



Industrial Wastewater **Control Regulations**

INDUSTRIAL WASTEWATER CONTROL REGULATIONS

TABLE OF CONTENTS

<u>SECTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
1	General Control Regulations	2
2	Industrial Wastewater Discharge Standards	8
3	Industrial Wastewater Discharge Permits	13
4	Recordkeeping	19
5	Confidential Information	19
6	Special Agreements and Contracts	20
7	Right of Entry	20
8	Pretreatment and Monitoring Facilities	21
9	Sampling, Analytical Methods and Reports	22
10	Reporting and Notification Requirements	24
11	Sector Control Programs	29
12	Compliance and Enforcement	41
13	Fees	42
14	Severability	42

SECTION 1 – GENERAL CONTROL REGULATIONS

1.1 Applicability.

These Industrial Wastewater Control Regulations set uniform requirements for all industrial users discharging to the Publicly-Owned Treatment Works (POTW) and enables the District to comply with all applicable State and federal laws including the Clean Water Act (33 U.S.C. 1251 et seq.) and the applicable General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Part 403). Any industrial user, the discharge from which directly or indirectly enters the District's POTW from areas within or without the boundaries of the District, shall be bound by these Industrial Wastewater Control Regulations. These Regulations may be enforced against any Industrial User.

1.2 Definitions.

In addition to the definitions in Section 1.3 of the District's Rules and Regulations and unless the context specifically indicates otherwise, the meaning of the terms used herein shall be as follows:

“Act” or “the Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

“Authorized Representative” or “Duly Authorized Representative of the Industrial User” specified at 40 CFR Section 403.12(l) and is hereby incorporated by reference.

“Best Management Practices” (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the General and Specific Prohibitions listed in Section 2 of these Industrial Wastewater Control Regulations. BMPs may also include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs shall be considered local limits and Pretreatment Standards for the purposes of these Industrial Wastewater Control Regulations and Section 307(d) of the Act and as specified at 40 CFR 403.5(c)(4).

“Categorical Industrial User” means an industrial user subject to a Categorical Pretreatment Standard that appears in 40 CFR chapter I, subchapter N, Parts 405-471.

“Composite sample” is a representative flow-proportioned sample generally collected within a twenty-four (24) hour period and combined according to flow. Time-proportional sampling may be approved or used by the District where time-proportional samples are believed representative of the discharge.

“Cooling water”:

1. Contact. Water used for cooling purposes which comes in contact with any raw material, intermediate product, waste product or finished product.

2. Noncontact. Water used for cooling purposes, which does not come in contact with any raw material, intermediate product, waste product or finished product and the only pollutant added is heat.

“Daily Maximum Discharge Limit” means the maximum allowable concentration of a pollutant(s) that may be discharged during a twenty-four (24) hour period or as specified in an Industrial Wastewater Discharge Permit. Where daily maximum limitations are expressed in units of mass, the discharge is the total mass discharged over the sampling period.

“Environmental Protection Agency” (EPA) means the U.S. Environmental Protection Agency, or where appropriate, the Administrator or other duly authorized official of said Agency.

“Fats, Oil and Grease” (FOG) means non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in 40 CFR Part 136.

“Grab sample” means a sample, which is taken from a waste stream on a one-time basis with no regard to the flow and over a period of time not to exceed fifteen (15) minutes.

“Gravity Grease Interceptor” (GGI) means a plumbing appurtenance or appliance that is installed to intercept and separate FOG (Fats, Oil and Grease) from an industrial user’s wastewater discharge and designed for gravity separation. This is an in-ground interceptor located outside the facility and maintained as specified in Section 11.4 of these Industrial Wastewater Control Regulations.

“Hazardous Waste” means any waste designated as hazardous under the provisions of 40 CFR Part 261.

“Holding tank waste” means any waste from a holding tank, such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.

“Indirect Discharge” or **“Discharge”** shall mean the discharge or introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act (including holding tank waste discharged into the system).

“Industrial User” means a source of Indirect Discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether or not the user discharges non-domestic wastewater.

“Industrial waste” or **“non-domestic waste”** means the liquid or solid wastes from industrial manufacturing processes, trade or business activities producing non-domestic or non-residential sewage as distinct from domestic wastewater.

“Instantaneous Discharge Limit” is the maximum or minimum concentration or measurement of a pollutant or pollutant property allowed to be discharged at any time for any length of time and compliance is typically determined by use of a grab sample or a direct measurement.

“Industrial Wastewater Discharge Permit” is the permit that may be issued to an industrial user by the District that allows, limits, and/or prohibits the discharge of pollutants, flow to the POTW set forth in Section 3 of these Industrial Wastewater Control Regulations.

“Interference” shall mean a discharge which, alone or in conjunction with a discharge or discharges from other sources:

1. Inhibits or disrupts the sewer system, its treatment processes or operations, or its sludge processes, use or disposal; and
2. Therefore is a cause of a violation of any requirement of the District’s CDPS Permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State Sludge Management Plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

“Local Discharge Limits” are any regulation containing pollution discharge limits promulgated by the District to protect the Objectives in Section 1 of the District Rules and Regulations and prevent violation of the General and Specific Prohibitions specified in Section 2 of these Industrial Wastewater Control Regulations.

“New Source” shall have the definition as stated in 40 CFR Section 403.3(m) and is hereby incorporated by reference.

“Non-Significant Industrial User” means any Industrial User which does not meet the definition of a Significant Industrial User but is otherwise required by the District through permit or alternative control mechanisms to comply with specific provisions of these Industrial Wastewater Control Regulations.

“Pass Through” shall mean 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 District’s CDPS Permit (including an increase in the magnitude or duration of a violation).

“**pH**” means the intensity of acid or base condition of the solution expressed as the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in moles per liter of solution and reported as Standard Units (SU).

“**Pollutant**” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive material, heat, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD₅, COD, toxicity, or odor) discharged into or with water.

“**Pretreatment**” means 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 discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR Section 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR Section 403.6(e).

“**Pretreatment Requirement**” means any substantive or procedural requirement related to Pretreatment, other than a Pretreatment Standard, imposed on an industrial user.

“**Pretreatment Standard**”, “**National Pretreatment Standard**”, or “**Standard**” means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act, which applies to industrial users. The term includes prohibitive discharge limits, local discharge limits, and Best Management Practices that are or may be established by the District. In cases of differing Standards or regulations, the more stringent shall apply.

“**Sector Control Program**” is a program designed to control specific pollutants from industrial users with similar operations, waste generation or treatment through the implementation of pretreatment standards and requirements, including Best Management Practices. These Sector Control Program requirements may be found in Section 11 of these Industrial Wastewater Control Regulations.

“**Significant Industrial User**” means:

1. A Categorical Industrial User;
2. An industrial user that:

- (a) Discharges making up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- (b) Discharges of an average of twenty-five thousand gallons per day (25,000 gpd) or more of process wastewater to the POTW (excluding noncontact cooling, sanitary, and boiler blow down); or
- (c) Contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- (d) Is designated as such by the District or EPA on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation.

“Slug Load” or “Slug Discharge” means any discharge at a flow rate or concentration, which could cause a violation of the General or Specific Prohibitions in Section 2. A Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, or a discharge which exceeds the hydraulic or design of an Industrial user’s treatment system or any part of the treatment unit including a discharge which has a reasonable potential to cause Interference or Pass Through or in any other way violates these Industrial Wastewater Control Regulations or an Industrial Wastewater Discharge Permit issued by the District.

“Standard Industrial Classification” (SIC) code means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended, including codes adopted and known as NAICS codes.

“Toxic Pollutant” means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under Section 307(a) of the Act or as otherwise listed at 40 CFR Part 122, Appendix D.

1.3 Responsibility and Authority of the District.

1.3.1 Except as otherwise provided, the Manager shall administer, implement and enforce the provisions of these Industrial Wastewater Control Regulations. Any powers granted to or duties imposed upon the Manager may be delegated by the Manager to other District personnel.

1.3.2 If wastewaters containing any pollutant, including excess flow, or as otherwise defined in these Industrial Wastewater Control Regulations, are discharged or proposed to be discharged to the POTW, the Manager may take any action necessary to:

- 1. Prohibit the discharge of such wastewater;

2. Require an industrial user to demonstrate that in-plant facility modifications will reduce or eliminate the discharge of such substances in conformity with these Industrial Wastewater Control Regulations;
3. Require treatment, including storage facilities or flow equalization necessary to reduce or eliminate the potential for a discharge to violate these Industrial Wastewater Control Regulations;
4. Require the industrial user making, causing or allowing the discharge to pay any additional cost or expense incurred by the District for handling, treating, disposing or remediation costs because of wastes discharged to the wastewater treatment system;
5. Require the industrial user to apply for and obtain a permit;
6. Require timely and factual reports from the industrial user responsible for such discharge; or
7. Take such other action as may be necessary to meet the objectives of these Industrial Wastewater Control Regulations.

1.3.3 Industrial users. No industrial wastewater shall be discharged to the POTW unless done so in compliance with the provisions of these Industrial Wastewater Control Regulations. It shall be unlawful for any industrial user to discharge any domestic or non-domestic wastewater into any natural waterway, any surface drainage, or storm drain in any area under the jurisdiction of the District.

1.3.4 Owner/Tenant Responsibility. Where an owner of property leases premises to a person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user at the premises, both are responsible for compliance with the provisions of these Industrial Wastewater Control Regulations.

1.3.5 District's Right of Revision. The District reserves the right to establish by ordinance or regulation more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1 of the District's Rules and Regulations.

1.3.6 The District may regulate any industrial user through an Industrial Wastewater Discharge Permit, by letter, an authorization to discharge or directly through the Pretreatment Standards and requirements specified in these Industrial Wastewater Control Regulations.

SECTION 2 – INDUSTRIAL WASTEWATER DISCHARGE STANDARDS

2.1 General and Specific Prohibitions.

2.1.1 General Prohibitions.

No industrial user shall discharge or cause to be contributed directly or indirectly, any pollutant or wastewater which causes Pass Through or Interference. These General Prohibitions and the Specific Prohibitions in Section 2.2.2 of this Section apply to all industrial users introducing pollutants into a POTW whether or not the industrial users are subject to other Pretreatment Standards or Requirements.

2.2.2 Specific Prohibitions.

No industrial user shall contribute the following pollutants into the POTW:

1. Any liquids, solids or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the wastewater facilities, including, but not limited to, wastestreams with a closed cup flashpoint of less than sixty degrees Celsius (60°C) or one hundred forty degrees Fahrenheit (140°F) using the test methods specified in 40 CFR Section 261.21. The Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent (5%), nor any one reading more than ten percent (10%), of the Lower Explosive Limit (LEL) of the meter.
2. Solid or viscous substances which may cause obstruction to the flow in the POTW resulting in Interference.
3. Any wastewater having a pH less than 5.5 or higher than 12.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the wastewater facilities.
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.
5. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40 degrees (40°) Celsius or one-hundred and four degrees (104°) Fahrenheit.

6. Any petroleum oil, non-biodegradable cutting oil, or products of and mineral origin in excess of fifty milligrams per Liter (50 mg/L) or in any amounts that will cause or contribute to Pass Through or Interference.
7. Pollutants which 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 or pollutants which singly or cumulatively or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent or interfere with entry into the sewers for their maintenance and repair.
8. Any trucked or hauled pollutants, except at discharge points designated by the Manager.
9. Wastewater which contains grease or oil or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two degrees (32°) Fahrenheit (0° Celsius) and one hundred fifty degrees (150°) Fahrenheit (65.5° Celsius).
10. Wastewater containing free or floating oil and grease, or any discharge containing animal fat or grease by-product in excess of two hundred milligrams per liter (200 mg/L). This limit will not apply if the industrial user has installed and is properly operating and maintaining a Gravity Grease Interceptor and implementing all required BMPs as specified in Section 11 of these Industrial Wastewater Control Regulations.
11. Wastewater generated as a result of wastes pumped from gravity grease interceptors, hydromechanical grease interceptors or grease traps, sand-oil separators or other storage tanks or treatment units back into the POTW, either directly or indirectly, without approval of the Manager.
12. It shall be prohibited for rainwater, storm water, groundwater, street drainage, subsurface drainage, roof drainage, yard drainage, pools, water from yard fountains or water features, ponds or lawn sprays or other non-potable water to be discharged to the Publicly Owned Treatment Works unless approved by the Manager in writing. The Manager may approve the discharge of such water only when, in the opinion of the Manager, the Discharge would not cause a violation of any applicable Pretreatment Standard or Requirement and there is no other reasonable method of disposal available. If authorization is granted for the discharge of such water into the Publicly Owned Treatment Works, the industrial user shall pay an applicable user charge, fees and meet all conditions as required and provide such pollutant data as required by the Manager.

13. No discharge of wastewater in any form, as defined in the Federal Water Pollution Control Act (33 USC 1251 et seq.), shall be made into the storm water system leading to waters of the State of Colorado.
14. Any substance which may cause the wastewater facilities' effluent, or any other product of the wastewater facilities, such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
15. Any substance which will cause the District to violate its CDPS permit or any applicable Water Quality Standard.
16. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
17. A Slug Discharge as defined in Section 1.
18. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager or other regulations set forth by the State of Colorado or that violates any applicable local, state or federal regulation.
19. Bulk, expired, outdated or concentrated prescription or non-prescription drugs.
20. Wastewater or pollutants discharged directly into a manhole or other opening to the POTW unless specifically authorized by the Manager or as otherwise permitted under these Industrial Wastewater Control Regulations. Prohibited is the opening of a manhole or discharging into any opening in violation of these Industrial Wastewater Control Regulations.
21. No chemicals, materials, or substances, including but not limited to, paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings unless secondary containment is provided.
22. Wastewater contaminated as a result of discharge from above ground and/or underground gasoline, diesel fuels, fuel oil, kerosene, jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.
23. Liquid wastes from chemical toilets, and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the District to collect such wastes.

24. Sludges, screenings, or other residues from the treatment of industrial wastes.
25. Medical wastes that cause or contribute to Pass Through or Interference.
26. Wastewater causing, alone or in conjunction with other sources, the POTW effluent to fail a Whole Effluent Toxicity (WET) test.
27. Detergents, surfactants and other surface-active agents, or other substances which may cause excessive foaming in the POTW or cause or contribute to Pass Through or Interference.
28. Discharge of Nonylphenol from the use of bulk or concentrated Nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.
29. Discharge of any wastewater containing perchloroethylene (PCE) (also known as Tetrachloroethene and Tetrachloroethylene) from any industrial user involved in the dry-cleaning business.
30. Any pesticides, herbicides or fungicides that cause or contribute to Pass Through, Interference or other problems at the treatment works or in the receiving waters. In no case, shall an industrial user discharge wastewater that is generated from the rinsing of any container that contains or contained any concentrated or formulated pesticide, herbicide or fungicide.

2.2 Specific Discharge Limitations.

2.2.1 No Significant Industrial User, industrial users that hold a Notice of Discharge Requirements from the Colorado Department of Public Health and Environment (CDPHE) pursuant to Regulation 63 or other permitted industrial users designated by the District shall discharge or cause to be discharged, wastewater that exceeds the following Local Discharge Limits:

Pollutant	Daily Maximum Discharge Limitation ^(a)
Arsenic	0.019
Cadmium	0.140
Chromium	3.400
Chromium (VI), filterable	0.800
Copper	0.870
Lead	0.130
Mercury	0.00067
Nickel	1.990

Silver	0.100
Selenium	0.070
Zinc	2.200
Cyanide	0.170
1,1,1 Trichloroethane	18.500
Tetrachloroethane	0.013
5-Day Biochemical Oxygen Demand (BOD ₅), lbs/day	(b)
Total Suspended Solids (TSS), lbs/day	(b)
Ammonia, lbs/day	(b)
Phosphorus, lbs/day	(b)

- (a) All limits are in mg/L unless otherwise specified and shall be analyzed as total.
- (b) Where a permitted Industrial User exceeds the concentration of BOD₅, TSS or Phosphorus as defined as Normal Domestic Strength Wastewater in Section 1.3 of the Rules and Regulations, the District may surcharge for excess strength waste and/or establish specific daily maximum mass limits for these pollutants in pounds per day (lbs/day). If the District determines that Ammonia is being discharged in significant concentrations, the City may require compliance with permit-specific limits and/or surcharge for excess strength waste on a case-by-case basis.

2.2.2 The following limits shall apply to wastewaters that are discharged from:

- (a) Groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants;
- (b) Discharges where one or more of these pollutants are present; or
- (c) Where these pollutants are appropriate surrogates.

It shall be unlawful for any Industrial User to discharge or cause to be discharged any waste or wastewater to the POTW that exceeds the following limits, as applicable.

Pollutant ⁽¹⁾	Daily Maximum Discharge Limit ⁽³⁾
Benzene	0.050 mg/L
BTEX ⁽²⁾	0.750 mg/L

- (1) All pollutants shown in the Table are total.
- (2) BTEX shall be measured as the sum of Benzene, Ethylbenzene, Toluene and Xylenes.

- (3) These limits are based upon installation of air stripping technology as described in the EPA document: “Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks. June 1989.”

2.3 Dilution Prohibited.

Dilution is prohibited as a substitute for treatment and shall be a violation of these Industrial Wastewater Control Regulations. Except where expressly authorized to do so, no industrial user shall ever increase the use of process water, or in any other way attempt to dilute a Discharge as a partial or complete substitute for adequate treatment to achieve compliance with any Pretreatment Standard or Requirement. The Manager may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

2.4 Other Requirements.

- 2.4.1 Where the same pollutant is limited by a Categorical Pretreatment Standard and a Pretreatment Standard contained in these Industrial Wastewater Control Regulations, the limitations which are more stringent shall prevail.
- 2.4.2 The Manager may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional pretreatment requirements when, in the judgment of the District, such limitations are necessary to implement the provisions of these Industrial Wastewater Control Regulations.
- 2.4.3 State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standards and requirements or those in these Industrial Wastewater Control Regulations.

SECTION 3 – INDUSTRIAL WASTEWATER DISCHARGE PERMITS.

- 3.1 The District may issue an Industrial Wastewater Discharge Permit to any industrial user that discharges or proposes to discharge to the POTW. Any industrial user required to obtain an Industrial Wastewater Discharge Permit must submit a permit application within 30 days of being noticed that a permit is required. The application shall include the information specified in Section 3.6. The District may issue a permit at any time after receipt of the completed permit application.
- 3.2 Existing Permitted industrial users: An industrial user with an expiring Industrial Wastewater Discharge Permit shall apply for a new permit by submitting a complete permit application at least sixty (60) days prior to the expiration of the industrial user’s existing

discharge permit. The industrial user shall file a permit application containing the information specified in Section 3.6.

- 3.3 The District will establish applicable standards, requirements and conditions in the Industrial Wastewater Discharge Permit.
- 3.4 All industrial users submitting an application or other information to the CDPHE in support of a NDR, shall copy the District on all such submittals as required in Section 10.1.
- 3.5 Enforceability: Any violation of the terms and conditions of an Industrial Wastewater Discharge Permit, failure to apply for a permit as required, or discharging without a required permit shall be deemed a violation of these Industrial Wastewater Control Regulations and subjects the industrial user to enforcement by the District. Obtaining an Industrial Discharge Permit does not relieve a permittee of its obligation to comply with all State and federal laws and regulations.
- 3.6 Industrial Wastewater Discharge Permit Application Contents.

In support of the application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:

- 3.6.1 Name and address of business, address of the facility, location of the discharge if different from facility address, and contact information of the owner, operator or the Authorized Representative of the Industrial User.
- 3.6.2 Environmental Permits. A list of any environmental control permits held by or for the facility.
- 3.6.3 Description of Operations.
 - 1. A brief description of the nature, average and maximum rate of production (including each product produced by type, amount, processes, and rate of production);
 - 2. The Standard Industrial Classification(s) of the operation(s) carried out by such industrial user;
 - 3. A schematic process diagram, which indicates all process tanks, process lines, treatment systems, drains, and points of discharge to the POTW from each regulated process and source of non-domestic wastewater;
 - 4. A listing of all non-domestic process streams and the type(s) of wastes generated from each process;
 - 5. A list of all raw materials and chemicals used or stored at the facility;

6. Number of employees; and
 7. Actual or proposed hours of operation.
- 3.6.4 Time and duration of discharges including the date the industrial user first began discharge or plans to discharge to the POTW.
- 3.6.5 The location for sampling the wastewater discharges from the industrial user.
- 3.6.6 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. For industrial users not yet discharging, an estimate of flows may be used for meeting the requirements of these Industrial Wastewater Control Regulations.
- 3.6.7 Measurement and Reporting of Pollutants.
1. The results of sampling and analysis identifying the nature and concentration, and/or mass of regulated pollutants in the discharge;
 2. The sample shall be representative of daily operations and shall be collected in accordance with procedures set out in Section 9 of these Industrial Wastewater Control Regulations;
 3. Where the Industrial Wastewater Discharge Permit or these Industrial Wastewater Control Regulations require compliance with a BMP or pollution prevention alternative, the industrial user shall submit documentation as required by the District to determine compliance with the Standard; and
 4. Analyses must be performed in accordance with procedures set forth in Section 9 of these Industrial Wastewater Control Regulations.
- 3.6.8 A list of hazardous waste(s) generated and a description of the storage area and procedures for handling and disposal of the wastes.
- 3.6.9 Slug Discharge Control Plan for Significant Industrial Users as described in Section 10.4 and other industrial users as notified of this requirement by the District.
- 3.6.10 Compliance Schedule. If additional pretreatment and/or Operation and Maintenance (O&M) will be required to meet the pretreatment standards and requirements, the Manager will evaluate whether or not a permit will be issued. The industrial user shall submit a compliance schedule to the Manager with the permit application that includes the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M.

The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress 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 (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.). No such increment shall exceed nine (9) months.
2. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the Manager including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industrial user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Manager.

3.6.11 Certification. A statement, reviewed by an Authorized Representative of the Industrial User and certified to 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 for the industrial user to meet the pretreatment standards and requirements.

3.6.12 Signatory Certification. All Industrial Wastewater Discharge Permit applications and certification statements must be signed by an Authorized Representative of the Industrial User and contain the applicable certification statement(s) in Section 10.7 of these Industrial Wastewater Control Regulations

3.6.13 Any other information as may be deemed by the Manager to be necessary to evaluate the permit application and discharge.

3.7 Industrial Wastewater Discharge Permit Issuance, Modifications and Revocation.

3.7.1 Permit Issuance

1. The District shall have the discretion to establish the permit effective date and permit expiration date.

2. Transferability: Industrial Wastewater Discharge Permits are issued to a specific industrial user for a specific operation. An Industrial Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new industrial user, different premises, or a new or changed operation without the prior written approval of the District. Any succeeding owner shall comply with the terms and conditions of the existing permit until a new permit is issued. The Permittee shall notify the District at least thirty (30) days prior to any change of ownership. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer and discharge of wastewater prohibited.

3.7.2 Permit Modification

The notification of an Industrial Wastewater Discharge Permit modification does not stay any wastewater discharge permit condition. The District may modify an Industrial Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised local pretreatment standards or requirements or incorporate a compliance schedule.
2. To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of the Industrial 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 POTW, District personnel, or the receiving waters.
5. Violation of any terms or conditions of the Industrial Wastewater Discharge Permit or these Industrial Wastewater Control Regulations.
6. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Wastewater Discharge Permit application or in any required reporting.
7. To reflect a transfer of the facility ownership and/or operation to a new owner/operator.
8. To correct typographical or other errors in the Industrial Wastewater Discharge Permit.

9. Upon request of the Permittee, provided such request does not result in a violation of any applicable pretreatment standards or requirements of these Industrial Wastewater Control Regulations.

3.7.3 Permit Revocation

A violation of the conditions of an Industrial Wastewater Discharge Permit or of these Industrial Wastewater Control Regulations shall be reason for revocation of such permit by the District. Upon revocation of the permit, any wastewater discharge from the affected industrial user shall be considered prohibited and in violation of these Industrial Wastewater Control Regulations. Grounds for revocation of a permit include, but are not limited to, the following:

1. Failure of an industrial user to accurately disclose or report the wastewater constituents and characteristics of any discharge.
2. Failure of the industrial user to report significant changes in operations or wastewater constituents and characteristics as required.
3. Refusal of access to the industrial user's premises for the purpose of inspection or monitoring.
4. Falsification of records, reports or monitoring results.
5. Tampering with monitoring equipment.
6. Misrepresentation or failure to fully disclose all relevant facts in the Industrial Wastewater Discharge Permit application.
7. Failure to pay fines or penalties.
8. Failure to pay sewer charges, surcharges, or pretreatment programs fees.
9. Failure to meet compliance schedules.
10. Failure to provide advance notice of the transfer of business ownership of a permitted facility.
11. Failure to provide required reports, including but not limited to, a wastewater survey, permit application, self-monitoring report or other permit required reports or notifications within the timeframe required by the District.
12. Violation of any conditions of the Industrial Wastewater Discharge Permit or these Industrial Wastewater Control Regulations.

SECTION 4 – RECORDKEEPING.

- 4.1 All industrial users shall retain, and make available for inspection and copying, all records, reports, monitoring or other data, applications, permits and all other information and documentation required by these Industrial Wastewater Control Regulations including documentation associated with Best Management Practices.
- 4.2 Industrial users shall retain such records and shall keep such records available for inspection for at least three (3) years. This recordkeeping period shall be extended automatically for the duration of any litigation concerning the industrial user's compliance with any provision of these Industrial Wastewater Control Regulations, or when the industrial user has been specifically and expressly notified of a longer records retention period by the Manager.
- 4.3 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 U.S. Postal Service, the date of receipt of the report by the District shall govern.

SECTION 5 – CONFIDENTIAL INFORMATION.

- 5.1 All records, reports, data or other information supplied by any person or industrial user because of any disclosure required by these Industrial Wastewater Control Regulations or information and data from inspections shall be available for public inspection except as otherwise provided in this Section, 40 CFR Section 403.14 and the Colorado Open Records Act (C.R.S. 24-72-201, et. seq.).
- 5.2 These provisions shall not be applicable to any information designated as a trade secret by the person supplying such information. Materials designated as a trade secret may include, but shall not be limited to, processes, operations, style of work or apparatus or confidential commercial or statistical data. Any information and data submitted by the industrial user which is desired to be considered a trade secret shall have the words, "Confidential Business Information," stamped in a reasonably noticeable manner on each page containing such information. The industrial user must demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the industrial user.
- 5.3 Information designated as a trade secret pursuant to this Section shall remain confidential and shall not be subject to public inspection. Such information shall be available only to officers, employees or authorized representatives of the District charged with implementing and enforcing the provisions of these Industrial Wastewater Control Regulations.
- 5.4 Effluent data from any industrial user whether obtained by self-monitoring, monitoring by the District or monitoring by any state or federal agency, shall not be considered a trade

secret or otherwise confidential. All such effluent data shall be available for public inspection.

SECTION 6 – SPECIAL AGREEMENTS AND CONTRACTS.

6.1 No statement contained in these Industrial Wastewater Control Regulations shall be construed as prohibiting special written agreements between the District and any industrial user allowing industrial waste of unusual strength or character to be discharged to the POTW, provided the industrial user compensates the District for any additional costs of treatment where appropriate. Such agreement, however, shall not allow or cause:

- 6.1.1 Any adverse effect to the POTW;
- 6.1.2 A violation of the POTW CDPS permit;
- 6.1.3 A violation of a General or Specific Prohibition; or
- 6.1.4 A violation of State or federal law or regulation, if known.

SECTION 7 – RIGHT OF ENTRY.

7.1 Whenever it shall be necessary for the purposes of these Industrial Wastewater Control Regulations, the District may enter upon any industrial user's facility, property, or premises and shall have ready access to all parts of the premises subject to these Industrial Wastewater Control Regulations for the purposes of:

- 7.1.1 Performing all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial users, compliance or noncompliance with applicable pretreatment standards and requirements by an industrial user. Compliance monitoring and inspection shall be conducted at a frequency as determined by the District and may be announced or unannounced.
- 7.1.2 Setting 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.
- 7.1.3 Examining and copying any records required to be kept under the provisions of these Industrial Wastewater Control Regulations or of any other local, state or federal regulation.
- 7.1.4 The District may use a camera to photograph any areas of the facility as deemed necessary for carrying out the duties of the industrial pretreatment program including, but not limited to, documentation of the industrial user's compliance status and for reinforcement of required written reports. The industrial user shall be allowed to review copies of photographs for trade secret claims.
- 7.1.5 Inspecting any monitoring equipment or method, pretreatment system equipment and/or operation.

- 7.1.6 Sampling any discharge of wastewater into POTW.
- 7.1.7 Inspecting any production, manufacturing, fabricating or storage area where pollutants, regulated under these Industrial Wastewater Control Regulations, could originate, be stored, or be discharged to the POTW.
- 7.2 The occupant of such property or premises shall render all proper assistance in such activities. Where an industrial user has security measures in place which require proper identification and clearance before entry into its premises, the industrial user shall make necessary arrangements with its security personnel so that authorized representatives of the District will be permitted to enter without delay to perform their specified functions.
- 7.3 The Manager and other duly authorized agents and employees of the District are entitled to enter all private properties through which the District or any connecting jurisdiction holds an easement or similar access or occupancy right.
- 7.4 Failure to allow entry or unreasonable delays: In the event the District or other duly authorized representative of the District is refused admission or unreasonably delayed, such refusal or delay is a violation of these Industrial Wastewater Control Regulations and may result in enforcement action as allowed for under these Industrial Wastewater Control Regulations including revocation of the Industrial Wastewater Discharge Permit.
- 7.5 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 Manager and shall not be replaced. The costs of clearing such access shall be borne by the industrial user.
- 7.6 Search Warrants.

Search Warrants. If the District 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 these Industrial Wastewater Control Regulations or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the District designed to verify compliance with these Industrial Wastewater Control Regulations or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Manager may seek issuance of a search warrant from the Douglas County Court or another Court of competent jurisdiction.

SECTION 8 – PRETREATMENT AND MONITORING FACILITIES.

- 8.1 Treatment Required. An industrial user shall provide necessary wastewater treatment at the industrial user's expense as required to comply with these Industrial Wastewater Control Regulations in the timeframe specified by the District.

- 8.2 Proper Operation and Maintenance. The industrial user shall properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the industrial user. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by an industrial user when the operation is necessary to achieve or assure compliance with these Industrial Wastewater Control Regulations.
- 8.3 Monitoring Facilities. The District may require an industrial user to install at the industrial user's expense, suitable monitoring facilities or equipment that allows for the representative sampling and accurate observation of wastewater discharges. Monitoring equipment and structures shall be maintained in proper working order, calibrated as required by manufacturer's recommendations and kept safe and accessible at all times to District personnel. No industrial user shall cover any manhole, sewer cleanout, or other openings in the wastewater collection system with earth, paving, or otherwise render it inaccessible.
- 8.4 Flow Equalization. The District may require any industrial user 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.
- 8.5 Multitenant Buildings. When more than one industrial user can discharge into a common service line, the District may require installation of separate monitoring equipment or structures for each industrial user.
- 8.6 If the District determines an industrial user is required to measure and report wastewater flow, discharge process wastewaters necessitating continuous pH measurement or discharge wastewater that may contain flammable substances or other pollutants of concern, the District may require the industrial user to install and maintain, at the industrial user's expense, approved meters and equipment.

SECTION 9 – SAMPLING, ANALYTICAL METHODS AND REPORTS.

9.1 Sample Collection.

Compliance determinations with respect to prohibitions and limitations in these Industrial Wastewater Control Regulations may be made based on either grab or composite samples of wastewater as specified by the District. Such samples shall be taken at a point or points which the District determines to be suitable for obtaining a representative sample of the discharge. Composite samples may be taken over a twenty-four (24) hour period, or over a longer or shorter time span, as determined by the District to meet specific circumstances.

9.2 Sample Type.

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report and based on data that is representative of conditions occurring during the reporting period.

9.2.1 Except as indicated in subparagraph 9.2.2 below, the industrial user must collect representative wastewater samples using twenty-four (24) hour flow proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the permitted discharge.

9.2.2 Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four (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. Composited samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the District, as appropriate. In addition, grab samples may be required to show compliance with instantaneous local limits, including pH.

9.3 Analytical Requirements

All pollutant analysis, including sampling techniques, to be submitted as part of an Industrial Wastewater Discharge Permit application, report, permit or other analyses required under these Industrial Wastewater Control Regulations 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, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or approved by the EPA.

9.4 Records shall include for all samples:

9.4.1 The date, exact place, method, and time of sampling and the name of the person(s) taking the samples;

9.4.2 The date(s) and time analyses were performed;

9.4.3 The name of the person performing the analyses;

- 9.4.4 The analytical techniques/methods used, including method detection limits and QA/QC sample results;
- 9.4.5 All chain-of-custody records; and
- 9.4.6 The results of such analyses.
- 9.4.7 A signed statement from the laboratory director stating that the samples were properly handled and analyzed pursuant to 40 CFR Part 136 or other approved methodology.

SECTION 10 – REPORTING AND NOTIFICATION REQUIREMENTS.

10.1 Reporting for Industrial User Regulated by the State or EPA

10.1.1 All industrial users that are applying for or hold a Notice of Discharge Requirements (NDR) issued by the Colorado Department of Public Health and Environment (CDPHE) pursuant to Regulation 63, shall copy the District on the following items:

1. NDR application information;
2. The NDR issued by the CDPHE;
3. All reports required by the NDR; and
4. Any other report or documentation reported to the CDPHE as required by the NDR or Regulation 63.

10.1.2 All industrial users that are Categorical Industrial Users shall copy the District on all reports, documents and notifications that are reported to EPA pursuant to 40 CFR Part 403 and the applicable Categorical Standard.

10.2 Self-monitoring Reports (SMR)

10.2.1 Any industrial user required by the District to submit self-monitoring reports shall submit such reports at a frequency required by the District but no less than once per six (6) months. In cases where the permit or other control mechanism requires compliance with a Best Management Practices (BMPs), the industrial user must submit documentation required by the District necessary to determine compliance status of the industrial user. All industrial monitoring reports must be signed and certified in accordance with Section 10.7.

10.2.2 All wastewater samples must be representative of the industrial user's discharge.

10.2.3 If an industrial user monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the methods and procedures prescribed in Section 9, the results of this monitoring shall be included in the SMR.

10.3 24 Hour Notice and 30-Day Re-sampling

If sampling performed by an industrial user indicates a violation of these Industrial Wastewater Control Regulations, the industrial user shall notify the District within twenty-four (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 District within thirty (30) days after becoming aware of the violation.

10.4 Slug and Spill Discharges- Notification and Plan Development

10.4.1 Each industrial user shall provide protection from spills and slug discharges of pollutants regulated under these Industrial Wastewater Control Regulations. Facilities to prevent the discharge of spills or slug discharges shall be provided and maintained at the industrial user's expense.

10.4.2 Each permitted industrial user shall report all spills to the District that occurs within the boundaries of the User's facility whether or not the spill results in a discharge to the POTW.

10.4.3 The District may evaluate whether each Significant Industrial User needs a Slug/Spill Discharge Control Plan or other action to control spills and slug discharges. The District may require an industrial user to develop, submit for approval, and implement a Slug/Spill Discharge Control Plan or take such other action that may be necessary to control spills and slug discharges.

10.4.4 A Slug/Spill Discharge Control Plan shall address, at a minimum, the following:

1. Detailed plans (schematics) showing facility layout and plumbing representative of operating procedures;
2. Description of contents and volumes of any process tanks;
3. Description of discharge practices, including non-routine batch discharges;
4. Listing of stored chemicals, including location and volumes;
5. Procedures for immediately notifying the District of any spill or Slug Discharge. It is the responsibility of the industrial user to comply with the reporting requirements in Section 10.5;
6. 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; and

7. Any other information as required by the District.

10.4.5 Notice to employees. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees who to call in the event of an accidental or slug discharge. Employers shall ensure that all employees who work in any area where an accidental or slug discharge may occur or originate are advised of the emergency notification procedures.

10.5 Reports of Potential Problems – Slug Discharges

10.5.1 In the case of any changes at its facility affecting potential for a Slug Discharge as defined in Section 1, the industrial user shall immediately telephone and notify the District of the incident. This notification shall include:

1. Name of the facility
2. Location of the facility
3. Name of the caller
4. Date and time of discharge
5. Date and time discharge was halted
6. Location of the discharge
7. Estimated volume of discharge
8. Estimated concentration of pollutants in discharge
9. Corrective actions taken to halt the discharge
10. Method of disposal if applicable

10.5.2 Within five (5) working days following such discharge, the industrial user shall, unless waived by the District, submit a detailed written report that includes all of the information contained in paragraph 10.5.1 above and any other information 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 might 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 these Industrial Wastewater Control Regulations.

10.6 Reports for Other Industrial Users

If the District deems it necessary to assure compliance with provisions of these Industrial Wastewater Control Regulations, any industrial user of the POTW may be required to

submit a questionnaire, sampling data or other reports and notifications in a format and timeframe as specified by the District.

10.7 Signatory Certification.

All reports and other submittals required to be submitted to the District shall include the following statement and signatory requirements.

10.7.1 The Authorized Representative of the industrial user signing any application, questionnaire, any report or other information required to be submitted to the District must sign and attach the following certification statement with each such report or information submitted to the District.

"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 ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or the 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 a fine and imprisonment for knowing violations."

10.7.2 If the 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 authorization satisfying the requirements of this Section and meeting the definition in Section 1 must be submitted to the District prior to or together with any reports to be signed by an Authorized Representative.

10.8 Compliance Schedules

Should any schedule of compliance be established in accordance with the requirements of these Industrial Wastewater Control Regulations, the compliance schedule shall be as specified in Section 3.6.10.

10.9 Change in Discharge or Operations

10.9.1 Every permitted industrial user shall file a notification with the District a minimum of fourteen (14) days prior to any planned significant change in operations or wastewater characteristics. A significant change shall be a change equal to or greater than twenty percent (20%) in the mass of a pollutant or volume of flow discharged to the POTW. In addition, this notification shall include changes to:

1. Adding or removing processing, manufacturing or other production operations.

2. New pollutants used which may be discharged.
3. Changes in the listed or characteristic hazardous waste for which the industrial user has submitted or is required to submit information to the District under these Industrial Wastewater Control Regulations and 40 CFR Section 403.12 (p) as amended.

10.9.2 Known or anticipated facility closure. The industrial user is required to notify the District at least thirty (30) days prior to facility shutdown or closure which might alter the character, nature, quality, or volume of its wastewater.

10.10 Notification of the Discharge of Hazardous Waste.

10.10.1 Any industrial user shall notify the District, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261. Such notification to the District shall be made within twenty-four (24) hours of becoming aware of the discharge. Additional reporting requirements may apply as specified in 40 CFR Section 403.12.

Such notification must include:

1. The name of the hazardous waste as set forth at 40 CFR Part 261;
2. The EPA hazardous waste number;
3. The type of discharge (continuous, batch, or other);
4. An identification of the hazardous constituents contained in the wastes;
5. An estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month;
6. An estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months;
7. Certification that the industrial user 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; and
8. Signatory certification as required by Section 10.7.

10.10.2 If the industrial user notifies the EPA or the State of the discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261, the industrial user shall copy the District on all notifications made to the State and EPA.

10.10.3 This provision does not create a right to discharge any substance not otherwise allowed to be discharged by these Industrial Wastewater Control Regulations, a permit issued hereunder, or any applicable federal or state law.

10.11 Requests for Information

When requested by the District, any industrial user shall submit information to the Manager regarding industrial processes, nature and characteristics of wastes and wastewaters generated at the industrial facility, method of disposal of wastes, or other information required by the Manager to meet the responsibilities under these Industrial Wastewater Control Regulations. Failure to provide information within the timeframe specified shall be a violation of these Industrial Wastewater Control Regulations.

SECTION 11 – SECTOR CONTROL PROGRAMS.

11.1 Authority

The District may establish specific sector control programs for industrial users to control specific pollutants as necessary to meet the objectives of these Industrial Wastewater Control Regulations. Pollutants subject to these sector control programs shall generally be controlled using Best Management Practices (BMPs).

The District may implement these Sector Control Programs through an Industrial Wastewater Discharge Permit, by letter, an authorization to discharge or by enforcing these Industrial Wastewater Control Regulations directly. All industrial users that are covered by these Sector Control Programs shall comply with this Section, whether specifically notified by the District to do so.

11.2 The Industrial User shall inform the District prior to:

- 11.2.1 Sale or transfer of ownership of the business;
- 11.2.2 Change in the trade name under which the business is operated;
- 11.2.3 Change in the nature of the services provided that affect the potential to discharge sector control program pollutants; or
- 11.2.4 Remodeling of the facility that may result in an increase in flow or pollutant loading or that otherwise requires the facility to submit plans or specifications for approval through a building or zoning department, or any other formal approval process of a city, county or other jurisdiction.

11.3 Enforcement and Compliance

11.3.1 These requirements form a part of these Industrial Wastewater Control Regulations. Enforcement of this regulation is governed by the express terms in these Industrial Wastewater Control Regulations.

11.3.2 Any extraordinary costs incurred by the District due to Interference, damage, Pass Through, or maintenance necessary in the treatment and/or collection system shall be paid by the industrial user to the District. The direct costs of all labor, equipment and materials incurred in rectifying the Interference or damage, including reasonable attorney's fees, shall be billed directly to the owner or the industrial user by the District, and such costs shall become part of the total charges due and owing to the District and shall constitute a lien on the industrial user until paid in full.

11.4 Best Management Practices – Fats, Oils and Grease (FOG)

11.4.1 These Best Management Practices (BMPs) establish requirements for any Industrial User (FOG Facility) the Manager determines that has the potential to discharge FOG in quantities that exceed the limits in Section 2.2.2.10. The requirements established in this BMP shall apply to facilities where preparation, manufacturing, processing of food or washing/sanitizing of dishes or equipment occurs. Included food establishments may include, but are not limited to, restaurants, cafes, fast food outlets, pizza outlets, delicatessens, sandwich shops, coffee shops, schools, nursing homes and other facilities that prepare, service or otherwise make foodstuff available for consumption.

11.4.2 These facilities shall install and maintain a Gravity Grease Interceptor (GGI) within ninety (90) days of being notified of such requirement. A food service establishment shall install and properly operate and maintain a Gravity Grease Interceptor, implement all required BMPs and not violate a General or Specific Prohibitions as specified in Section 2.1 of these Industrial Wastewater Control Regulations.

11.4.3 A GGI that was legally and properly installed at an industrial user's facility prior to the effective date of these Industrial Wastewater Control Regulations shall be acceptable as an alternative if such device is effective in removing floatable and settleable material and is designed and installed in such a manner that it can be inspected and properly maintained. If the Manager determines at any time that such GGI is incapable of adequately retaining the floatable and settleable material or if it was installed in such a manner that it cannot be inspected and properly maintained, the industrial user shall install a GGI that complies with all District codes within ninety (90) days after being notified of such requirement.

11.4.4 The FOG Facility may be required by the District to install a sampling manhole as specified by the District and as authorized in Section 8.

11.4.5 General Control Requirements

1. A GGI shall be required for the proper handling of liquid wastes which may be harmful to, or cause obstruction in the wastewater collection system or cause or contribute to Pass Through or Interference.
2. It shall be the responsibility of the industrial user and/or owner of the property to contact the District for the purpose of obtaining necessary permits for the installation of a grease removal device or any modifications to the facility's plumbing. Written approval from the District must be obtained prior to installation of the interceptor. The time of review and approval of such permits shall in no way relieve the industrial user from the responsibility of producing a discharge acceptable to the District under the provisions of these Industrial Wastewater Control Regulations.
3. The design and sizing of GGIs shall be in accordance with applicable District Standards and Specifications. The GGI shall be designed, sized, installed, maintained and operated so as to accomplish the intended purpose of intercepting pollutants from the FOG Facility's wastewater and preventing the discharge of such pollutants to the District's wastewater collection system, including pollutants that result in toxic, noxious or malodorous conditions that create a public nuisance or unsafe working conditions, which endanger life or the environment.
4. Upon change of ownership of any existing facility which would be required to have an interceptor under these Industrial Wastewater Control Regulations, the applicant for sanitary sewer service shall have the burden to demonstrate that a properly sized and functioning GGI is installed.
5. All sinks which are connected to a GGI shall be equipped with a fixed or removable mesh or screen which shall catch garbage and food debris and prevent it from entering the GGI.
6. The FOG Facility must ensure interceptors are easily accessible for inspection, cleaning, and removal of FOG.
7. The FOG Facility must maintain interceptors at their expense and keep in efficient operating condition at all times by the regular removal of accumulated FOG.

8. Each FOG Facility that is required to use and maintain a GGI shall keep a record of every time the GGI is pumped, cleaned or repaired. This record shall include the date, the name of the company that pumped or cleaned the GGI and the amount of waste that was removed. Such records shall be made available to the Manager upon request. The removed contents from any GGI shall be handled by a person licensed to haul such waste and shall be disposed of in accordance with federal, state and local regulations.

11.4.6 Required Maintenance

1. GGIs shall be maintained by regularly scheduled cleaning so that they will properly operate as intended to efficiently intercept the fats, oil and grease from the facility's wastewater and prevent the discharge of said materials into the District's wastewater collection system. A GGI shall be serviced at a minimum of every ninety (90) days, whenever the combined thickness of the floating greases and settled solids is greater than 25% of the hydraulic working capacity of the GGI, if an effluent concentration exceeds 200 mg/L, or if toxic, noxious, malodorous conditions create a public nuisance or unsafe working conditions which endanger health.
2. The District may require more frequent cleaning than that prescribed in paragraph 11.4.7.1 above. A variance from the requirement in paragraph 11.4.7.1 may be obtained if the FOG Facility can demonstrate through analytical data that less frequent cleaning is sufficient.
3. Maintenance of grease interceptors shall be done in a workman-like manner only by a business/professional normally engaged in the servicing of such plumbing fixtures. The District requires that the GGI be full-pump and all contents removed. The waste hauler picking up the grease shall be registered with State and fully comply with the Colorado Department of Public Health and Environment waste great management requirements pursuant to C.R.S. 30-20-123. The District may request pre-notification of pumping or repair of a GGI to allow the District to be on-site.
4. In the event a GGI is not properly maintained by the FOG Facility, owner, lessee, or other authorized representative of the facility, the District may authorize such maintenance work be performed on behalf of the FOG Facility. The costs of such maintenance shall be billed directly to the tenant/owner and shall become part of the charges due and owing to the District.
5. Biological treatment or enzyme treatment shall not be a substitute for the servicing of a GGI. Use of enzymes or other chemical or biological

treatment or product that emulsifies or acts to emulsify FOG is prohibited.

6. The FOG Facility must document each pump-out with a waste manifest or trip ticket as required by Colorado regulations (C.R.S. 30-20-123) and kept by the FOG Facility on site for at least three (3) years. Copies of all hauling manifests must be provided to the District within 30 days of pumping.

11.5 Sand/Oil/Water Separator Requirements

11.5.1 These Best Management Practices (BMPs) establish requirements for any facility that has the potential to discharge petroleum oil, mineral oil, cutting oils, non-food grease and solids. All facilities subject to these BMPs must comply with the requirements which include both the requirement for installation and proper operation and maintenance of a separator and other reporting requirements.

11.5.2 A sand/oil separator that was legally and properly installed at an industrial user's facility prior to the effective date of these Industrial Wastewater Control Regulations shall be acceptable as an alternative if such device is effective in removing floatable and settleable material and is designed and installed in such a manner that it can be inspected and properly maintained. If the Manager determines at any time that such sand/oil separator is incapable of adequately retaining the floatable and settleable material or if it was installed in such a manner that it cannot be inspected and properly maintained, the industrial user shall install a sand/oil separator that complies with all District, city and county codes within ninety (90) days after being notified of such requirement.

11.5.3 General Control Requirements

1. A sand/oil separator shall be required for the proper handling of liquid wastes which may be harmful to, or cause obstruction in the wastewater collection system or cause or contribute to Pass Through or Interference of cause a violation of any Specific Prohibition at Section 2.2.2.
2. It shall be the responsibility of the Industrial User and owner of the property, business or industry or the Authorized Representative of the Industrial User to contact the District for the purpose of obtaining a plan review. The plan review shall determine the need, size, location, and other requirements of the interceptor required to control discharges into the POTW. Written approval from the District must be obtained prior to installation of the separator and meet all applicable building codes. The review of such plans and operating procedures shall in no way relieve the industrial user from

the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of these Industrial Wastewater Control Regulations.

3. Upon change of ownership of any existing facility which would be required to have a separator under these Industrial Wastewater Control Regulations, the applicant for sanitary sewer service shall have the burden to demonstrate that a properly sized and functioning sand/oil separator is installed.
4. Toilets, urinals and similar fixtures shall not waste through a sand/oil separator. Such fixtures shall be plumbed directly into the building sewer and waste system.
5. The Industrial User shall ensure the sand/oil separator are easily accessible for inspection, cleaning, and removal of sand, oils and other accumulated wastes.
6. The Industrial User shall maintain separators at their expense and keep in efficient operating condition at all times by the regular removal of waste materials.

11.5.4 Required Maintenance

1. Sand/oil separators shall be maintained by regularly scheduled cleaning so that they will properly operate as intended to efficiently intercept the sand and oil from the industrial user's wastewater and prevent the discharge of said materials into the District's wastewater collection system. A sand/oil separator shall be serviced at a minimum once per twelve (12) months or more frequently as necessary. The Industrial User should periodically check the separator for the accumulation of pollutants or solids to avoid exceeding the capacity of the separator.
2. The District may require more frequent cleaning. A variance from this requirement may be obtained when the industrial user can demonstrate with analytical data that less frequent cleaning is sufficient.
3. Maintenance of sand/oil separators shall be done in a workman-like manner only by a business/professional normally engaged in the servicing of such plumbing fixtures.
4. In the event a separator is not properly maintained by the industrial user, owner, or lessee, the District may authorize such maintenance work be performed on behalf of the facility. The costs of such maintenance shall be billed directly to the customer and shall become part of the charges due and owed to the District.

5. The industrial user must document each pump-out with a waste manifest or trip ticket and keep on site for at least three (3) years.
6. The Industrial User must take reasonable steps to assure that all waste is properly disposed of in accordance with federal, state and local regulations (i.e. through a statement certifying proper disposal by the hauler included on the waste manifest or trip ticket for each load).
7. Each Industrial User that is required to use and maintain a Sand/oil separator shall keep a record of every time the Sand/oil separator is pumped or cleaned or repaired. This record shall include the date, the name of the company that pumped or cleaned the Sand/oil separator and the amount of waste that was removed. Such records shall be made available to the Manager upon request. The removed contents from any Sand/oil separator shall be handled by a person licensed to haul such waste and shall be disposed of in accordance with federal, state and local regulations.

11.6 Dental Discharger Requirements

11.6.1 Definitions

“Amalgam process wastewater” means any wastewater generated and discharged by a dental discharger through the practice of dentistry that may contain dental amalgam.

“Amalgam separator” means a collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a Dental Discharger.

“Amalgam waste” means any waste containing mercury or residues from the preparation, use or removal of amalgam. This includes, but is not limited to, any mercury waste generated or collected by chair-side traps, screens, filters, vacuum systems filters, amalgam separators, elemental mercury, amalgam capsules and autoclaves or other equipment that come in contact with mercury.

“Dental amalgam” means an alloy of elemental mercury and other metal(s) that is used in the practice of dentistry.

“Dental Discharger” means a facility where the practice of dentistry is performed, including, but not limited to, institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by Federal, state or local governments, that discharges wastewater to a publicly owned treatment works (POTW).

“Exempt Dental Practice” means any dental facility in which no amalgam is placed or removed nor is amalgam used at any time in the dental practice.

“Existing Sources” means a dental discharger that is not a new source.

“Mobile unit” means a specialized mobile self-contained van, trailer, or equipment used in providing dentistry services at multiple locations.

“New Sources” means a dental discharger whose first discharge to a POTW occurs on or after July 15, 2017, or where a transfer of ownership occurs.

11.6.2 General Best Management Practices for the Acceptance of Dental Amalgam

1. **Dental Discharger.** All dental facilities that discharge wastewater generated from the placement or removal of amalgam to the POTW are required to install an amalgam separator, implement BMPs, and meet specific reporting and certification requirements.
2. **Exempt Dental Practice.** These BMPs are not required for dental facilities meeting the definition of an Exempt Dental Discharger. A written request for a waiver shall be delivered to the District before the dental practice opens for business but in no case later than thirty (30) days from date the dental practice opens for business.
3. **Amalgam Separator.** Amalgam separators shall be installed in all dental facilities, except exempt dental practices. All amalgam separators shall meet the following criteria:
 - (a) The amalgam separator shall be ISO11143 certified and shall be designed and approved for a flow rate capable of handling the maximum volume discharged from the dental practice it serves.
 - (b) The amalgam separator shall be certified to meet at least a 99% solids removal or higher solids removal efficiency as specified by federal or state regulations.
 - (c) The amalgam separator shall allow the Dental Discharger to make direct observations as to the level of solids in the collection container, proper solid and liquid separation, and the condition of all plumbing connections.
 - (d) The amalgam separator shall be installed so that all amalgam-contaminated wastewater will pass through the unit before being discharged to the POTW.

- (e) Amalgam separators shall be installed so they are accessible for cleaning and inspection.
- (f) Each dental practice shall be responsible for inspecting the amalgam separator(s) at least once per week and recording if the level of solids is approaching the level where maintenance is required, or other operational problems are identified. In addition, the date of visual inspection and the person performing the inspection shall be recorded on the log sheet.
- (g) The amalgam separator shall be serviced, at a minimum, in accordance with manufacturer's instructions or more frequently if visual inspections indicate that the level of solids is at or over 85% of the recommended maximum level.
- (h) Waste removed from the amalgam separator shall be collected and handled in accordance with the manufacturer's instructions and as described below.

11.6.3 Best Management Practices.

1. New Source Dental Dischargers: BMPs shall be implemented by the Dental Discharger upon discharge to the POTW. The Duly Authorized Representative of the New Source Dental Discharger shall report to the District within 30 days of Discharge a report including the following information:
 - (a) The facility name, physical address, mailing address, and contact information.
 - (b) Name(s) of the operator(s) and owner(s).
 - (c) A description of the operation at the dental facility including: The total number of chairs, the total number of chairs at which dental amalgam may be present in the resulting wastewater, and a description of any existing amalgam separator(s) or equivalent device(s) currently operated to include, at a minimum, the make, model, year of installation.
 - (d) Certification that the amalgam separator(s) or equivalent device is designed and is being operated and maintained to meet the requirements specified in these Industrial Wastewater Control Regulations and 40 CFR Part 441.

- (e) Certification that the dental discharger is implementing BMPs specified in these Industrial Wastewater Control Regulations and 40 CFR Part 441.
 - (f) The name of the third-party service provider that maintains the amalgam separator(s) or equivalent device(s) operated at the dental office, if applicable. If the Dental Discharger maintains the amalgam separator and other BMP requirements, the Dental Discharger shall provide a brief description of the practices employed by the facility to ensure proper operation and maintenance in accordance with these Industrial Wastewater Control Regulations and 40 CFR Part 441.
 - (g) Signatory Certification as shown in Section 11.6.5.4 below by the Duly Authorized Representative.
2. Existing Source Dental Discharger: Dental dischargers that are already operating and discharging before the effective date of these Industrial Wastewater Control Regulations shall install an appropriate amalgam separator and implement required BMPs within ninety (90) days of the effective date of these Industrial Wastewater Control Regulations. The Existing Source Dental Discharger shall provide the report specified in Section 3(a) above within 120 days of the effective date of this Article/these Industrial Wastewater Control Regulations].
 3. Each Dental Discharger shall ensure that all dental chairs are equipped with chair-side traps and that all vacuum pumps are equipped with traps and filters where recommended by the manufacturer. All equipment shall be operated and maintained in accordance with the manufacturer's instructions.
 4. Each Dental Discharger shall use disinfecting line cleaners that have a pH in the range of 7-9 and are non-chlorine and non-oxidizing. When cleaning filters, the Dental Discharger shall not rinse filters or traps over sinks or drains that do not discharge through the amalgam separator. All water containing amalgam waste must be washed through amalgam separator lines.
 5. Each Dental Discharger shall recycle all bulk mercury and all amalgam waste.
 - (a) All contact and non-contact scrap amalgam should be salvaged and stored in structurally sound, tightly closed and appropriately labeled containers and recycled no more than twelve (12) months from the date the first amalgam waste is added to the container. The beginning accumulation date shall be included

on the outside of the container. State or federal hazardous waste authorities may have additional, more stringent requirements.

- (b) The Dental Discharger shall never dispose of amalgam waste, infectious waste or biohazard containers in the garbage.
- (c) The Dental Discharger shall use only pre-capsulated, single-use amalgam and shall stock a variety of sizes in order to minimize waste.
- (d) The Dental Discharger shall not cause or contribute to Pass Through, Interference, violate a Specific Prohibition in Section 2.1 or cause the District to exercise its emergency authority specified in Section 12.2 of these Industrial Wastewater Control Regulations.

11.6.4 Recordkeeping. All records shall be kept on site for a minimum of three (3) years and shall be made available to the District] on request as required by Section 4 of these Industrial Wastewater Control Regulations. Each Dental Discharger shall maintain records of:

- (a) Amalgam Disposal. Records shall include the date, name and address of the facility to which any waste amalgam is shipped, and the amount shipped.
- (b) Weekly Visual Inspections: Records (logs) shall include the date and time of the visual inspection, name and initials of person conducting the inspection and whether or not the level of solids is such that the unit needs to have maintenance or other problems are identified (e.g. leaks).
- (c) Amalgam Waste: Records of all maintenance and service completed on the amalgam separator.

11.6.5 Reporting. The Dental Discharger shall submit a certification provided by the District by January 28th of each year, a report that includes:

1. The manufacturer, model and date of installation for each amalgam separator;
2. The name of the installer(s) and the name of the company that maintains the amalgam separator or if performed in-house, the name of the person responsible;
3. Copies of the records in paragraph 11.6.4 of this Section;
4. The following Signatory Certification shall be signed by the Authorized Representative:

“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.”

5. Reports shall be submitted to:

Industrial Pretreatment Program Coordinator
Parker Water and Sanitation District
18100 E. Woodman Drive
Parker, CO 80134

6. The Dental Discharger shall inform the District prior to:

- (a) Sale or transfer of ownership of the business;
- (b) Change in the trade name under which the business is operated;
- (c) Change in the nature of the services provided that affect the potential to discharge amalgam; or
- (d) Remodeling of the facility that may result in an increase in flow or pollutant loading or that otherwise requires the facility to submit plans or specifications for approval through a building or zoning department, or any other formal approval process of the District, county or other jurisdiction.

11.6.6 Inspections and Data Collection.

1. The District may conduct inspections, require written waste surveys or other reporting for any Dental Discharger. Inspection may be conducted with or without notice for the purpose of determining applicability and/or compliance with these Dental Discharger BMPs.
2. If any inspection reveals non-compliance with any provision of this Dental Discharger BMPs, corrective action shall be required. The corrective action shall not limit the ability of the District to take an enforcement action.

11.6.7 Closure.

The District may require closure of plumbing, treatment devices, storage components, containments, or other such physical structures that are no longer required for their intended purpose. Closure may include the removal of equipment, the filling in and/or cementing, capping, plugging, etc.

SECTION 12 – COMPLIANCE AND ENFORCEMENT.

12.1. Rules and Regulations. Compliance and enforcement shall be accomplished pursuant to Section 10 of the District's Rules and Regulations. In addition, the following shall apply to industrial users:

12.2 Suspension of Service.

- 12.2.1 Endangerment to Health or Welfare of the Community: The District, through other than a formal notice to the affected industrial user, may immediately and effectively halt or prevent any discharge of pollutants into any natural waterway, surface drainage within the District, any area under jurisdiction of the District, the POTW of the District or any wastewater system tributary thereto, by any means available to them, including physical disconnection from the wastewater system, whenever it reasonably appears that such discharge presents an imminent endangerment to the health or welfare of the community.
- 12.2.2 Endangerment to Environment or Treatment Works: The District, after written notice to the discharger may halt or prevent any discharge of pollutants into any natural waterway, surface drainage within the District, any area under jurisdiction of the District, the POTW, wastewater system tributary thereto, by any means available to them, including physical disconnection from the wastewater system, whenever such discharge presents or may present an endangerment to the environment or threatens to interfere with the operation of the POTW.
- 12.2.3 Any person notified of a suspension of the wastewater treatment service and/or the Industrial Wastewater Discharge Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the District shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to individuals or the environment. The District may reinstate the Industrial Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.
- 12.2.4 A detailed written statement submitted by the industrial user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be provided to the District within five (5) days of the date of

occurrence. Suspension of Service shall not be a bar against, or a prerequisite for, taking any other action against the industrial user.

12.3 Revocation of Industrial Wastewater Discharge Permit or Authorization to Discharge.

12.3.1 A violation of the conditions of an Industrial Wastewater Discharge Permit, authorization, or order under these Industrial Wastewater Control Regulations shall be reason for revocation of such permit or authorization to discharge by the District as provided for in Section 3.7. Upon revocation of the permit, any wastewater discharge from the affected industrial user shall be considered prohibited and discharge of such wastewater in violation of these Industrial Wastewater Control Regulations.

SECTION 13 – FEES.

Purpose. It is the purpose of these Industrial Wastewater Control Regulations to provide for the recovery of costs from industrial users of the POTW.

13.1 The District may adopt charges and fees which recover the costs incurred by the administration and enforcement of the pretreatment program established by these Industrial Wastewater Control Regulations, including but not limited to, the following:

- 13.1.1 Fees for reimbursement of costs of setting up and implementing these Industrial Wastewater Control Regulations;
- 13.1.2 Fees for monitoring, inspecting, and surveillance;
- 13.1.3 Fees for reviewing required reports and notifications;
- 13.1.4 Fees for reviewing permit applications and issuing permits;
- 13.1.5 Fees for filing appeals and other legal expenses;
- 13.1.6 Surcharges for discharge to the POTW of pollutants that exceed Normal Domestic Strength Sewage as defined in Section 1.3 of the District’s Rules and Regulations;
- 13.1.7 Fees for the acceptance, treatment and/or disposal of special wastes; and
- 13.1.8 Other fees as the District may deem necessary to carry out the requirements contained herein.

13.2 These fees relate solely to the matters covered by this Section 13 and are separate from all other fees chargeable by the District. All fees and surcharges shall be assessed as a sewer service charge on the industrial user’s sewer bill.

SECTION 14 – Severability.

If any part, section, subsection, sentence, clause or phrase of these Industrial Wastewater Control Regulations adopted hereby is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of these Industrial Wastewater Control Regulations; the District Council hereby declares that it would have passed these Industrial Wastewater Control Regulations

in each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.