

AN ORDINANCE RELATING TO CHAPTER 74—PRETREATMENT PROVISIONS;  
AMENDING SRC 74.030, 74.050, 74.410, 74.455, and 74.500.

**Section 1.** SRC chapter 74, sections 74.030, 74.050, 74.410, 74.455, and 74.500 are hereby amended as set forth in Exhibit A, attached hereto and by reference incorporated herein.

As a component of the Pretreatment Compliance Audit from DEQ, the Audit Team compared the Sewer Use Ordinance (SUO) with the provisions of 40 CFR Part 403 and observed the following deficiencies and inconsistencies:

1. It is recommended that the City revise the definition of “control authority” to clarify that the control authority is the City since the City’s pretreatment program is approved.
2. The City is required to add the definition of best management practices, as defined at 40 CFR 403.3(e) to the SUO.
3. The City is required to revise the specific prohibition of wastewater that may cause corrosive structural damage to the SUO to specifically prohibit discharges with pH less than 5.0.
4. The City is required to revise its specific prohibition of hazardous waste to more clearly define the type of waste being prohibited.
5. The City is required to revise the SUO to specify that time-proportional sample collection is only allowed if this sample type is representative of the discharge and the City has documented its decision to allow time-proportional sampling for a specific industrial user.
6. It is recommended that the SUO be revised to correctly cite the hazardous waste reporting requirements (40 CFR Part 261) in the federal regulations.
7. The City is required to revise the language at Section 74.500 to specify that confidential information may be available to governmental agencies such as DEQ and EPA.

1 **Section 3. Codification.** In preparing this ordinance for publication and distribution, the  
2 City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but  
within such limitations, may:

- 3 (a) Renumber sections and parts of sections of the ordinance;  
4 (b) Rearrange sections;  
5 (c) Change reference numbers to agree with renumbered chapters, sections or other  
parts;  
6 (d) Delete references to repealed sections;  
7 (e) Substitute the proper subsection, section or chapter, or other division numbers;  
8 (f) Change capitalization and spelling for the purpose of uniformity;  
9 (g) Add headings for purposes of grouping like sections together for ease of  
reference; and  
10 (h) Correct manifest clerical, grammatical or typographical errors.

11 **Section 4. Severability.** Each section of this ordinance, and any part thereof, is  
12 severable, and if any part of this ordinance is held invalid by a court of competent  
jurisdiction, the remainder of this ordinance shall remain in full force and effect.

13  
14  
15  
16 PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

17 ATTEST:

18  
19 City Recorder

20 Approved by City Attorney: \_\_\_\_\_

21 Checked by: Jim VanHouten, Environmental Services Supervisor  
22