ORDINANCE NO. 2012-262

SPONSOR ———- Mr. Pry ———- COMMITTEE ———- Public Works ———-

DATE June 25, 2012

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

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

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

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

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

SECTION 1

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

"921.05 USE OF PUBLIC SEWERS; PROHIBITED WATERS AND WASTES

(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.

No person shall access the sewer system or POTW for any activity without express permission of the Director. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other federal, Ohio or County of Summit 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:
SECTION 1 (cont'd.)

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

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

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

(4) Pollutants, including oxygen demanding pollutants (BOD, 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 with the POTW;

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

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

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

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

(9) 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;

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

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

(12) Any water or wastes containing free oils, emulsified oils and/or grease exceeding an
average of one hundred (100) parts per million of hexane soluble matter, or in sufficient amounts
to cause pass through or interference. To determine compliance with this requirement, the
Director is authorized, in accordance with Section 925.32 of this title, to apply, at his or her
discretion, any U.S. Environmental Protection Agency approved analysis method, or a
combination of methods, including but not limited to Hexane Extractable Material (HEM) and
Hexane Extractable Material - Silica Gel Treated (SGT-HEM).
(13) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water and unpolluted wastewater, unless specifically authorized by the Director. Where allowed, the discharger shall be subject to payment of the applicable clean water charge specified in Chapter 923;

(14) Medical wastes;

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

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

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

(18) Wastewater that imparts color that 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 County's NPDES Permit.

(c) 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.

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

(1) Refuse to accept the waste water;

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

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

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

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

(f) All food establishments which maintain a kitchen or other facilities for the preparation of food shall be required to have a grease interceptor meeting all applicable requirements of the
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SECTION 1 (cont’d.)

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

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

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

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

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

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

SECTION 2

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

SECTION 3

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

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

INTRODUCED June 18, 2012

ADOPTED June 25, 2012

CLERK 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