



Staff Report

File #: 21-74
Version: 1

Date: 3/22/2021
Item #: 7.1a.

TO: Mayor and City Council
THROUGH: Steve Powers, City Manager
FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Amending *Salem Revised Code* Chapter 74, to modify the City's Wastewater Industrial Pretreatment Provisions to help prevent introduction of pollutants into the City's wastewater collection and treatment system.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe, Reliable, and Efficient Infrastructure

ISSUE:

Shall the City Council conduct first reading of Ordinance Bill No. 2-21 to adopt wastewater industrial pretreatment regulations and schedule a second reading of the ordinance?

RECOMMENDATION:

Staff recommends the City Council conduct first reading of Ordinance Bill 2-21, adopting wastewater industrial pretreatment regulations and scheduling a second reading of the ordinance.

SUMMARY:

Salem Revised Code Chapter 74 establishes uniform requirements for direct and indirect discharges of pollutants from nondomestic sources into the City's wastewater collection and treatment system. The prohibitions and standards are designed to provide a minimum acceptable level of control over industrial user discharges. The Oregon Department of Environmental Quality (DEQ) requires the City to take this action and has approved these amendments as a minor change to the City's

pretreatment program.

The amendments:

- (1) Prevent the introduction of pollutants into the City's wastewater system that interfere with the operation of the system;
- (2) Prevent the introduction of pollutants into the City wastewater system that will pass inadequately treated through the wastewater system into the waters of the State or the atmosphere, or which will otherwise be incompatible with the City wastewater system;
- (3) Ensure the quality of the treatment plant sludge allows for beneficial use;
- (4) Protect City personnel who may come into contact with sewage, sludge, and treated wastewater effluent during their employment, and to protect the public;
- (5) Preserve the hydraulic capacity of the City wastewater system;
- (6) Improve the opportunity to recycle and reclaim wastewater and sludge from the City wastewater system;
- (7) Ensure the City complies with its NPDES (National Pollutant Discharge Elimination System) permit and any other applicable federal or state laws;
- (8) Provide for the regulation of direct and indirect discharge into the City wastewater collection system, through the issuance of permits to certain nondomestic users and through enforcement of general requirements for other users;
- (9) Authorize monitoring and enforcement activities, establish administrative review procedures, require user reporting, and provide for the setting of fees for the equitable distribution of costs resulting from the regulatory program established.

FACTS AND FINDINGS:

The recommended amendments follow a DEQ audit. The DEQ compared the provisions of SRC Chapter 74 with federal law and made the following recommendations:

1. Revise the definition of "control authority" to clarify that the control authority is the City.
2. Add the definition of best management practices. Best Management Practices (BMPs) for storm water systems are the techniques, measures, or structural controls used for a given set of conditions to manage and prevent erosion, control sediment, and improve the quality of storm water runoff. BMPs for pretreatment and monitoring systems include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
3. Revise the specific prohibition of wastewater that may cause corrosive structural damage to specifically prohibit discharges with pH less than 5.0.

4. Revise the specific prohibition of hazardous waste to more clearly define the type of waste being prohibited.
5. 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. Correctly cite the hazardous waste reporting requirements in federal regulations.
7. Revise the language at SRC Chapter 74.500 to specify that confidential information may be available to governmental agencies such as DEQ and EPA.

BACKGROUND:

As a component of the National Pollutant Discharge Elimination System (NPDES) Program, the National Pretreatment Program was developed by the federal Environmental Protection Agency (EPA) to control the discharge of pollutants from publicly owned treatment works, such as the City's Willow Lake Water Pollution Control Facility.

The statutory authority for the National Pretreatment Program lies in the Clean Water Act. EPA developed pretreatment standards that prevent the discharge of pollutants that pass through, interfere with, or are otherwise incompatible with publicly owned treatment works. The Clean Water Act requires operators of publicly owned treatment works to ensure compliance with the pretreatment standards by each significant local source of pollutants subject to pretreatment standards.

Mark Becketl, AICP
Operation Division Manager

Attachments:

1. Ordinance Bill No. 2-21
2. Exhibit A, SRC Chapter 74 Proposed Revisions