

Chapter 13.06

INDUSTRIAL PRETREATMENT REGULATIONS

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25

26 **13.06.010 Purpose and Policy.**

27 These Regulations set forth uniform requirements for users of the Publicly Owned Treatment
 28 Works (POTW) for Pierce County (County) and enable the County to comply with all applicable
 29 state and federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the General
 30 Pretreatment Regulations (40 CFR Part 403). The objectives of these Regulations are:

- 31 A. to prevent the introduction of pollutants into the POTW that will interfere with the
 32 operation of, or cause damage to, the POTW;
- 33 B. to prevent the introduction of pollutants into the POTW ~~which~~that will pass through the
 34 POTW inadequately treated into receiving waters or will otherwise be incompatible with
 35 the POTW;
- 36 C. to ensure that the quality of the wastewater treatment plant biosolids is maintained at a
 37 level which allows its utilization in compliance with applicable statutes and regulations;
- 38 D. to protect the general public, and to protect POTW personnel who may be affected by
 39 wastewater, solids, and biosolids in the course of their employment;
- 40 E. to improve the opportunity to recycle and reclaim wastewater and biosolids from the
 41 POTW;

42 These Regulations shall apply to all users of the POTW. The Industrial Pretreatment
 43 Regulations authorize the issuance of wastewater discharge permits; authorize monitoring,
 44 compliance, and enforcement activities; establish administrative review procedures; authorize
 45 requirements for users to monitor and report; and provide for the setting of fees for the equitable
 46 distribution of costs resulting from the program established herein.



1 **13.06.020 Administration.**

2 Except as otherwise provided herein, the Pierce County Wastewater Utility Manager
3 (Manager), shall administer, implement, and enforce the provisions of this Chapter. The
4 Manager shall have the authority to delegate, as necessary, specific authority to carry out the
5 execution, administration, and interpretation of these Regulations.
6

7 **13.06.030 Definitions.**

8 Unless a provision explicitly states otherwise, the following terms and phrases, as used in this
9 Chapter, shall have the meanings hereinafter designated:
10

11 “Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as
12 amended, 33 U.S.C. 1251 et seq.
13

14 “All Known, Available, and Reasonable Methods of Prevention, Control, and Treatment”
15 (AKART) means AKART determinations consider all the potential treatment technologies,
16 including zero discharge and pollution prevention, best management practices (BMPs), which
17 may be applicable to the facility. AKART determinations include an economic analysis of the
18 cost of zero discharge and any treatment processes. The County makes AKART determinations
19 on a case-by-case basis.
20

21 “Applicable Pretreatment Standards” means, for any specified pollutant, Pierce County
22 prohibitive standards, Pierce County specific pretreatment standards (local limits), State of
23 Washington pretreatment standards, or EPA's Categorical Pretreatment Standards (when
24 effective), whichever standard is appropriate or most stringent.
25

26 “Approval Authority” means the Washington Department of Ecology is the Approval Authority
27 within the State of Washington.
28

29 “Authorized Representative of the User” means:

- 30 1. If the user is a corporation:
31 a. The president, secretary, treasurer, or a vice-president of the corporation in charge of
32 a principal business function, or any other person who performs similar policy or
33 decision-making functions for the corporation; or
34 b. The manager of one or more manufacturing, production, or operation facilities
35 employing more than 250 persons or having gross annual sales or expenditures
36 exceeding \$25 million, if provided the manager is authorized to make management
37 decisions which govern the operation of the regulated facility including having the
38 explicit or implicit duty of making major capital investment recommendations and
39 initiating and directing other comprehensive measures to assure long-term
40 compliance with environmental laws and regulations; can ensure that the necessary
41 systems are established or actions taken to gather complete and accurate information
42 for control mechanism requirements; and where authority to sign documents has
43 been assigned or delegated to the manager in accordance with corporate procedures;
44 2. If the user is a partnership or sole proprietorship, a general partner or proprietor,
45 respectively;



- 1 3. If the user is a federal, State, or local governmental facility, a director or highest official
2 appointed or designated to oversee the operation and performance of the activities of the
3 government facility, or designee.
- 4 4. The individuals described in paragraphs 1. through 3. above may designate another
5 authorized representative if the authorization is in writing, the authorization specifies the
6 individual or position responsible for the overall operation of the facility from which the
7 discharge originates, or having overall responsibility for environmental matters for the
8 company, and the written authorization is submitted to the County.

9
10 “Batch Discharge” means any single discharge that is specifically allowed under a wastewater
11 discharge permit, or that requires the prior approval of the Manager before discharge to the
12 sanitary County public sewer system may begin.

13
14 “Best Management Practices” (BMPs) means schedules of activities, prohibitions of practices,
15 maintenance procedures, and other management practices to implement the prohibitions listed in
16 part 13.06.050 of this code. BMPs also include treatment requirements, operating procedures
17 and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage
18 from raw material storage.

19
20 “Biochemical Oxygen Demand” (BOD) means the quantity of oxygen utilized in the biochemical
21 oxidation of organic matter under standard laboratory procedures for five days at 20° Celsius,
22 usually expressed as a concentration [milligrams per liter (mg/l)].

23
24 “Biosolids” means municipal sewage solids (sludge) that is a primarily organic product resulting
25 from the wastewater treatment process that can be beneficially recycled under applicable
26 regulations.

27
28 “Bypass” means the intentional diversion of waste streams from any portion of a user's treatment
29 facility.

30
31 “Categorical Pretreatment Standard” or “Categorical Standard” means any regulation containing
32 pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and
33 (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in
34 40 CFR Chapter I, Subchapter N, Parts 405-471.

35
36 “Categorical User” means a user covered by one of EPA's Categorical Pretreatment Standards

37
38 “Certification” means a statement required under 40 CFR 403.12(b) for baseline monitoring
39 reports for existing sources, and under 40 CFR 403.12(d) for 90-day compliance reports from
40 new sources. In 40 CFR 403.12(b)(6) it defines this as a statement reviewed by an authorized
41 representative of the user and certified by a qualified professional indicating whether the
42 applicable Pretreatment Standards are being met on a consistent basis, and, if not, whether
43 additional operation and maintenance (O&M) and/or additional pretreatment is required for the
44 user to meet the applicable Pretreatment Standards and Requirements. The certification
45 requirements are found in Section 13.06.260 G. of this Chapter, and are in addition to the
46 signatory requirements under Section 13.06.270 which apply to all user reports and permit
47 applications.



1
2 “Composite Sample” means the sample resulting from the combination of individual wastewater
3 samples taken at selected intervals based on an increment of either flow or time.

4
5 “Contaminant” means any substance that is discharged to the County public sewer system other
6 than clean drinking water and/or storm and surface water runoff.

7
8 “Color” means the optical density at the visual wave length of maximum absorption, relative to
9 distilled water. One-hundred percent transmittance is equivalent to zero (0.0) optical density.

10
11 “Cooling Water” means water used for heat transfer (cooling or heating) further defined as
12 either: 1) Non-Contact Cooling Water, which does not come into direct contact with any raw
13 material, intermediate product, waste product, or finished product. It may be generated from any
14 use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only
15 pollutant added is heat; or 2) Contact Cooling Water, which is polluted by the addition of
16 biocides, slimicides, corrosion inhibitors, product contact, other pollutants, or concentration of
17 natural ambient concentrations of pollutants to the point where it can no longer be disposed of as
18 clean water.

19
20 “County” means the County Government of Pierce County, Washington ~~or the Executive and~~
21 ~~Council of the County, or an authorized deputy, agent, or representative.~~ It also refers to the
22 unincorporated areas of Pierce County.

23
24 “Dangerous Waste” means any waste so defined by Washington Administrative Code (WAC)
25 173-303-080 through -110.

26
27 “~~Director of Public Works (Director)~~” means the individual ~~designed~~ designated by Pierce
28 County as the ~~Director of the~~ Pierce County Public Works and Utilities Department, or a duly
29 ~~authorized representative~~ designee.

30
31 “Domestic User (Residential User)” means any non-commercial user of the POTW who
32 contributes, causes, or allows the contribution of wastewater into the County POTW that is of a
33 similar volume and/or chemical make-up as that of a residential dwelling unit. Discharges from
34 a residential dwelling unit typically include up to 220 gallons of flow per day, 225 mg/l of BOD
35 and 225 mg/l of TSS.

36
37 “Environmental Protection Agency” (EPA) means the United States Environmental Protection
38 Agency or, where appropriate, the Regional Water Division Director, or other duly authorized
39 official of said agency.

40
41 “Existing Source” means a categorical industrial user which is a source of discharge for which
42 construction or operation commenced prior to the publication by EPA of proposed categorical
43 pretreatment standards, which will be applicable to such source if the standard is thereafter
44 promulgated in accordance with Section 307 of the Act.

45
46 “Existing User” means a user which is discharging wastewater prior to the effective date of this
47 Chapter. Any person that buys an existing facility that is discharging non-domestic wastewater



1 will be considered an "existing user" if no significant changes are made in the manufacturing
2 operation.

3
4 "Grab Sample" means a sample which is taken from a waste stream on a one-time basis without
5 regard to the flow in the waste stream and without consideration of time.

6
7 "Indirect Discharge or Discharge" means the introduction of pollutants into the POTW from any
8 non-domestic source regulated under Section 307(b), (c), or (d) of the Act and by applicable
9 State and local regulations.

10
11 "Insignificant Industrial User" means an industrial user of the POTW identified by the County as
12 having no significant process wastewater discharge and/or accidental discharge or spill potential.

13
14 "Interference" means a discharge which alone or in conjunction with a discharge or discharges
15 from other sources, either: (1) inhibits or disrupts the POTW, its treatment processes or
16 operations; (2) inhibits or disrupts its solids processes, utilization, or disposal; or (3) is a cause of
17 a violation of the County's NPDES permit or of the prevention of sewage sludge/biosolids use or
18 disposal in compliance with any of the following statutory/regulatory provisions or permits
19 issued thereunder (or more stringent State or local regulations): Sections 405 of the Clean Water
20 Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the
21 Resource Conservation and Recovery Act (RCRA); any federal or State regulations contained in
22 any federal or State biosolids/sludge management plan prepared pursuant to Subtitle D of the
23 SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection,
24 Research, and Sanctuaries Act.

25
26 "Manager" means the ~~person~~ individual designated by Pierce County as the Wastewater Utility
27 Manager of the Pierce County Public Works and Utilities Department to administer the operation
28 of the County's sewer utility and POTW, and who is charged with certain duties and
29 responsibilities in this Chapter, or ~~designee~~ a duly authorized representative.

30
31 "Maximum Allowable Discharge Limit" means the maximum concentration (or mass loading) of
32 a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or
33 composited sample collected, independent of the industrial flow rate and the duration of the
34 sampling event.

35
36 "May" means permissive. (Shall is mandatory.)

37
38 "Medical Wastes" means infectious agents, such as isolation wastes, human blood and blood
39 products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes,
40 potentially contaminated laboratory wastes, and dialysis wastes.

41
42 ~~"Minor Industrial Discharger or User"~~ (MIU) means an industrial user of the POTW identified
43 by the County as having the potential to discharge a waste stream that, when taken with the
44 waste stream from other industrial users, may have a significant impact on the POTW. MIUs
45 without waste streams that have potential for accidental spills to the sewer may be classified as
46 Dry MIUs and may or may not be subject to ASPP requirements.



1 “New Source” means:

- 2 1. Any building, structure, facility, or installation from which there is (or may be) a
3 discharge of pollutants; the construction of which commenced after the publication of
4 proposed pretreatment standards under Section 307(c) of the Act, which will be
5 applicable to such source if such standards are thereafter promulgated in accordance
6 with that section, provided that:
 - 7 a. The building, structure, facility, or installation is constructed at a site at which no
8 other source is located; or
 - 9 b. The building, structure, facility, or installation totally replaces the process or
10 production equipment that causes the discharge of pollutants at an existing source; or
 - 11 c. The production or wastewater generating processes of the building, structure,
12 facility, or installation are substantially independent of an existing source at the same
13 site. In determining whether these are substantially independent, factors such as the
14 extent to which the new facility is integrated with the existing plant, and the extent to
15 which the new facility is engaged in the same general type of activity as the existing
16 source, should be considered.
- 17 2. Construction on a site at which an existing source is located results in a modification
18 rather than a new source if the construction does not create a new building, structure,
19 facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise
20 alters, replaces, or adds to existing process or production equipment.
- 21 3. Construction of a new source as defined under this paragraph has commenced if the
22 owner or operator has:
 - 23 a. Begun, or caused to begin, as part of a continuous on-site construction program
24 (1) any placement, assembly, or installation of facilities or equipment; or
25 (2) significant site preparation work including clearing, excavation, or removal of
26 existing buildings, structures, or facilities which is necessary for the placement,
27 assembly, or installation of new source facilities or equipment; or
 - 28 b. Entered into a binding contractual obligation for the purchase of facilities or
29 equipment which ~~are~~ is intended to be used in its operation within a reasonable time.
30 Options to purchase or contracts which can be terminated or modified without
31 substantial loss, and contracts for feasibility, engineering, and design studies do not
32 constitute a contractual obligation under this paragraph.

33
34 “New User” means, while "new sources" are exclusively categorical industries, "new users"
35 includes all users that apply to the County for a new building permit or occupy an existing
36 building and plan to (or begin to) discharge a new source of wastewater to the County's
37 ~~collection~~ public sewer system after the effective date of this Chapter. New Users may be found
38 to be Significant Industrial Users, Minor Industrial Users, or Insignificant Industrial Users upon
39 review of the user's permit application and other relevant information submitted to the County.

40
41 ~~“O&M” means operations and maintenance.~~

42
43 “Other Wastes” means substances such as decayed wood, sawdust, shavings, bark, lime, refuse,
44 ashes, offal, oil, tar, chemicals, and all other substances except sewage and industrial wastes.

45
46 “Pass Through” means the occurrence of a discharge which exits the POTW into waters of the
47 United States in quantities or concentrations which, alone or in conjunction with a discharge or



1 discharges from other sources, is a cause of a violation of any requirement of the County's
2 NPDES permit (including an increase in the magnitude or duration of a violation) or causes the
3 POTW's effluent to violate a water quality standard for which permit limits would be applicable
4 if a potential to violate the standard was known.

5
6 “Permit” means the Industrial Wastewater Discharge permit authorizing the permittee to
7 discharge non-domestic wastewater into the County’s sewer system. A permit is issued under
8 the authority of this Chapter, and prescribes discharge requirements and limitations.

9
10 “Permittee” means a person or user issued an industrial wastewater discharge permit.

11
12 “Person” means any individual, partnership, co-partnership, firm, company, corporation,
13 association, joint stock company, trust, estate, governmental entity, or any other legal entity; or
14 their legal representatives, agents, or assigns. This definition includes all federal, State, or local
15 governmental entities.

16
17 “pH” means a measure of the acid or alkaline nature of a substance, expressed in standard units
18 of the hydrogen ion concentration.

19
20 “Pollutant” means any substance discharged into a POTW or its collection the public sewer
21 system which, if discharged directly, would alter the chemical, physical, biological, or
22 radiological characteristics or properties of waters of the State [i.e., pH, temperature, TSS,
23 turbidity, color, BOD, Chemical Oxygen Demand (COD), metals, organics, toxicity, odor].

24
25 “Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or
26 the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of)
27 introducing such pollutants into the POTW. This reduction or alteration can be obtained by
28 physical, chemical, or biological processes; by process changes; or by other means (except by
29 diluting the concentration of the pollutants unless allowed by an applicable pretreatment
30 standard).

31
32 “Pretreatment Requirements” means any substantive or procedural requirement related to
33 pretreatment, or the County’s Pretreatment Program, imposed on a user, other than a
34 pretreatment standard.

35
36 “Pretreatment Standards or Standards” means prohibited discharge standards, categorical
37 pretreatment standards, and local limits established by the County or any standard of treatment
38 based upon AKART and included in a discharge permit.

39
40 “Process Wastewater” means wastewater discharged from one or more industrial processes or
41 industrial cleanup procedures. Process wastewater does not include domestic waste or non-
42 contact cooling or heating water. Process wastewater may refer to one process discharge or
43 several commingled process discharges.

44
45 “Prohibited Discharge Standards” or “Prohibited Discharges” means absolute prohibitions
46 against the discharge of certain substances; these prohibitions appear in Section 13.06.050.



1 “Publicly Owned Treatment Works” (POTW) means a "treatment works," as defined by Section
2 212 of the Act (33 U.S.C. 1292) which is owned by, or under the jurisdiction or control of, the
3 County. This definition includes any devices or systems used in the collection, conveyance,
4 storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature.
5 For purposes of this Chapter, the POTW shall be the County’s public sewer system.

6
7 “Self Monitoring Reports” means a report, submitted to the County by the Discharger, User
8 containing information generated by the Discharger, User, such as sampling test results on
9 wastewater discharges quality or quantity.

10
11 “Septic Tank Waste” means any sewage from holding tanks such as chemical toilets, and septic
12 tanks or from tanks within campers, trailers, and vessels holding human and/or kitchen wastes.

13
14 “Sewage” means water-carried human wastes, or a combination of water-carried wastes from
15 residences, business buildings, institutions and industrial establishments, together with such
16 ground, surface, storm, or other waters as may be present. This term is used interchangeably
17 with the term "wastewater".

18
19 “Sewer” means any pipe, conduit, ditch, or other device used to collect and transport sewage or
20 stormwater from the generating source.

21
22 "Shall" means mandatory. ("May" is permissive.)

23
24 “Significant Industrial User” (SIU) means:

- 25 1. A user subject to categorical pretreatment standards; or
- 26 2. A user that:
 - 27 a. Discharges an average of 25,000 gpd or more of process wastewater to the POTW
28 (excluding sanitary, non-contact cooling, heating, and boiler blowdown wastewater);
 - 29 b. Contributes a process waste stream which makes up five percent (5%) or more of
30 the average dry weather hydraulic or organic capacity of the POTW; or
 - 31 c. Is designated as such by the County on the basis that it has a reasonable potential for
32 adversely affecting the POTW's operation or for violating any pretreatment standard
33 or requirement.
- 34 3. Upon a finding that a user meeting the criteria in subsection (2) has no reasonable
35 potential for adversely affecting the POTW's operation or for violating any applicable
36 pretreatment standard or requirement, the County may at any time, on its own initiative,
37 or in response to a petition received from a user [and in accordance with procedures in
38 40 CFR 403.8(f)(6)] determine that such user should not be considered a significant
39 industrial user.

40
41 “Significant Non-compliance” means significant non-compliance occurs when a violation or
42 series of violations by an industrial user meets one or more of the following criteria:

- 43 1. Chronic violations of wastewater discharge limits, defined as those in which 66~~sixty-six~~
44 percent (66%) or more of all the measurements taken during a six month period exceed
45 the daily maximum limit or the average limit for the same pollutant parameter; a
46 numeric Pretreatment Standard or Requirement, including instantaneous limits, as
47 defined by Section 13.06.030;



2. Technical review criteria (TRC) violations, defined as those in which ~~33~~thirty-three percent (33%) or more of all measurements for each pollutant parameter taken during a six month period equal or exceed ~~the product of the daily maximum limit or the average limit~~ a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by section 13.06.030 of this code, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oils, and grease (FOG), and 1.2 for all other pollutants except pH);
3. Any other violations(s) of a pretreatment ~~effluent limit~~standard or requirement, including instantaneous limits, as defined in Section 13.06.030, that the Manager determines to have caused, alone or in combination with other discharges, an interference or pass-through, or endangered the health of the general public or sewage treatment personnel;
4. Any discharge of a pollutant that causes an imminent endangerment to human health, welfare, or to the environment, or results in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet a compliance schedule milestone contained in an Industrial Wastewater Discharge Permit or enforcement order for starting or completing construction, or attaining final compliance;
6. Failure to provide, within ~~30~~45 days after the due date, required reports, such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, or other reports required by compliance schedules;
7. Failure to accurately report non-compliance; or
8. Any other violation or group of violations, which may include a violation of Best Management Practices, which the Manager finds will adversely affect the operation and implementation of the County's Pretreatment Program.

“Slug Load” means any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge at a flow rate or concentration which could cause pass through or interference to the POTW and/or violates the pretreatment standards of this Chapter.

“Standard Industrial Classification (SIC) Code” means a classification pursuant to the "Standard Industrial Classification Manual" issued by the United States Office of Management and Budget.

“State” means State of Washington.

“Storm Sewer” means a sewer which carries storm and surface waters and drainage, but from which sewage and polluted industrial wastes are excluded.

“Storm Water” means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt, and which is not contaminated by any industrial process.

“Total Suspended Solids” (TSS) means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering, following the methods prescribed by 40 CFR Part 136.



1 “Toxic Organics/Toxic Pollutant” means one of the pollutants, or combination of those
2 pollutants, listed as toxic in regulations promulgated by EPA under Section 307 (33 U.S.C. 1317)
3 of the Act (found in Appendix A of 40 CFR Part 423), and also including other substances that
4 exhibit toxic effects on living organisms.

5
6 “Treatment Plant Effluent” means the discharge from the POTW into waters of the State or the
7 United States.

8
9 “Upset” means an exceptional incident in which a discharger unintentionally and temporarily is
10 in a state of noncompliance with the standards set forth in this Chapter due to factors beyond the
11 reasonable control of the Discharger, and excluding noncompliance to the extent caused by
12 operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of
13 preventive maintenance, or careless or improper operation thereof.

14
15 “User (Industrial User)” means any person, business, or corporation with a source of wastewater
16 discharge which does not qualify that person, business, or corporation as a Domestic User as
17 defined in this subsection.

18
19 “Wastewater” means liquids and water-carried industrial wastes and sewage from residential
20 dwellings, commercial buildings, industrial and manufacturing facilities, institutions, etc.,
21 whether treated or untreated, which are contributed to the POTW.

22
23 “Wastewater Discharge Permit” means an authorization or equivalent control document issued
24 by the County to users discharging wastewater to the POTW. The permit may contain
25 appropriate pretreatment standards and requirements as set forth in this Chapter or in other
26 applicable regulations.

27
28 “Wastewater Treatment Plant” or “Treatment Plant” means that portion of the POTW which is
29 designed to provide treatment of wastewater.

30
31 ~~Wastewater Utility Manager (Manager). The person designated by Pierce County to administer~~
32 ~~the operation of the County’s sewer utility and POTW, and who is charged with certain duties~~
33 ~~and responsibilities in this Chapter, or a duly authorized representative.~~

34
35 **13.06.040 Abbreviations and Acronyms.**

36 The following abbreviations shall have the designated meanings (The use of the singular
37 shall be construed to include the plural and the plural shall include the singular as indicated by
38 the context of its use.):

39
40 “ASPP” means Accidental Spill Prevention Plan.



1
2
3 “BMPs” means Best Management Practices.

4
5 “BOD” means Biochemical Oxygen Demand.

6
7 “CFR” means Code of Federal Regulations.

8
9 “COD” means Chemical Oxygen Demand.

10
11 “EPA” means U.S. Environmental Protection Agency.

12
13 “gpd” means gallons per day.

14
15 “LEL” means Lower Explosive Limit.

16
17 “mg” means milligrams.

18
19 “mg/l” means milligrams per liter.

20
21 “NPDES” means National Pollutant Discharge Elimination System.

22
23 “O&M” means Operations and Maintenance.

24
25 “POTW” means Publicly Owned Treatment Works.

26
27 “RCRA” means Resource Conservation and Recovery Act.

28
29 “RCW” means Revised Code of Washington.

30
31 “SIU” means Significant Industrial User.

32
33 “SWDA” means Solid Waste Disposal Act (42 U.S.C. 6901, et seq.).

34
35 “TSS” means Total Suspended Solids.

36
37 “USC” means United States Code.

38
39 “WAC” means Washington Administrative Code.

40
41 **13.06.050 Prohibited Discharge Standards.**

- 42 A. **General Prohibitions:** No user shall introduce or cause to be introduced into the
43 POTW any pollutant or wastewater which causes pass through or interference. These
44 general prohibitions apply to all users of the POTW whether or not they are subject to
45 categorical pretreatment standards or any other national, State, or local pretreatment
46 standards or requirements.



- 1 B. **Specific Prohibitions:** No user shall introduce or cause to be introduced into the
2 POTW the following pollutants, substances, or wastewater:
- 3 1. Any pollutants including liquids, solids, or gases which by reason of their nature or
4 quantity are, or may be, sufficient either alone or by interaction with other
5 substances to cause fire or explosion. Waste streams shall not have a closed-cup
6 flashpoint of less than 140° F (60° C) using the test methods specified in 40 CFR
7 261.21;
 - 8 2. Pollutants which result in the presence of toxic gases, vapors, or fumes within the
9 POTW in a quantity that may cause acute worker health and safety problems;
 - 10 3. Wastewater having a pH less than 5.5 or more than 11.0. In no case can a
11 wastewater cause corrosive structural damage to the POTW or equipment, or cause
12 the POTW's effluent to be less than 6.0 or greater than 9.0 (40 CFR 133.102(c)(2));
 - 13 4. Solid (greater than 1/4" in any dimension) or viscous substances which will or may
14 cause obstruction to the flow in a sewer or other interference with the operation of
15 the POTW;
 - 16 5. Grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings,
17 entrails, whole blood, feathers, ashes, sand, spent lime, stone or marble dust, metal,
18 glass, grass clippings, rags, spent grains, waste paper, wood, plastic, gases, tar,
19 asphalt residues, residues from refining or processing of fuel or lubricating oil,
20 dental amalgams, clay materials, glass grinding and polishing wastes in amounts
21 that would adversely affect the POTW or the treatment plant effluent, residues or
22 biosolids;
 - 23 6. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a
24 discharge at a flow rate and/or pollutant concentration which, either singly or by
25 interaction with other pollutants, will cause interference with the POTW;
 - 26 7. Wastewater having a temperature which will inhibit biological activity in the
27 treatment plant resulting in interference, but in no case wastewater which causes the
28 temperature at the introduction into the treatment plant to exceed 104° F (40 C)
29 unless the Approval Authority, upon the request of the POTW, approves alternate
30 temperature limits;
 - 31 8. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in
32 excess of the local limits, or in amounts that will cause interference or pass through;
 - 33 9. Any of the following non-polluted discharges unless approved by the Manager
34 under extraordinary circumstances, such as lack of direct discharge alternatives due
35 to combined sewer service or need to augment sewage flows due to septic
36 conditions:
 - 37 a. Non-contact cooling water in significant volumes.
 - 38 b. Stormwater, and other direct inflow sources such as wells, surface waters, roof
39 drains, etc.
 - 40 c. Wastewater significantly affecting system hydraulic loading, which do not
41 require treatment or would not be afforded a significant degree of treatment by
42 the system such as swimming pool drainage, condensate, deionized water, non-
43 contact cooling water, and unpolluted wastewater;
 - 44 10. Trucked or hauled pollutants, except as specifically approved by the Manager and at
45 discharge points designated by the County;
 - 46 11. The contents of any tank or other vessel owned or used by any person in the
47 business of collecting or pumping sewage, effluent, septage, or other wastewater



- 1 unless said person has first obtained testing and approval as may be generally
2 required by the County and paid all fees assessed for the privilege of said discharge;
- 3 12. Wastewater which imparts color which cannot be removed by the treatment
4 process, such as, but not limited to, dye wastes and vegetable tanning solutions,
5 which consequently imparts color to the treatment plant's effluent, thereby violating
6 the County's NPDES permit or other applicable regulations. Color (in combination
7 with turbidity) shall not cause the treatment plant effluent to reduce the depth of the
8 compensation point for photosynthetic activity by more than ~~10~~ten percent (10%)
9 from the seasonably established norm for aquatic life;
 - 10 13. Wastewater containing any radioactive wastes or isotopes except as specifically
11 approved by the Manager in compliance with applicable State or federal regulations
12 and when such person is licensed for the use of those radioactive materials by the
13 Department of Health and the waste meets all requirements of WAC Section 246-
14 221-190, "Disposal by release into sanitary sewerage systems", and the average
15 concentration limits as defined in WAC Section 246-221-190 Appendix A, Table I,
16 Column 2, and WAC Section 246-221-300 Appendix B;
 - 17 14. Any sludges, screenings, or other residues from the pretreatment of industrial
18 wastes or from industrial processes, unless specifically authorized by the Manager;
 - 19 15. Medical wastes, except as authorized by the Manager;
 - 20 16. Wastewater causing, alone or in conjunction with other sources, the treatment
21 plant's effluent to fail a toxicity test;
 - 22 17. Detergents, surface-active agents, or other substances in amounts which may cause
23 excessive foaming in the POTW;
 - 24 18. Any substance which will cause the POTW to violate its NPDES permit and/or
25 other disposal system permits;
 - 26 19. Any wastewater, which in the opinion of the Manager, can cause harm either to the
27 sewers, sewage treatment process, or equipment; have an adverse effect on the
28 receiving stream; or can otherwise endanger life, limb, public property, or constitute
29 a nuisance, unless allowed under special agreement by the Manager (except that no
30 special waiver shall be given from categorical pretreatment standards, unless
31 authorized by federal pretreatment regulations);
 - 32 20. Any dangerous, hazardous, or extremely hazardous wastes as defined in rules
33 published in Chapter 173-303 of Washington Administrative Code or in EPA rules
34 40 CFR Part 261 except as authorized by the County in an industrial pretreatment
35 permit or other applicable permit, control mechanism, or applicable regulation.
 - 36 21. Persistent pesticides and/or pesticides, such as those regulated by the Federal
37 Insecticide Fungicide Rodenticide Act (FIFRA), in amounts that would have
38 adverse effects on the POTW, treatment plant effluent, biosolids, or the
39 environment;
 - 40 22. Any substance which may cause the POTW's effluent or treatment residues,
41 biosolids, or scum to be unsuitable for reclamation and reuse, or which may
42 interfere with the reclamation process. Under no circumstances can a substance be
43 discharged to the POTW which would cause the biosolids to be rendered unsuitable
44 for beneficial utilization, such as land application;
 - 45 23. Any slug load, which shall mean any pollutant (including suspended solids and
46 BOD), and any other matter or flow, released in a single extraordinary discharge
47 episode of such volume or strength as to cause interference to the POTW.



1 Pollutants, substances, or wastewater prohibited by this Section shall not be processed or
2 stored in such a manner that they could be inadvertently discharged to the POTW.

3
4 **13.06.060 Federal Categorical Pretreatment Standards.**

5 The national categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N,
6 Parts 405-471 as adopted and hereafter amended by the EPA pursuant to the Act are hereby
7 incorporated and shall be met by all Dischargers of the regulated industrial categories.

8
9 **13.06.070 State Requirements.**

10 State requirements and limitations on discharges to the POTW shall be met by all users
11 which are subject to such standards in any instance in which they are more stringent than federal
12 requirements and limitations, or those in this Chapter or other applicable Regulations.

13 Washington State pretreatment standards and requirements in WAC Chapter 173-216 were
14 developed under authority of the Water Pollution Control Act (RCW Chapter 90.48) and are
15 hereby incorporated. The version incorporated is the version current as of the date of the latest
16 revision or version of this Ordinance. All waste materials discharged from a commercial or
17 industrial operation into the POTW must satisfy the provisions of WAC Chapter 173-216. The
18 following provisions unique to Washington State are required by this chapter for discharges to
19 the County POTW:

20 A. Any person who constructs or modifies or proposes to construct or modify wastewater
21 treatment facilities must first comply with the regulations for submission of plans and
22 reports for construction of wastewater facilities (WAC Chapter 173-240). The County
23 has been delegated the authority to review and approve such plans under RCW Section
24 90.48.110. Sources of non-domestic discharges shall request approval for such plans
25 through the County. To ensure conformance with this requirement, proof of the
26 approval of such Plans and one copy of each approved plan shall be provided to the
27 Manager before commencing any such construction or modification.

28 B. Users shall apply to the Manager for a permit at least 60 days prior to the intended
29 discharge of any pollutants other than domestic wastewater or wastewater which the
30 Manager has determined is similar in character and strength to normal domestic
31 wastewater with no potential to adversely affect the POTW. (173-216-050(1))

32 C. All Significant Industrial Users must apply for and obtain a permit prior to discharge.

33 D. All users shall apply all known, available, and reasonable methods to prevent and
34 control waste discharges to the waters of the state (AKART). (173-216-050(3))

35 E. Discharge restrictions of WAC Chapter 173-303 (Dangerous Waste) shall apply to all
36 Users. (Prohibited discharge standards have been merged with Federal prohibitions in
37 section 2.1).

38 F. Claims of confidentiality shall be submitted according to WAC Section 173-216-080.
39 Information which may not be held confidential includes the: Name and address of
40 applicant, description of proposal, the proposed receiving water, receiving water quality,
41 and effluent data. Claims shall be reviewed based on the standards of WAC Section
42 173-216-080, RCW Chapter 42.17, WAC Chapter 173-03, and RCW Section
43 43.21A.160.

44 G. Applicants for a new permit or a permit renewal or modification which allows a new or
45 increased pollutant loading shall publish notice for each application in the format
46 provided by the County. Such notices shall fulfill the requirements of WAC Section
47 173-216-090. These requirement include publishing:



1. The name and address of the applicant and facility/activity to be permitted.
 2. A brief description of the activities or operations which result in the discharge
 3. Whether any tentative determination which has been reached with respect to
 4. allowing the discharge.
 4. The address and phone number of the office of the Manager or his delegate where
 6. persons can obtain additional information.
 5. The dates of the comment period (which shall be at least 30 days).
 6. How and where to submit comments or have any other input into the permitting
 9. process, including requesting a public hearing.
- H. The Manager may require the applicant to also mail this notice to persons who have
expressed an interest in being notified, to state agencies and local governments with a
regulatory interest, and to post the notice on the premises. If the Manager determines
there is sufficient public interest the County shall hold a public meeting following the
rules of WAC Section 173-216-100. The Manager may assume responsibility for public
notice requirements for any Person, and may waive this requirement for persons
applying for a general permit, model permit, short term discharge authorization, or as a
food service establishment.
- I. Permit terms shall include, wherever applicable, the requirement to apply all known,
available, and reasonable methods of prevention, control, and treatment.
- J. All required monitoring data shall be analyzed by a laboratory registered or accredited
under the provisions of WAC Chapter 173-50, except for flow, temperature, settleable
solids, conductivity, pH, turbidity, and internal process control parameters. However, if
the laboratory analyzing samples for conductivity, pH, and turbidity must otherwise be
accredited, it shall be accredited for these parameters as well.

13.06.080 Local Limits.

Local limits are specific pollutant limitations that users must meet, which are developed by the County to help achieve the Pretreatment Program objectives specified in Section 13.06.010. Local limits are technically based limits developed specifically to protect a particular wastewater treatment plant and its biosolids, and to protect the water body that receives the plant's effluent. Local limits may be modified from time to time to adequately protect the wastewater treatment plant, to protect the environment, and to meet applicable regulations. Local limits for discharges are contained in the ~~Appendix Table at the end~~ of this Chapter. No person shall discharge ~~to~~ into the POTW owned by or under the jurisdiction of Pierce County any wastewater containing pollutants in excess of the Local Limits set forth in the ~~Appendix Table~~ herein, unless otherwise authorized under the provisions of this Chapter.

13.06.090 Additional Standards of Treatment.

The County ~~may~~ shall require that users apply AKART for wastewater discharged to the POTW. The Manager may include limits reflective of AKART, in addition to ~~or in lieu of~~ local limits, in permits or other approvals when such AKART limits are more stringent than local limits, more appropriate than local limits, or when pollutants do not have specific local limits established ~~and such pollutants are not compatible with the POTW~~. The Manager may establish treatment standards, technologies, and/or management practices for specific dischargers or categories of dischargers in interpreting this requirement.

13.06.100 Pierce County's Right of Revision.



1 The County reserves the right to amend, at any time, these Regulations and any permits
2 issued under these Regulations to provide for more stringent limitations or requirements on
3 discharges to the POTW to reflect changes in State and/or Federal Regulations having precedent
4 authority over County Regulations, or when otherwise necessary to meet the County's objectives
5 for Industrial Pretreatment Regulation.

6
7 **13.06.110 Special Agreement.**

8 The County reserves the right to enter into special agreements with users establishing terms
9 and conditions under which they may discharge to the POTW when such agreements are
10 necessary to address circumstances not provided for by the Industrial Pretreatment Regulations.
11 No special agreement may waive or reduce any County, State, or Federal pretreatment standard
12 or requirement including the requirement for an SIU to obtain a wastewater discharge permit.
13 Categorical users may request a net/gross adjustment or variance from Federal Categorical
14 Pretreatment Standards as provided for in 40 CFR part 403.

15
16 **13.06.120 Dilution.**

17 No user shall ever increase the use of process water, or in any way attempt to dilute a
18 discharge, as a partial or complete substitute for adequate treatment to achieve compliance with
19 an applicable pretreatment standard or requirement unless expressly authorized by an applicable
20 pretreatment standard or requirement. The Manager may impose daily mass pollutant loading
21 limitations on users which the Manager believes may be using dilution to meet applicable
22 pretreatment standards or requirements, or in other cases when the imposition of mass limitations
23 is appropriate.

24
25 **13.06.130 Providing and Maintaining Pretreatment Facilities.**

26 Users shall provide necessary engineered wastewater treatment systems as required to
27 comply with this Chapter and shall achieve compliance with all applicable pretreatment
28 standards and requirements within the time limitations specified by the EPA, the State, or the
29 Manager, whichever is more stringent. Any facilities required to pretreat wastewater to a level
30 acceptable to the County shall be provided, operated, and maintained at the user's expense.

31
32 **13.06.140 Reports for Industrial Facilities.**

33 Users constructing or modifying facilities for pretreatment of industrial wastewater to be
34 discharged to the POTW shall submit to the County an engineering report, plans, and
35 specifications, and O&M procedures which fulfill the requirements of WAC Chapter 173-240.
36 Upon approval of the County, the O&M procedures may be combined with the engineering
37 report, plans, and specifications, as provided for under WAC Chapter 173-240. Approval of the
38 engineering report, plans, and specifications and O&M procedures by the County shall be
39 obtained by the user before discharging to the POTW.

40 The review and approval of such reports, plans, and procedures will in no way relieve the
41 user from the responsibility of maintaining compliance or modifying the facility as necessary to
42 produce a discharge acceptable to the County under the provisions of this Chapter.

43 The Manager may waive or modify all or portions of these requirements upon finding that
44 such requirements would not contribute significantly to meeting the goals of the pretreatment
45 program. The user must submit a written request to the Manager for such modification and
46 provide engineering reports and other supporting documentation.



1
2 **13.06.150 Deadline for Compliance with Applicable Pretreatment Requirements.**

3 Compliance by existing categorical users covered by Categorical Pretreatment Standards
4 shall be within three years of the date the Standard is effective unless a shorter compliance time
5 is specified in the appropriate Standard. The County shall establish a final compliance deadline
6 date for any existing user not covered by Categorical Pretreatment Standards or for any
7 categorical user when the local limits for said user are more restrictive than EPA's Categorical
8 Pretreatment Standards.

9 New source dischargers and new users are required to comply with applicable pretreatment
10 standards within the shortest feasible time (not to exceed 90 days from the beginning of
11 discharge). New Sources and new users shall install and have in operating condition, and shall
12 startup all pollution control equipment required to meet applicable pretreatment standards before
13 beginning to discharge.

14 Any wastewater discharge permit issued to a categorical user shall not contain a compliance
15 date beyond any deadline date established in EPA's Categorical Pretreatment Standards. Any
16 other existing user or a categorical user that must comply with a more stringent local limit, which
17 is in non-compliance with any local limits, shall be provided with a compliance schedule placed
18 in a wastewater discharge permit or compliance order, to insure compliance within the shortest
19 time feasible.

20
21 **13.06.160 Additional Pretreatment Measures.**

22 A. Whenever deemed necessary, the Manager may require users to restrict their discharge
23 during peak flow periods, designate that certain wastewater be discharged only into
24 specific sewers, relocate and/or consolidate points of discharge, separate domestic
25 sewage Waste streams from industrial Waste streams, provide flow equalization or
26 storage, and such other conditions as may be necessary to protect the POTW, determine
27 the user's compliance with the requirements of this Chapter, and meet the objectives of
28 this Chapter.

29 B. Grease, oil, and sediment interceptors or separators shall be provided when, in the
30 opinion of the Manager, they are necessary for the proper handling of wastewater
31 containing excessive amounts of fats, oils, greases, sediment, grit, or sand. All
32 interception units shall be of type and capacity approved by the Manager and shall be so
33 located to be easily accessible for cleaning and inspection. A sampling point shall be
34 provided as close as possible to the unit. Such interceptors shall be inspected, cleaned,
35 and repaired regularly, as needed, by the user at user's expense.

36 C. Users with the potential to discharge flammable substances may be required to install
37 and maintain an approved combustible gas detection meter.

38
39 **13.06.170 Minor Industrial User Permits.**

40 The County reserves the right to establish general permits, best management practices, or
41 reasonable treatment standards for any category of minor industrial user, and to determine the
42 applicability of these standards to any particular user. To ensure that minor industrial users are
43 uniformly providing reasonable treatment, the County may establish or adopt treatment standards
44 to be applied at the end of a particular process in lieu of local limits set forth in Section
45 13.06.080 of this Section which apply at the user's point of discharge to the ~~sanitary sewer~~
46 **POTW**. When specific process standards are less stringent than local limits, the Manager will
47 ensure that adequate protection of the POTW is maintained.



1
2 **13.06.180 Accidental Discharge/Slug Control Requirements.**

3 The Manager may require any user to develop and implement an accidental discharge/slug
4 control plan, also known as an Accidental Spill Prevention Plan (ASPP). Where deemed
5 necessary by the County, facilities to prevent accidental discharges or slug discharges of
6 pollutants shall be provided and maintained at the user's cost and expense. An accidental spill
7 prevention plan/slug control plan showing facilities and operating procedures to provide this
8 protection shall be submitted to the County for review and approval. The County shall determine
9 which user is required to develop a plan and require said plan to be submitted within a scheduled
10 time frame after notification by the County. Each user shall implement its ASPP as approved by
11 the County. Review and approval of such plans and operating procedures by the County shall
12 not relieve the user of any expense, loss, damage, or other liability which may be incurred as a
13 result of damage to the POTW or the environment, fish kills, or any other damage to person or
14 property; nor shall such review and approval relieve the user of any fines, civil penalties, or other
15 liability which may be imposed by this Chapter or other applicable law.

- 16 A. Any user required to develop and implement an accidental discharge/slug control plan
17 shall submit a plan which addresses, at a minimum, the following:
18 1. Description of discharge practices, including non-routine batch discharges;
19 2. Description of stored chemicals;
20 3. Description of all potential discharge pathways to the POTW;
21 4. Procedures for immediately notifying the POTW of any accidental or slug discharge.
22 Such notification must also be given for any discharge which would violate any of
23 the standards in Sections 13.06.050 through 13.06.090; and
24 5. Procedures to prevent adverse impact from any accidental or slug discharge. Such
25 procedures include, but are not limited to, inspection and maintenance of storage
26 areas, handling and transfer of materials, loading and unloading operations, control
27 of plant site runoff, worker training, building of containment structures or
28 equipment, measures for containing hazardous or toxic pollutants (including
29 solvents), and/or measures and equipment for emergency response.
- 30 B. Users shall notify the County Wastewater Treatment Plant Superintendent immediately
31 upon the occurrence of a "slug" or "accidental discharge" of substances regulated by this
32 Chapter. The notification shall include location of discharge, date and time thereof, type
33 of waste, concentration and volume, and corrective actions. Any user who discharges a
34 slug load shall be liable for any expense, loss, or damage to the POTW, in addition to
35 the amount of any fines imposed on the County under State or federal law.
- 36 C. Within five days following an accidental discharge, the user shall submit to the Manager
37 a detailed written report describing the cause of the discharge and the measures to be
38 taken by the user to prevent similar future occurrences. Such notification shall not
39 relieve the user of any expense, loss, damage, or other liability which may be incurred as
40 a result of damage to the POTW or the environment, fish kills, or any other damage to
41 person or property; nor shall such notification relieve the user of any fines, civil
42 penalties, or other liability which may be imposed by this Chapter or other applicable
43 law.
- 44 D. The County may require signs to be permanently posted in conspicuous places on the
45 user's premises advising employees whom to call in the event of a slug or accidental
46 discharge, and may require that employers instruct all their employees who may cause or
47 discover such a discharge with respect to emergency notification procedures.



1
2 **13.06.190 Hauled Wastes.**

- 3 A. Hauled waste, such as septic tank waste, may be introduced into the POTW only with
4 specific prior approval by the Manager, only at a designated receiving point, and at such
5 times as are established by the Manager. Such wastes shall not violate this Chapter or
6 any other federal, State or local requirements or regulations. Wastewater discharge
7 permits or authorizations for hauled wastes shall be issued by the Manager.
8 B. The Manager may require sampling of each hauled load to ensure compliance with
9 applicable pretreatment standards. The Manager may require the hauler to provide a
10 waste analysis of any load prior to discharge.
11 C. Haulers must provide a waste-tracking form for every load. This form shall include, at a
12 minimum, the name and address of the waste hauler, permit number or authorization
13 reference, truck identification, sources of waste, and volume and characteristics of
14 waste.
15 D. Fees for dumping hauled wastes may be established as part of the user fee system as
16 authorized in Section 13.06.200 and/or as established in the Pierce County Sewer Utility
17 Administrative Code.
18 E. The Manager retains the right to refuse to accept any or all hauled wastes.
19

20 **13.06.200 Fees and Charges.**

- 21 A. The County may adopt reasonable fees for reimbursement of costs of setting up and
22 operating the County's Pretreatment Program which may include:
23 1. Fees for wastewater discharge permit applications including the cost of processing
24 such applications;
25 2. Fees for reviewing and responding to accidental discharge procedures and
26 construction;
27 3. Fees for filing appeals; and
28 4. Other fees as the County may deem necessary to carry out the requirements
29 contained herein.
30 B. The County may charge a user on a time-and-materials basis to recover its costs for
31 activities such as monitoring, inspection, surveillance, review of reports, and
32 enforcement procedures, (including the cost of collecting and analyzing a user's
33 discharge), when such activities are necessary for the County to comply with regulations
34 and requirements pertaining to the administration of the Pretreatment Program.
35 C. The County may charge a user on a time-and-materials basis to recover its costs for
36 activities undertaken as a result of the user being in violation of any of the provisions of
37 this Chapter.

38 These fees relate solely to the matters covered by these Regulations and are separate from all
39 other fees, fines, or penalties chargeable by the County.
40

41 **13.06.210 Wastewater Discharges: Pretreatment Review.**

42 It shall be unlawful to discharge sewage wastewater, industrial wastes, or other wastes, ~~to any~~
43 ~~sewer within the jurisdiction of the County and/or~~ to the POTW, except as authorized by the
44 Manager in accordance with the provisions of these Regulations. The County is obligated under
45 Federal law to identify all Users potentially subject to the pretreatment program, and the
46 character and volume of pollutants discharged by such Users. To satisfy this requirement, all
47 sources of non-domestic discharges to the POTW must complete a Pretreatment Review



1 Application form and complete other forms which the Manager determines appropriate to
2 provide the information needed to categorize each User. The Manager shall be authorized to
3 categorize each User, provide written notice of a User's categorization and what it means, and
4 revise this categorization at any time.

5
6 **13.06.220 Wastewater Discharge Permit.**

7 No SIU shall discharge wastewater into the POTW without first obtaining a wastewater
8 discharge permit from the Manager. Any violation of the terms and conditions of a wastewater
9 discharge permit shall be deemed a violation of this Chapter and subjects the wastewater
10 discharge permittee to the sanctions set out in this Chapter. Obtaining a wastewater discharge
11 permit does not relieve a permittee of its obligation to comply with all federal, State, and local
12 pretreatment standards or requirements, or with any other requirements of federal, State, and
13 local law.

14 The Manager may require other users, including minor dischargers and waste haulers, to
15 obtain wastewater discharge permits (as necessary) to carry out the purposes of this Chapter.

16
17 **13.06.230 Wastewater Discharge Permitting: Existing SIU.**

18 Any SIU, without an existing wastewater discharge permit, that was discharging wastewater
19 into the POTW prior to the effective date of this Chapter, and that wishes to continue such
20 discharges in the future shall, within 60 days after notification by the Manager, submit a permit
21 application to the County in accordance with Section 13.06.260 of these Regulations and shall
22 not cause or allow discharges to the POTW to continue after 180 days of the effective date of
23 these Regulations except in accordance with a wastewater discharge permit or authorization
24 issued by the Manager.

25
26 **13.06.240 Wastewater Discharge Permitting: New Source and New User.**

27 At least 90 days prior to their anticipated start-up, New Sources, users that become a New
28 Source subsequent to the promulgation of an applicable categorical pretreatment standard, and
29 New Users considered by the County to fit the definition of an SIU, shall apply for a wastewater
30 discharge permit and must submit to the County at least the information listed in Section
31 13.06.260. New Sources and New Users cannot discharge without first receiving a wastewater
32 discharge permit or authorization from the County. Both New Sources and New Users which are
33 required to have a wastewater discharge permit shall include in their application information on
34 any method of pretreatment they intend to use to meet applicable pretreatment standards, and
35 shall provide at least estimates of the information requested in Section 13.06.260.

36
37 **13.06.250 Wastewater Discharge Permitting: Extra jurisdictional Users.**

38 Any municipal corporation or user located outside of the County's jurisdiction or Sewer
39 Service Area discharging to, or that intends to discharge to, the County's POTW must comply
40 with, and is subject to, the provisions of this Chapter these Regulations. Prior to allowing
41 wastewater to be into the POTW, the County shall be empowered and obliged to enter into an
42 agreement or contract with the municipal corporation or user to affix responsibilities in an
43 enforceable manner to ensure that the pretreatment program is fully and equitably administered.

44
45 **13.06.260 Wastewater Discharge Permit Application Contents.**

46 All users required to obtain a wastewater discharge permit must submit, as required by the
47 County, the following information, along with information required in a permit application form



1 provided by the County. Categorical users submitting the following information shall have
2 complied with federal pretreatment regulation 40 CFR 403.12(b). New Sources and New Users
3 which have not begun discharging shall make estimates of the data required in subsections E. and
4 F. of this Section, and shall submit a "90 day compliance report" within 90 days after startup
5 containing the sampling information required by subsections E. and F. Newly identified users,
6 and users subject to newly promulgated categorical standards shall submit actual data from
7 sampling to fulfill the requirements of these Sections.

8 A. **Identifying Information.** The user shall submit the name and address of the facility
9 including the name of the operator and owners.

10 B. **Standard Industrial Classification (SIC) Code.** The user shall submit the Standard
11 Industrial Classification number(s) according to the Standard Industrial Classification
12 manual, Bureau of the Budget, 1972, as amended, which apply to the facility.

13 C. **Permits.** The user shall submit a list of any environmental control permits held by or
14 for the facility.

15 D. **Description of Operations.** The user shall submit a brief description of the nature,
16 average rate of production, and SIC codes of the operation(s) carried out by such user,
17 including a list of all raw materials and chemicals used or stored at the facility which
18 are, or could accidentally or intentionally be, discharged to the POTW; number of
19 employees; hours of operation; each product produced by type, amount, process or
20 processes, and rate of production; type and amount of raw materials processed (average
21 and maximum per day) and the time and duration of discharges. This description should
22 also include a schematic process diagram which indicates points of discharge to the
23 POTW from the regulated or manufacturing processes. The user shall submit site plans,
24 floor plans, mechanical and plumbing plans and details to show all sewers, sewer
25 connections, inspection manholes, sampling chambers, and appurtenances by size,
26 location, and elevation.

27 E. **Flow Measurement.** (Estimate if not discharging yet.)

28 1. **Categorical User.** The user shall submit information showing the measured average
29 daily and maximum daily flow, in gallons per day, to the POTW from each of the
30 following:

- 31 a. Regulated or manufacturing process streams;
32 b. Other streams as necessary to allow use of the combined waste stream formula of
33 40 CFR 403.6(e); and
34 c. Total discharge flow to the POTW.

35 2. **Non-Categorical User.** The user shall submit information showing the measured
36 average daily and maximum daily flow, in gallons per day, to the POTW from the
37 total process flow, wastewater pretreatment facility flow, and total plant flow or
38 individual manufacturing process flow, as required by the County. The County may
39 allow for verifiable estimates of these flows where justified by cost or feasibility
40 considerations.

41 F. **Measurements of pollutants.** (Estimate if not discharging yet.)

42 1. **Categorical User:**

- 43 a. The user shall identify the applicable pretreatment standards for each regulated
44 or manufacturing process.
45 b. In addition, the user shall submit the results of sampling and analysis identifying
46 the nature and concentration (or mass), where required by the Categorical
47 Pretreatment Standard or as required by the County, of regulated pollutants



(including standards contained in Section 13.06.080 and in the Appendix Table, as appropriate) in the discharge from each regulated or manufacturing process. Both daily maximum and average concentration (or mass, where required) shall be reported. Samples shall be representative of daily operations and shall conform to sampling and analytical procedures outlined in Sections 13.06.490 and 13.06.500.

c. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) for a categorical user covered by a categorical pretreatment standard this adjusted limit along with supporting data shall be submitted as part of the application.

2. **Non-Categorical User:**

a. The user shall identify the applicable pretreatment standards for its wastewater discharge.

b. In addition, the user shall submit the results of sampling and analysis identifying the nature and concentration (or mass where required by the County) of regulated pollutants contained in Sections 13.06.050 through 13.06.080, as appropriate in the discharge. Both daily maximum and average concentration (or mass, where required) shall be reported. Samples shall be representative of daily operations and shall conform to sampling and analytical procedures outlined in Sections 13.06.490 and 13.06.500.

c. Where the County has developed alternate concentration or mass limits because of dilution, this adjusted limit, along with supporting data, shall be submitted as part of the application.

G. **Certification.** A statement, as outlined in Section 13.06.270, reviewed by an authorized representative of the user and certified by a professional engineer or other individual recognized by the Manager as a qualified professional, indicating whether the applicable Pretreatment Standards are being (or will be, if not discharging yet) met on a consistent basis, and, if not, whether additional O&M and/or additional pretreatment is required for the user to meet the applicable Pretreatment Standards and Requirements;

H. **Compliance Schedule.** If additional pretreatment and/or O&M will be required to meet the applicable Pretreatment Standards; the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The user's schedule shall conform with the requirements of Section 13.06.400. The completion date in this schedule shall not be later than the compliance date established pursuant to Section 13.06.400.

I. **Other Information.** Any other information as may be deemed necessary by the Manager to evaluate the wastewater discharge permit application.

When the user's categorical Pretreatment Standard has been modified by the combined waste stream formula (40 CFR 403.6(e)), and/or a Fundamentally Different Factors variance (40 CFR 403.13) *at the time* the user submits the report required by this Section, the information required by subsections G. and H. of this Section shall pertain to the modified limits. If the categorical Pretreatment Standard is modified by the combined waste stream formula (40 CFR 403.6(e)), and/or a Fundamentally Different Factors variance (40 CFR 403.13) *after* the user submits the report required by subsections G. and H. of this Section, a new permit application containing the revised sections shall be submitted by the user within 60 days after the modified limit is approved.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.



1
2 **13.06.270 Signatory Requirements.**

3 All wastewater discharge permit applications and user reports must be signed by an
4 authorized representative of the user and contain the following statement:

5
6 "I certify under penalty of perjury under the laws of the State of Washington that this
7 document and all attachments were prepared under my direction or supervision in
8 accordance with a system designed to assure that qualified personnel properly gather and
9 evaluate the information submitted. Based on my inquiry of the person or persons who
10 manage the system, or those persons directly responsible for gathering the information,
11 the information submitted is to the best of my knowledge and belief, true, accurate, and
12 complete. I am aware that there are significant penalties for submitting false information,
13 including the possibility of fine and imprisonment for knowing of violations."
14

15 Such declarations shall include the date and place of execution.
16

17 **13.06.280 Wastewater Discharge Permit Decisions.**

18 The Manager will evaluate the data furnished by the user and may require additional
19 information. Within 30 days of receipt of a complete wastewater discharge permit application,
20 the Manager will determine whether or not to proceed with issuance of a wastewater discharge
21 permit. If the Manager determines a permit is to be issued, a draft permit shall be submitted for
22 comment within 30 days of full evaluation and acceptance of the data furnished. A final permit
23 shall be issued within 30 days of completion of regulatory review and public comment processes;
24 resolution of any applicable, outstanding regulatory, permit, or compliance issues; and payment
25 of any applicable fees, charges, assessments, or fines. The Manager may deny any application
26 for a wastewater discharge permit.
27

28 **13.06.290 Wastewater Discharge Permit Contents.**

29 Wastewater discharge permits shall include such conditions as are reasonably deemed
30 necessary by the Manager to prevent pass through or interference, protect the quality of the water
31 body receiving the treatment plant's effluent, protect worker health and safety, facilitate biosolids
32 management, and protect against damage to the POTW.

33 A. Wastewater discharge permits must contain the following conditions:

- 34 1. A statement that indicates wastewater discharge permit duration, which in no event
35 shall exceed five years;
- 36 2. A statement that the wastewater discharge permit is non-transferable without prior
37 notification and approval from the County, and provisions for furnishing the new
38 owner or operator with a copy of the existing wastewater discharge permit;
- 39 3. Applicable pretreatment standards and requirements, including effluent limits and
40 Best Management Practices based on AKART methods of prevention, control and
41 treatment and any special State requirements;
- 42 4. Applicable self monitoring, sampling, reporting, notification, submittal of technical
43 reports, compliance schedules, and record-keeping requirements. These
44 requirements shall include an identification of pollutants to be monitored, sampling
45 location, sampling frequency, and sample type based on federal, State, and local law;
- 46 5. Requirement for notification to the County where self-monitoring results indicate
47 non-compliance;



6. Requirement to report a by-pass or upset of a pretreatment facility;
 7. Requirement for the SIU who reports non-compliance to repeat the sampling and analysis and submit results to the County within the required time frame of becoming aware of the violation (when applicable).
 8. A statement of applicable civil, criminal, and administrative penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule.
 9. Requirements for the development and implementation of slug discharge and spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
- B. Wastewater discharge permits may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 2. Requirements for approval of reports in accordance with WAC Chapters 173-216 and ~~Ch.~~173-240, and installation of pretreatment technology, pollution controls, or construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 - ~~3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges;~~
 - ~~4~~3. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - ~~5~~4. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 - ~~6~~5. Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - ~~7~~6. A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit;
 - ~~8~~7. Any special agreements the Manager chooses to continue or develop between the County and user;
 - ~~9~~8. Other conditions as deemed appropriate by the Manager to ensure compliance with this Chapter, and State and federal laws, rules, and regulations.

13.06.300 Wastewater Discharge Permit Appeals.

Any person, including the user, may appeal to the Director the terms of a wastewater discharge permit.

- A. The appeal must be in writing and served upon the Director within ten days from issuance of the permit. The appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit. A fee of \$250.00 must be paid at the time of filing the appeal.
- B. The filing of the appeal does not stay the wastewater discharge permit.



1 C. The Director shall issue a written decision within 30 days after service of the appeal.
2 The decision may uphold, revoke, or modify the conditions of the wastewater discharge
3 permit.
4

5 **13.06.310 Wastewater Discharge Permit Duration.**

6 Wastewater discharge permits shall be issued for a specified time period, not to exceed five
7 years. A wastewater discharge permit may be issued for a period less than five years, at the
8 discretion of the Manager. Each wastewater discharge permit will indicate a specific date upon
9 which it will expire. (Ord. 99-26 § 2 (part), 1999)
10

11 **13.06.320 Wastewater Discharge Permit Modification.**

12 The Manager may modify the wastewater discharge permit for good cause including, but not
13 limited to, the following:

- 14 A. To incorporate any new or revised federal, State, or local pretreatment standards or
15 requirements;
- 16 B. To address significant alterations or additions to the user's operation, processes, or
17 wastewater volume or character since the time of wastewater discharge permit issuance;
- 18 C. A change in the POTW that requires either a temporary or permanent reduction,
19 modification, or elimination of the authorized discharge;
- 20 D. Information indicating that the permitted discharge poses a threat to the County's
21 POTW, County personnel, biosolids, treatment processes, or the receiving waters;
- 22 E. Violation of any terms or conditions of the wastewater discharge permit;
- 23 F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater
24 discharge permit application or in any required reporting;
- 25 G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40
26 CFR 403.13;
- 27 H. To correct typographical or other errors in the wastewater discharge permit; or
- 28 I. To reflect a transfer of the facility ownership and/or operation to a new owner/operator.
29

30 **13.06.330 Wastewater Discharge Permit Transfer.**

31 Wastewater discharge permits may be reassigned or transferred to a new owner and/or
32 operator if the permittee gives at least 30 days advance notice to the Manager, and the Manager
33 approves the wastewater discharge permit transfer. Failure to provide adequate advance notice
34 may result in a delay or denial of permit reassignment or transfer, and renders the wastewater
35 discharge permit void as of the date of facility transfer. The notice to the Manager must include
36 a written certification by the new owner and/or operator which:

- 37 A. States that the new owner and/or operator has no immediate intent to change the
38 facility's operations and processes;
- 39 B. Identifies the specific date on which the transfer is to occur; and
- 40 C. Acknowledges full responsibility for complying with the existing wastewater discharge
41 permit.

42 Provided that the above occurs and that there were no significant changes to the
43 manufacturing operation or wastewater discharge, the new owner will be considered an existing
44 user and be covered by the existing limits and requirements in the previous owner's permit.
45

46 **13.06.340 Wastewater Discharge Permit Revocation.**



1 Wastewater discharge permits may be revoked for, but revocation is not limited to, the
2 following reasons:

- 3 A. Cessation of operations or failure to obtain approval for the transfer of a permitted
4 facility;
- 5 B. Failure to notify the County prior to changing conditions and/or changes in wastewater
6 characteristics;
- 7 C. Failure to complete or disclose or misrepresentation of relevant facts in a wastewater
8 survey or wastewater discharge permit application;
- 9 D. Falsifying self-monitoring reports;
- 10 E. Tampering with monitoring equipment;
- 11 F. Refusing to allow the County timely access to the facility premises and records;
- 12 G. Failure to meet discharge limitations;
- 13 H. Failure to pay fines, fees, or sewer charges;
- 14 I. Failure to meet compliance schedules;
- 15 J. Causing the County to invoke its emergency provision as cited in Section 13.06.610.
- 16 K. Violation of any pretreatment standard or requirement, or any terms of the wastewater
17 discharge permit, or this Chapter.

18 Notice of revocation of a wastewater discharge permit will be made by first class mail to the
19 address specified in the permit. All wastewater discharge permits issued to a particular user are
20 void upon the issuance of a new wastewater discharge permit to that user.

21
22 **13.06.350 Wastewater Discharge Permit Reissuance and Renewal.**

23 A user required to have a wastewater discharge permit shall apply for wastewater discharge
24 permit reissuance by submitting a complete wastewater discharge permit application, in
25 accordance with Section 13.06.260, a minimum of 90 days prior to the expiration of the user's
26 existing wastewater discharge permit. At the request of a user, the County may authorize the
27 user to omit specified portions of a discharge permit application if the information omitted is
28 already on file, available, and up to date with the County. A user whose existing wastewater
29 discharge permit has expired and has submitted its re-application in the time period specified
30 herein, shall be deemed to have an effective wastewater discharge permit until the County issues
31 or denies the new wastewater discharge permit. A user whose existing wastewater discharge
32 permit has expired and who failed to submit its re-application in the time period specified herein,
33 will be deemed to be discharging without a wastewater discharge permit, and will be subject to
34 enforcement by the County.

35
36 **13.06.360 Public Notice.**

37 Public notice of issuance, modification, and renewal of wastewater discharge permits and
38 modifications of the Industrial Pretreatment Regulations shall be given in accordance with WAC
39 Chapter 173-216.

40
41 **13.06.370 Baseline Monitoring Report.**

42 Within either 180 days after the effective date of a categorical pretreatment standard, or the
43 final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever
44 is later, users currently discharging to or scheduled to discharge to the POTW which are covered
45 by new or existing categorical regulations (new sources) shall submit to the County a report
46 containing the information listed in Section 13.06.260. The report shall be signed as required
47 under Section 13.06.270. The report shall include the method of pretreatment the user intends to



1 use to meet applicable categorical standards and give estimates of the anticipated flow and
2 quantity of pollutants discharged.

3
4 **13.06.380 Final Compliance Report (Initial Compliance Report).**

- 5 A. Within 90 days following the date for final compliance by "New Sources" with
6 applicable pretreatment standards and requirements, or within 90 days following
7 commencement of the introduction of wastewater into the POTW by a "New Source" or
8 "New User" as defined herein, the affected user shall submit to the Manager a report
9 containing the information outlined in Section 13.06.260.
- 10 B. Users subject to equivalent mass or concentration limits established by the Manager in
11 accordance with 40 CFR 403.6(c) shall include a reasonable projection of their long-
12 term production rate. Users subject to categorical pretreatment standards expressed in
13 terms of allowable pollutant discharge per unit of production (or other measure of
14 operation), shall include the user's actual production during the appropriate sampling
15 period.

16
17 **13.06.390 Periodic Compliance Report.**

- 18 A. Any user required to have an industrial waste discharge permit and perform self-
19 monitoring shall submit to the Manager, at dates specified in the permit, a report
20 compiling the results of all effluent sampling over the previous reporting period. The
21 frequency of monitoring shall be as prescribed within the industrial waste discharge
22 permit. At a minimum, SIU's shall sample their discharge, or have it sampled by the
23 County at least twice per year.
- 24 B. The report shall include a record of the concentrations (and mass if specified in the
25 wastewater discharge permit) of the pollutants that were measured and a record of all
26 flow measurements (average and maximum) taken at the designated sampling locations,
27 as required in the industrial waste discharge permit. The report shall also include any
28 additional information required by this Chapter or the wastewater discharge permit.
29 Production data shall be reported if required by the wastewater discharge permit. Both
30 daily maximum and average concentration (or mass, where required) shall be reported.
31 If a user sampled and analyzed more frequently than what was required by the Manager
32 or by this Chapter, using methodologies in 40 CFR Part 136, it must submit all results of
33 such sampling and analysis of the discharge during the reporting period.
- 34 C. Any user subject to equivalent mass or concentration limits established by the County or
35 by unit production limits specified in the applicable categorical standards, shall report
36 production data as outlined in subsection 13.06.260 D.
- 37 D. If the Manager calculated limits to factor out dilution flows or non-regulated flows, the
38 user will be responsible for providing flows from the regulated process flows, dilution
39 flows, and non-regulated flows.
- 40 E. Flows shall be reported on the basis of actual measurement; provided, however, that the
41 Manager may accept reports of average and maximum flows estimated by verifiable
42 techniques if the Manager determines that an actual measurement is not feasible.
- 43 F. Sampling shall be representative of the user's daily operations and shall be taken in
44 accordance with the requirements specified in Section 13.06.490.
- 45 G. The Manager may require reporting by users that are not required to have an industrial
46 wastewater discharge permit if information or data is needed to establish a sewer charge,



1 determine the treatability of the effluent, or determine any other factor which is related
2 to the operation and maintenance of the sewer system.

- 3 H. The Manager may require self-monitoring by the user, or if requested by the user, may
4 agree to perform the periodic compliance monitoring needed to prepare the periodic
5 compliance report required under this Section. If the County agrees to perform such
6 periodic compliance monitoring, it may charge the user for such monitoring, based upon
7 the costs incurred by the County for the sampling, analyses, and reporting. The County
8 is under no obligation to perform periodic compliance monitoring for a user.
9

10 **13.06.400 Compliance Schedules for Meeting Pretreatment Standards.**

- 11 A. The Manager may require a user to submit a compliance schedule for meeting
12 pretreatment requirements. The schedule shall contain increments of progress, in the
13 form of dates for the commencement and completion of major events leading to the
14 construction and operation of additional pretreatment, required for the user to meet the
15 applicable pretreatment standards (e.g., hiring an engineer, completing preliminary
16 plans, completing final plans, obtaining permits, executing contracts, commencing
17 construction, completing construction, final compliance with standards).
18 B. No increment referred to in subsection A. of this Section shall exceed nine months,
19 unless an extension is granted by the County.
20 C. Not later than 14 days following each date in the schedule and the final date for
21 compliance, the user shall submit a progress report to the Manager including, at a
22 minimum, whether or not it complied with the increment of progress to be met on such
23 date and, if not, the date on which it expects to comply with this increment of progress,
24 the reason for delay, and the steps being taken by the user to return the construction to
25 the schedule established. In no event shall more than 9 months elapse between such
26 progress reports.
27

28 **13.06.410 Notification of Significant Production Changes.**

29 Any user operating under a wastewater discharge permit incorporating equivalent mass or
30 concentration limits shall notify the Manager within two business days after the user has a
31 reasonable basis to know that the production level will significantly change within the next
32 calendar month. Any user not providing a notice of such anticipated change may be required to
33 comply with the existing limits contained in its wastewater discharge permit.
34

35 **13.06.420 Hazardous Waste Notification.**

36 Any user that is discharging 15 kilograms of hazardous wastes as defined in 40 CFR 261
37 (listed or characteristic wastes) in a calendar month or any facility discharging any amount of
38 acutely hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e) is required provide a
39 one-time notification in writing to the County, EPA Regional Waste Management Division
40 Manager, and the Southwest Regional Director of the Department of Ecology. Any existing user
41 exempt from this notification shall comply with the requirements contained herein within 30
42 days of becoming aware of a discharge of 15 kilograms of hazardous wastes in a calendar month
43 or the discharge of acutely hazardous wastes to the ~~County sewer system~~POTW.

44 Such notification shall include:

- 45 A. The name of the hazardous waste as set forth in 40 CFR Part 261;
46 B. The EPA Hazardous waste number; and
47 C. The type of discharge (continuous, batch, or other).



- 1 D. If an industrial user discharges more than 100 kilograms of such waste per calendar
2 month to the ~~sewer system~~POTW, the notification shall also contain the following
3 information to the extent it is known or readily available to the industrial user:
4 1. An identification of the hazardous constituents contained in the wastes;
5 2. An estimation of the mass and concentration of such constituents in the Waste
6 streams discharged during that calendar month; and
7 3. An estimation of the mass of constituents in the Waste streams expected to be
8 discharged during the following 12 months.

9 These notification requirements do not apply to pollutants already reported under the self-
10 monitoring requirements.

11 Whenever the EPA publishes final rules identifying additional hazardous wastes or new
12 characteristics of hazardous waste, a user shall notify the County of the discharge of such a
13 substance within 90 days of the effective date of such regulations.
14

15 **13.06.430 Notice of Potential Problems, Including Spills and Slug Loadings.**

16 Any user shall notify the Manager by telephone immediately of all discharges that could
17 cause problems to the POTW, including any slug loadings, as defined in Section 13.06.030. The
18 notification shall include the concentration and volume and corrective action. Steps being taken
19 to reduce any adverse impact should also be noted during the notification. Any user who
20 discharges a "slug" (or slugs) of pollutants shall be liable for any expense, loss, or damage to the
21 POTW, including the amount of any fines imposed on the County, as a result of such slug
22 discharge, under State or federal law.
23

24 **13.06.440 Non-Compliance Reporting.**

25 If sampling performed by a user indicates a violation, the user shall notify the Manager by
26 telephone and in writing within 24 hours of becoming aware of the violation. The user shall also
27 repeat the sampling within five days of becoming aware of the violation and submit the results of
28 the repeat analysis in writing to the Manager within 30 days after becoming aware of the
29 violation, except the user is not required to resample if:

- 30 A. The County performs sampling at the user's facility at a frequency of at least once per
31 month; or
32 B. The County performs sampling at the user's facility between the time when the user
33 performs its initial sampling and the time when the user receives the results of this
34 sampling.
35

36 **13.06.450 Notification of Changed Discharge.**

37 All users shall promptly notify the Manager by telephone and in writing in advance of any
38 substantial change in the volume or character of pollutants in their discharge, including
39 significant manufacturing process changes, pretreatment modifications, and the listed or
40 characteristic hazardous wastes for which the user has submitted initial notification under 40
41 CFR 403.12(p). Each User must notify the Manager of any significant changes to the User's
42 operations or system which might alter the nature, quality, or volume of its wastewater. This
43 notification must be made at least thirty (30) days before the desired change and be sent to both
44 the Manager and the receiving POTW if they are different. In such cases:

- 45 A. The Manager may require the User to submit whatever information is needed to evaluate
46 the changed condition. The Manager may also require a new or revised wastewater
47 discharge permit application under these Regulations.



1 B. The Manager may issue, reissue, or modify a wastewater discharge permit applying the
2 procedures of this code in response to a User's notice under this section.

3
4 **13.06.460 TO Reporting.**

5 Categorical users which are required by EPA to eliminate and/or reduce the levels of toxic
6 organics (TO's) discharged into the ~~sewer system~~ POTW must follow the Categorical
7 Pretreatment Standards for that industry. Those users must also meet the following
8 requirements:

- 9 A. Sample, as part of the application requirements, for all the organics listed under the TO
10 limit (no exceptions);
11 B. Routinely monitor for TO's as a permit condition; or
12 C. If no TO's are used at the facility or the user elects to develop a solvent management
13 plan in lieu of continuously monitoring for TO the user must do the following:
14 Routinely submit a certification statement as part of its self-monitoring report that there
15 has been no dumping of concentrated ~~toxic organics~~ TOs into the ~~wastewater~~ POTW and
16 it is implementing the solvent management plan approved by the County.

17
18 **13.06.470 Reports from Unpermitted Users.**

19 All users not required to obtain a wastewater discharge permit shall provide appropriate
20 reports to the County as the Manager may require.

21
22 **13.06.480 Record Keeping.**

23 Users subject to the reporting requirements of this Chapter shall retain and make available for
24 inspection and copying, all records of information obtained pursuant to any monitoring activities
25 required by this Chapter and any additional records of information obtained pursuant to
26 monitoring activities undertaken by the user independent of such requirements. Records of
27 analyses shall include the date, exact place, method, and time of sampling and the name of the
28 person(s) taking the samples; the dates analyses were performed; who performed the analyses;
29 the analytical techniques or methods used; and the results of such analyses. Users must similarly
30 maintain documentation associated with any Best Management Practices required under Sections
31 13.06.090 and 13.06.290. These records shall remain available for a period of at least three
32 years, or for a longer period if specified by the County. All records which pertain to matters
33 which are the subject of administrative adjustment or any other enforcement or litigation
34 activities brought by the County pursuant thereto shall be retained and preserved by the user until
35 all enforcement activities have concluded and all periods of limitation with respect to any and all
36 appeals have expired.

37
38 **13.06.490 Sampling Requirements for Users.**

39 The County may, in wastewater discharge permits or other notification, require users to
40 collect and analyze representative samples of their discharge(s); require users to report results to
41 the County; and require users to follow specific sampling protocols and procedures, which may
42 involve factors such as frequency, techniques, location, flow monitoring and proportioning,
43 sample volume, preservation, and handling. All sample results shall indicate the time, date, and
44 place, of sampling, and methods of analysis, and shall certify that such sampling and analysis is
45 representative of normal work cycles and expected pollutant discharges from the user. If a user
46 sampled and analyzed more frequently than what is required by the County, using methodologies



1 in 40 CFR Part 136, it must submit all results of sampling and analysis of the discharge as part of
2 its self-monitoring report.

3 Users must ensure all samples they collect to satisfy sampling requirements under this
4 ordinance are representative of the range of conditions occurring during the reporting period.
5 Users must ensure that, when specified, samples are collected during the specific period and also
6 address the following:

- 7 A. Users must use properly cleaned sample containers appropriate for the sample analysis
8 and sample collection and preservation protocols specified in 40 CFR Part 136 and
9 appropriate EPA guidance;
- 10 B. Users must obtain samples for oil and grease, temperature, pH, cyanide, total phenols,
11 sulfides, and volatile organic compounds using grab collection techniques;
- 12 C. For certain pollutants, Users may composite multiple grab samples taken over a 24-hour
13 period. Users may composite grab samples for cyanide, total phenols, and sulfides
14 either in the laboratory or in the field, and may composite grab samples for volatile
15 organics and oil & grease in the laboratory prior to analysis;
- 16 D. For all other pollutants, users must employ 24-hour flow-proportional composite
17 samplers unless the Manager authorizes or requires an alternative sample collection
18 method;
- 19 E. The Manager may authorize composite samples for parameters unaffected by the
20 compositing procedures, as appropriate;
- 21 F. The Manager may require grab samples either in lieu of or in addition to composite
22 sampling to show compliance with instantaneous discharge limits;
- 23 G. In all cases, Users must take care to ensure the samples are representative of their
24 wastewater discharges;
- 25 H. User sampling for the baseline monitoring and 90-day compliance reports required by
26 Sections 13.06.370 and 13.06.380 must satisfy some specific requirements. These
27 reports require at least four grab samples for pH, cyanide, total phenols, oil and grease,
28 sulfide and volatile organic compounds. Users may composite samples prior to analysis
29 if allowed in Section 13.06.490.C. Where historical sampling data exists, the Manager
30 may also authorize fewer samples; and
- 31 I. For periodic monitoring reports (Section 13.06.390), the Manager may specify the
32 number of grab samples necessary to assess and assure compliance with applicable
33 pretreatment standards and requirements.

35 **13.06.500 Analytical Requirements.**

36 All pollutant analyses, including sampling techniques, shall be performed in accordance with
37 the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable
38 categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical
39 techniques for the pollutant in question, sampling and analyses must be performed in accordance
40 with procedures approved by the EPA or the County. Unless otherwise specified by the County,
41 data submitted to the County, except for flow, pH, temperature, and parameters used solely for
42 internal process control, shall be prepared by a laboratory registered or accredited under the
43 provisions of WAC Chapter 173-50, and reports of pollutant analyses shall include a statement
44 of compliance with this requirement.

46 **13.06.510 County Monitoring of User's Wastewater.**

47 The County will follow the procedures outlined in Section 13.06.500.



1
2 **13.06.520 Inspection and Sampling.**

3 The County shall have the right to enter the facilities of any user to ascertain whether the
4 purpose of these Regulations, and any wastewater discharge permit or order issued hereunder, is
5 being met and whether the user is complying with all requirements thereof. As a condition of
6 their permit or authorization and attendant discharge rights, all users must consent to allow the
7 Manager ready access to all parts of the premises for the purposes of inspection, sampling,
8 records examination and copying, and the performance of any additional duties.

- 9 A. When a user has security measures which require proper identification and clearance
10 before entry into its premises, the user shall make necessary arrangements with its
11 security guards so that, upon presentation of suitable identification, the Manager will be
12 permitted to enter without delay for the purposes of performing specific responsibilities.
- 13 B. The Manager shall have the right to set up on the user's property, or require installation
14 of, such devices as are necessary to conduct sampling and/or metering of the user's
15 operations.
- 16 C. Any temporary or permanent obstruction to safe and easy access to the facility to be
17 inspected and/or sampled shall be promptly removed by the user at the written or verbal
18 request of the Manager and shall not be replaced. The costs of clearing such access shall
19 be borne by the user.
- 20 D. Unreasonable delays in allowing the Manager access to the user's premises shall be a
21 violation of these Regulations and shall result in immediate revocation of the permit,
22 immediate termination of sewer service, and any other penalties allowed by law.
- 23

24 **13.06.530 Monitoring Facilities.**

25 Each user shall provide and operate at its own expense a monitoring facility to allow
26 inspection, sampling, and flow measurements of each sewer discharge to the County. Each
27 monitoring facility shall be situated on the user's premises, except where such a location would
28 be impractical or cause undue hardship on the user, the County may concur with a request for an
29 alternative location. The Manager, whenever applicable, may require the construction and
30 maintenance of sampling facilities at other locations (for example, at the end of a manufacturing
31 line or wastewater treatment system).

32 There shall be ample room in or near such sampling facility to allow accurate sampling and
33 preparation of samples for analysis. The facility, sampling, and measuring equipment shall be
34 maintained at all times in a safe and proper operating condition at the expense of the user.

35 All monitoring facilities shall be constructed and maintained in accordance with all
36 applicable local construction standards and specifications.

37 The Manager may require the user to install monitoring equipment as necessary. The
38 facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper
39 operating condition by the user at its own expense. All devices used to measure wastewater flow
40 and quality shall be calibrated to ensure their accuracy.

41

42 **13.06.540 Denial of Access.**

43 If the Manager has been refused access to a building, structure, or property, or any part
44 thereof, and is able to demonstrate probable cause to believe that there may be a violation of
45 these Regulations, then the Manager shall seek issuance of a search and/or seizure warrant from
46 the Pierce County Superior Court. Such warrant shall be served at reasonable hours by the
47 Manager in the company of a uniformed police officer of the County.



1
2 **13.06.550 Confidential Information.**

3 Information and data on a user obtained from reports, surveys, wastewater discharge permit
4 applications, wastewater discharge permits, and monitoring programs, and from County
5 inspection and sampling activities, shall be available without restriction, under the provisions of
6 RCW Chapter 42.17.

7 Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR
8 2.302 will not be recognized as confidential information. Neither shall the name and address of
9 the applicant, the description of the proposal, the description of the project's environmental
10 impacts as provided in the State Environmental Policy Act, or the description of the quantity and
11 characteristics of the effluent be allowed to be kept confidential in accordance with WAC
12 Section 173-216-080. This information shall be available to the public under the provisions of
13 RCW Chapter 42.17.

14
15 **13.06.560 Publication of Users in Significant Non-Compliance.**

16 The County shall publish annually, in ~~the largest daily newspaper circulated~~ a newspaper of
17 general circulation in the municipality where the POTW is located, a list of the users which,
18 during the previous 12 months, were in significant non-compliance with applicable pretreatment
19 standards and requirements. The term significant non-compliance is defined in Section
20 13.06.030.

21
22 **13.06.570 Enforcement and Penalties.**

23 The provisions of Sections 13.06.590 through 13.06.640 shall be applicable to all uses of the
24 POTW whether pursuant to a permit or not, that are contrary to any provision of the Pierce
25 County Industrial Pretreatment Regulations. All provisions of any applicable state or federal
26 regulations or statutes also apply and are not supplanted by these Regulations. Any activity or
27 use that is contrary to this Chapter shall be an unlawful public nuisance and also subject to the
28 provisions contained within this Chapter.

29
30 **13.06.580 Permits, Approvals, and Uses.**

- 31 A. **Permits and Approvals.** The Industrial Pretreatment Regulations require acquisition of
32 permits or approvals before certain activities may be performed. It shall be unlawful to
33 conduct these regulated activities without first obtaining a written permit or approval.
34 When a permit or approval has been issued pursuant to the Industrial Wastewater
35 Pretreatment Regulations, it shall be unlawful to act in a manner which is inconsistent
36 with such permit or approval.
- 37 B. **Uses.** The Industrial Pretreatment Regulations regulate types of wastewater discharges
38 and require permits. It shall be unlawful to discharge wastewater contrary to the
39 provisions of these Regulations and/or any permit issued under the provisions unless
40 such use is considered to be legally nonconforming or otherwise exempt from the
41 Industrial Pretreatment Regulations.
- 42 C. **No Conflicting Licenses or Permits Shall be Issued.** No license, permit, or approval
43 for uses, buildings, or activity where the same would be in conflict with any provision of
44 the Pierce County Industrial Pretreatment Regulations, shall be issued. In the event that
45 conflicting licenses, permits, or approvals are issued, the most restrictive license, permit,
46 or approval shall apply while any license, permit, or approval, if issued in conflict with
47 the provisions hereof, shall be null and void.



1
2 **13.06.590 General Enforcement Provisions.**

3 A. **Responsibility for Enforcement.** It shall be the duty of the Public Works and Utilities
4 Department to enforce the provisions of the Pierce County Industrial Pretreatment
5 Regulations. In response to noncompliance with any requirement of these Regulations,
6 the Manager shall apply the Enforcement Response Plan, which is a part of the State
7 approved procedures of the Industrial Pretreatment Program. This plan ensures that the
8 application of remedies provided for in this section and Sections 13.06.600 and
9 13.06.610 are appropriate to the violation and consistent with the treatment of other
10 Industrial Users. Any person may obtain a copy of the Enforcement Response Plan by
11 contacting the Manager.

12 B. **Compliance and Cease and Desist Orders.**

- 13 1. **Authority.** When the Manager finds that a user has violated or continues to violate
14 any provision of these Regulations, a wastewater discharge permit or order issued
15 hereunder, or any other pretreatment standard or requirement, the Manager is hereby
16 authorized to issue an order to the user responsible for the discharge directing that
17 the user come into compliance and/or complete certain steps towards compliance
18 within a time frame specified in the order. The Manager, Building Official, Fire
19 Marshal, Planning Director, Building Inspector, Code Enforcement Officer, Sheriff,
20 or their respective designees, are hereby authorized to issue a Cease and Desist
21 Order when any person, firm, corporation, or agent thereof has violated or continues
22 to or threatens to violate any provision of the Pierce County Industrial Pretreatment
23 Regulations, a wastewater discharge permit or order issued hereunder, or any other
24 pretreatment standard or requirement.
- 25 2. **Orders.** Failure of the user to come into compliance or meet any compliance
26 schedule date within the time specified in the order may result in the County taking
27 additional enforcement measures, including, but not limited to, assessment of fines
28 or discontinuation of sewer service. Compliance orders may also contain other
29 requirements to address the non-compliance, including additional self-monitoring,
30 and management practices designed to minimize the amount of pollutants discharged
31 to the sewer. Cease and desist orders shall be obeyed immediately and all activity
32 shall cease upon issuance of the order. The order shall specify each violation by
33 reference to the specific Title, Chapter, and Section or by reference to the approved
34 permit. Any person, firm, corporation or agent thereof subject to a cease and desist
35 order shall immediately comply with all requirements and shall take such
36 appropriate remedial or preventive action as may be needed to properly address a
37 continuing or threatened violation, including halting operations and/or terminating
38 the discharge. The order shall state that a hearing may be requested to the Director
39 of Public Works and Utilities.
- 40 3. **Appeals and Decisions.** Appeals of cease and desist orders and other actions taken
41 pursuant to this Section shall be made in writing to the Director of Public Works and
42 Utilities. Appeals must be made within 15 days of issuance of the cease and desist
43 order. The appeal must be in writing and specify what portion of the cease and
44 desist order is being appealed. The appeal must be served upon the Director of
45 Public Works and Utilities. The Director may set up a meeting within 10 days after
46 receipt of the appeal with the appellant. After the meeting on the matter the Director
47 shall issue a decision upholding, revoking, or modifying the prior order. The



1 Director will issue a written decision within 30 days of the receipt of the appeal or
2 the meeting whichever is later. The decision of the Director is final and conclusive
3 unless otherwise determined by a court of appropriate jurisdiction.

- 4 C. **Additional Enforcement Powers.** The County may remove, correct, or replace any
5 improperly constructed facility, structure, or portion thereof. All expenses incurred by
6 the County shall be paid by the property owner. If Pierce County is required to bring an
7 action to recover such costs, the County will recover reasonable attorney's fees and
8 interest at ~~12~~twelve percent (12%) per annum to run from the date the work was
9 completed by the County. Applicants must agree to this provision as a condition of
10 issuance of any permit authorized by these Regulations. The County is authorized to
11 make inspections and as required to enforce these Regulations. The County
12 representative must be able to present proper credentials and identification before
13 entering onto private property.

14
15 **13.06.600 Penalties.**

16 The type of penalties levied shall be dependent upon the specific action and Industrial
17 Pretreatment Regulation provision being violated.

- 18 A. **Administrative Fines.** Any person, firm, corporation, or association which has violated
19 or continues to violate any provision of these Regulations, a wastewater discharge
20 permit, or order issued hereunder, or any other pretreatment standard or requirement,
21 shall be liable to the County for a maximum administrative fine of \$10,000.00 per
22 violation, per day. Administrative fines shall be imposed in addition to any charges
23 assessed for recovery of costs under Section 13.06.210 of these Regulations.
- 24 B. **Misdemeanor.** Any person, firm, or corporation violating any of the provisions of these
25 Regulations or failing to obtain a wastewater discharge permit, shall be deemed guilty of
26 a misdemeanor and shall be punishable as provided by the Statutes of the State of
27 Washington for committing a misdemeanor.
- 28 C. **Other Criminal Penalties.** Any person, firm, corporation, or association or any agent
29 of any person, firm, corporation, or association who violates any State or federal law
30 shall also be subject to punishment under applicable County Ordinance, Code, or
31 Regulation.
- 32 D. **Each Day a Separate Offense.** Each person, firm, or corporation found guilty of a
33 violation shall be deemed guilty of a separate offense for every day during any portion
34 of which any violation of any provision this Chapter is committed, continued, or
35 permitted by such person, firm, or corporation and shall be punishable therefore as
36 provided for in this Section.
- 37 E. **Injunction.** Violations of this Chapter constitute public nuisances. The Manager may
38 seek injunctive relief and damages from the appropriate court for violations. A petition
39 for injunctive relief shall not be a bar against, or a prerequisite for, taking any other
40 action against a user.
- 41 F. **Additional Penalties.**
- 42 1. Failure to comply with these Regulations will be cause for withholding or
43 withdrawing approval of the overall project plans, revocation of the approval or
44 permit, suspension of building inspections, forfeiture of the financial guarantee
45 submitted to the County, and/or nonacceptance of the work by the County.



2. Any person who violates any provision of the Shoreline Management Regulations shall also be subject to additional penalties as set forth in RCW Sections 90.58.210 and 90.58.230.
3. The County may undertake judicial action to recover costs incurred due to unlawful discharges, including but not limited to penalties imposed on the County for violations of environmental regulations and/or damages caused or contributed to by unlawful discharges.

13.06.610 Revocation, Modification, and Expiration.

The purpose of this Section is to provide the authority and procedures for the revocation, modification, and expiration of permits and approvals granted pursuant to these Regulations.

- A. **Director's Authority.** The Director of ~~Public Works~~ has the authority to revoke or modify any permit or approval and/or terminate any connection to the sewer system which was issued pursuant to the Director's review.
- B. **Manager's Authority.** The Manager or ~~designee~~ has the authority to revoke or modify any permit or approval which was issued pursuant to the Manager's review and any permit or approval for which a determination that an emergency exists has been made by the Manager. Prior to such revocation or modification, except where an emergency has been determined, the Manager or designee shall follow procedures concerning notice and appeals as required for the initial consideration thereof, provided that when any permit or approval is not exercised within the time specified in such permit or approval or, if no date is specified, within one year from the approval date of said permit or approval, the permit or approval shall automatically become null and void and no public hearing shall be required on the matter. The Manager may immediately suspend a user's discharge whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Manager may also immediately suspend a user's discharge that threatens to interfere with the operation of the POTW, or which presents or may present an endangerment to the environment. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Manager shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Manager shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the County that the period of endangerment has passed, unless the termination proceedings described in this Section are initiated against the user. Nothing in these Regulations shall be interpreted as requiring a hearing prior to any emergency suspension under this Section.
- C. **Grounds for Revocation or Modification.** Such revocation or modification or termination of permits, approvals, or sewer connection shall be made on any one or more of the following grounds:
 1. Any of the reasons for Wastewater Discharge Permit revocation set forth in Section 13.06.340 of these Regulations;
 2. That the approval or permit was obtained by fraud;
 3. That the use for which such approval or permit was granted is not being exercised;
 4. That the use for which such approval or permit was granted has ceased to exist or has been suspended for one year or more;



1 5. That the approval or permit granted is being, or recently has been, exercised contrary
2 to the terms or conditions of such approval or permit, or in violation of any statute,
3 resolution, code, law, or regulation;

4 6. That the use for which the approval or permit was granted was so exercised as to be
5 detrimental to the public health or safety, or so as to constitute a nuisance.

6 D. **Initiation of an Action.** An action to revoke or modify any matter set forth in
7 subsections ~~A. and B.~~ C. may be initiated by:

8 1. The Manager;

9 2. The Director; or

10 3. The petition of any aggrieved party directly affected by the termination or
11 modification together with a filing fee listed in PCC Chapter 2.05-~~PCC~~, and filed
12 with the Director.

13 E. **Expiration.** When any permit or approval is not exercised by the expiration date
14 indicated on the approval or permit or, if no expiration date is specified one year from
15 the approval date, the permit or approval shall expire. No extension of the expiration
16 date for a permit or approval shall be granted unless such extension is approved pursuant
17 to specific provisions for the relevant permit or approval.

18
19 **13.06.620 Remedies Non-Exclusive.**

20 The provisions in Sections 13.06.590 through 13.06.630~~10~~ are not exclusive remedies. The
21 County reserves the right to take any, all, or any combination of these actions against a non-
22 compliant user. Further, the County is empowered to take more than one enforcement action
23 against any non-compliant user. Enforcement of pretreatment violations will generally be in
24 accordance with the County's Enforcement Response Plan. These actions may be taken
25 concurrently. Issuance of any enforcement action under Sections 13.06.590 through 13.06.630~~10~~
26 shall not be a bar to, or a prerequisite for, taking any other action against the user. A user in
27 violation of these Regulations may also be in violation of other state or federal statutes (such as
28 the Federal Clean Water Act), and is also subject to the enforcement measures of those statutes.

29
30 **13.06.630 Severability.**

31 If any provision of this Chapter or its application to any person or circumstance is held
32 invalidated or unenforceable by any court of competent jurisdiction, the remaining
33 provisions remainder of the Chapter or the application of its provisions to other persons or
34 circumstances shall not be affected and shall continue in full force and effect.
35



APPENDIX TABLE TO CHAPTER 13.06

Local Limits for Discharges to the Pierce County POTW

The pollutant limits that follow are established to help achieve the Pretreatment Program objectives specified in Section 13.06.010. Unless otherwise allowed, no person shall discharge wastewater containing in excess of the following daily maximum allowable discharge limits.

<u>Constituent</u>	<u>24 Hour Average Concentration Limit (mg/L)</u>
arsenic	0.10
cadmium	0.11
chromium (total)	1.00
chromium (hexavalent)	0.25
copper	1.00
cyanide (amenable)	0.20
cyanide (total)	0.64
lead	0.40
mercury	0.05
nickel	1.00
selenium	0.05
silver	2.00
zinc	2.00
fats, oil and grease (FOG)	100
Total Petroleum Hydrocarbons (TPH)	50
Phenol	10

The above limits apply at the point where the wastewater is discharged to the POTW (end of the pipe). All concentrations for metallic substances are for the "total" metal unless otherwise stated. The instantaneous maximum concentrations shall not exceed twice the above values.

The Manager may impose mass limitations in addition to, or in place of, the concentration-based limitations above: 1) where necessary for consistency with Federal Categorical Pretreatment Standards; 2) where mass limits are more appropriate; 3) where concentration limits are impractical to apply; or 4) where dischargers whose wastes, by their dilute nature, meet the pretreatment standards or requirements of these Regulations, but would have adverse effects on the POTW.

Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment standard shall apply.

Users whose discharge exceeds 225 mg/l BOD and/or 225 mg/l suspended solids TSS must obtain authorization from the Manager prior to discharge, and are subject to high strength the BOD and TSS surcharges. ~~These charges are established in Pierce County Code Chapter 13.13 Public Sanitary Sewer Systems – Service Charges.~~

