request. The Director is  
10 authorized to prepare a form for this purpose and may periodically require users to update this  
11 information.

12  
13 (b) All pollutant analyses, including sampling techniques, to be submitted as part of a  
14 wastewater discharge permit application or report shall be performed in accordance with the  
15 techniques prescribed in 40 C.F.R. Part 136, as amended, unless otherwise specified in an  
16 applicable categorical pretreatment standard. The Director is authorized to require, at his or her  
17 discretion, one or all of the approved techniques as set forth above. If Part 136 does not contain  
18 sampling or analytical techniques for the pollutant in question, or where the OEPA determines  
19 that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in  
20 question, sampling and analyses shall be performed by using validated analytical methods or any  
21 other applicable sampling and analytical procedures, including procedures suggested by the  
22 Director or other parties approved by OEPA.”

23  
24 SECTION 2

25  
26 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
27 welfare of the citizens of the County of Summit and for the further purpose to immediately  
28 facilitate discretion to the Director in determining the testing required, in order to better protect  
29 the County’s sanitary sewer system, as set forth above.

30  
31 SECTION 3

32  
33 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
34 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
35 effect and be in force at the earliest time provided by law.

36  
37 SECTION 4

38  
39 It is found and determined that all formal actions of this Council concerning and relating  
40 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
41 deliberations of this Council and of any of its committees that resulted in such formal action,  
42 were in meetings open to the public, in compliance with all legal requirements, including Section  
43 121.22 of the Ohio Revised Code.  
44

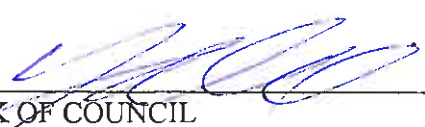
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INTRODUCED June 18, 2012

ADOPTED June 25, 2012

  
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CLERK OF COUNCIL

  
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PRESIDENT OF COUNCIL

APPROVED June 26, 2012

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE June 26, 2012

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