

**CITY OF SIOUX FALLS
ADMINISTRATIVE RULES**

**Chapter 77
Public Works / Water Reclamation**

**Article 77:01
INDUSTRIAL PRETREATMENT PROGRAM**

**Division 77:01:01
LIQUID WASTE CONTROL PROGRAM**

ADOPTED: MARCH 3, 1998

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77:01:01:A01 Designated Disposal Sites for Liquid Waste

The City of Sioux Falls has three designated disposal sites for hauled liquid waste. All liquid waste must be disposed of at the appropriate disposal site. Any variance from the designated disposal site must have advance approval from the Environmental Compliance Manager. Following are the designated disposal stations.

a. Liquid Waste Dump Station at Water Reclamation Facility at 4500 N. Sycamore Avenue.

Purpose: This station is designed to handle domestic strength waste, commercial or industrial waste with low to moderate levels of solids or debris from interceptors, holding tanks.

b. High Strength Dump Station at Water Reclamation Facility at 4500 N. Sycamore Ave.

Purpose: This station is designed to handle high strength conventional waste (BOD, TKN, and O&G) with very low inorganics and solid content.

c. Liquid Waste Dump Station at Equalization Basin at 801 E. Chambers Street.

Purpose: This station is designed to handle commercial and industrial waste with high inorganic loading and low organic loadings from sand traps or interceptors, for example (car and truck wash interceptors).

77:01:01:A02 Liquid Waste Control Program Pollutants of Concern Guidance Levels

All permitted Liquid Waste Generator(s) (LWG) and licensed Liquid Waste Hauler(s) (LWH) must comply with the following pollutants of concern guidance levels.

<u>Pollutant of Concern</u>	<u>Guidance Level</u>
Arsenic	2.30 mg/L
Cadmium	1.20 mg/L
Copper	27.10 mg/L
Lead	10.00 mg/L
Nickel	7.90 mg/L
Selenium	1.50 mg/L
Silver	33.80 mg/L
Zinc	100.00 mg/L
Total Solids	25.00 %

77:01:01:A03 Hazardous Liquid Waste

As established in Section 41-124 (b) (2) of the Revised Ordinances of Sioux Falls discharging any hazardous waste to the sanitary sewer system is prohibited. Any discharge of a hazardous liquid waste to the Publicly Owned Treatment Works (POTW) will be classified as being in significant noncompliance.

77:01:01:A04 Incompatible or Unacceptable Liquid Waste

As established in Section 41-124 (b) (2) of the Revised Ordinances of Sioux Falls discharging any incompatible waste to the sanitary sewer system is prohibited. Incompatible or unacceptable liquid waste may be specifically identified in Ordinance, Rules, Best Management Plan (BMP), or designated by the Manager. Examples of waste that have been designated by the Manager are as follows (liquid waste contaminated with radioactive wastes, regulated medical wastes, asbestos, and dyes). Any discharge of an incompatible or unacceptable liquid waste that does not pass through or interfere with the POTW will be classified as a major exceedance. Any discharge of an incompatible or unacceptable liquid waste that caused pass through or interference at the POTW will be classified as being in significant noncompliance.

77:01:01:A05 Liquid Waste Control Program Fees

The program will be funded from Liquid Waste Disposal Coupon sales, LWG Inspection Fees, LWG Monitoring Fees, and LWG Permit annual maintenance fees. The fees for these services and regulatory functions are established by City ordinance. The current fee structures can be found in Section 23-30 of the Revised Ordinances of Sioux Falls.

77:01:01:A06 Liquid Waste Coupon Usage

City issued liquid waste disposal coupons may only be used for the specific purpose of collecting approved liquid waste within the POTW service area and the proper disposal at a designated disposal site listed in Section 77:01:01:A01 of these rules.

77:01:01:A07 Record Keeping

Any generator or hauler subject to the City's Liquid Waste Control Program shall retain and make available for inspection and copying any and all records generated under this program. These records shall remain available for a period of at least three years. The period shall automatically be extended for the duration of any litigation or its appeal concerning the user or the city, or where the user has been specifically notified of a longer retention period by the manager.

77:01:01:A08 Liquid Waste Control Program Management

The program will be managed by the Environmental Compliance Manager of the Sioux Falls Water Reclamation Division. The Pretreatment Coordinator of the Sioux Falls Water Reclamation Division will oversee daily administration of the program.

77:01:01:A09 Violations of LWCP Rules

Any violation of an established rule under this section shall be classified as a violation of a City ordinance and subject to all actions available to the City as established under Article IV of Chapter 41 of the Revised Ordinances of Sioux Falls. The City's Enforcement Response Plan guidance will be used in the event that enforcement action is necessary on any violation(s).

77:01:01:A10 Categorical Industrial User Liquid Waste

No hauled Liquid Waste can be discharged to the Sioux Falls Publicly Owned Treatment Works (POTW) by an industrial user that is subject to the Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N unless the following conditions are met:

- a. Industrial user must be located within the Sioux Falls city limits or be controlled under an Inter-jurisdictional Agreement; and
- b. Industrial user must have a direct sanitary sewer connection to the Sioux Falls POTW; and
- c. Industrial User must possess a valid Significant Industrial User Wastewater Discharge Permit from the City of Sioux Falls.

77:01:01:A11 Administrative Contact

All formal correspondence and requests to discharge hauled Liquid Waste to the City's Publicly Owned Treatment Works must be administered directly by the primary responsible party or company that has generated the waste.

77:01:01:A12 Representative Monitoring

All monitoring performed for the Liquid Waste Control Program must be representative of the waste generated by the Liquid Waste Generator and disposed to the City's POTW. Any attempt to dilute or alter the nature of the liquid waste by the Liquid Waste Generator or Liquid Waste Hauler shall be classified as being in Significant Noncompliance.

77:01:01:A13 Disposal of Liquid Waste from Permitted Liquid Waste Generators

Any Liquid Waste Generator (LWG) permitted in accordance with Section 77:01:01:B09 of these administrative rules must dispose of all liquid waste from approved liquid waste receptacles to the City's Publicly Owned Treatment Works.

77:01:01:B01 Proper disposal of Liquid Waste

All liquid waste generated in the service area of the Sioux Falls POTW must be properly disposed of in a legal manner. All liquid waste in the POTW service area must be properly disposed at a designated disposal site as described in Section 77:01:01:A01 of these rules or hauled to a legal treatment, recycling or disposal site. LWG must maintain documentation tracking the hauling and disposition of any hauled liquid waste in the Sioux Falls POTW service area. Liquid wastes collected in a liquid waste receptacle may not be discharged directly to the POTW collection system without written approval from manager.

77:01:01:B02 LWG - Self Monitoring Requirement

Any liquid waste disposed to the City's POTW by a non-permitted LWG shall be self-monitored by the LWG for pollutants designated by the Environmental Compliance Manager. The only exception to this rule can be found in Section 77:01:01:B03 and 77:01:01:B04.

77:01:01:B03 LWG Non-contact - Self Monitoring Requirement

Any LWG that has not been identified by the City's Industrial Pretreatment Program and notified of their designation shall be classified as a LWG Non-contact. A LWG Non-contact discharge is subject to all appropriate pretreatment standards. The LWCP does not require a LWG Non-contact to perform self-monitoring of their liquid waste unless specifically required by the Environmental Compliance Manager.

77:01:01:B04 Temporary Monitoring Exemption

The Environmental Compliance Manager may grant a temporary monitoring exemption for up to six months. This exemption is intended for any Liquid Waste Generator that is in good faith performing necessary requirements established in Section 77:01:01:B09 to be issued a LWG permit. A certificate will issue the temporary exemption. This certificate must meet the same posting requirements as established in Section 77:01:01:B09.

77:01:01:B05 LWG Baseline Monitoring

LWG must perform at least one baseline-monitoring event for the pollutants of concern designated by the Environmental Compliance Manager. The analytical results must verify compliance with guidance levels established in Section 77:01:01:A02 of these rules before being issued a LWG permit. Baseline monitoring must meet the following conditions to be valid:

- a. Sample must be representative as established in Section 77:01:01:B11 of rules and the receptacle(s) cleaning schedule must be in accordance with the LWG's P2 Plan as established in Section 77:01:01:B09 d. of these rules
- b. Monitoring must be performed by a qualified environmental contractor who has received advance approval of sampling and analytical procedures or by the City.
- c. Sample may be collected from the liquid waste receptacle(s) prior to collection by LWH. Sampling event must be within 72 hours prior to disposal of liquid waste to the POTW.
- d. Sample may be collected from the discharge of Liquid Waste Hauler discharge to POTW. A licensed liquid waste hauler must collect liquid waste. LWH truck must be cleaned thoroughly before collecting liquid waste. Liquid waste must not be mixed with any other waste prior to disposal.

77:01:01:B06 Baseline Monitoring Failure (First Offense)

If the LWG's first attempt at baseline monitoring shows noncompliance with the guidance levels established in Section 77:01:01:A02 they will not be issued a LWG permit. This LWG will be subject to existing pretreatment standards including self-monitoring requirements and local limits established in the Revised Ordinances of Sioux Falls on any future loads of liquid waste. If the LWG would like to continue its effort towards getting a LWG permit the follow conditions must be met.

- a. Evaluate their waste minimization survey and try and identify pollutant sources that can be eliminated or further reduced.
- b. Ensure that their current Pollution Prevention Plan is being implemented.
- c. Evaluate if more frequent servicing of their liquid waste receptacle is necessary.
- d. Submit a corrective action plan or a revision to their Pollution Prevention Plan indicating how they will reduce the pollutant concentrations in their liquid waste.

If the above conditions are met the Environmental Compliance Manager may issue a self-monitoring exemption certificate as established in Section 77:01:01:B04 of this rule. The certificate will be temporary in nature intended to allow a specific time for the LWG to implement its proposed revisions.

77:01:01:B07 Baseline Monitoring Failure (Second Offense)

If implementation of the LWG's corrective action plan or revised Pollution Prevention Plan fails to bring their liquid waste into compliance with the guidance levels established in Section 77:01:01:A02 of this rule they will not be accepted under the alternative LWG Program or be issued a LWG permit. The LWG would have to select one of the options listed below:

LWG Available Options:

- a. LWG disposes of liquid waste (LW) in a different legal and environmentally conscious manner; or
- b. LWG continues to discharge to the Sioux Falls POTW and Self Monitors each load to determine if LW is in compliance with Sioux Falls local limits; or
- c. LWG has an environmental contractor develop a formal Corrective Action Plan that will become part of their LWG Pollution Prevention Plan, which will include:
 1. Identification of waste streams contributing to pollutant problem,
 2. Identify past practices that have been established to reduce or eliminate pollutants of concern from these waste streams,
 3. List newly proposed practices that will be implemented to reduce or eliminate the pollutants of concern from these waste streams or reduce the concentration of pollutants of concern in your LW.

If the City approves the Corrective Action Plan, then the LWG must verify that the new practices have brought pollutant levels of LW below the LWG program guidance levels. The LWG will be required to verify this by providing Baseline Monitoring on two consecutive discharges. If the revised P2 Plan brings the LWG's liquid waste within guidance levels then the LWG will be accepted into the program; or

- d. Continue to implement existing P2 Plan and at least once a year monitor a discharge for Toxicity Characteristics established in 40 C.F.R. Part 261.24. If LWG implements their P2 Plan and the annual toxicity testing verifies that the liquid waste is not hazardous then the LWG will be accepted into program.

77:01:01:B08 Permitted LWG – Monitoring

Any permitted LWG is exempted from performing self-monitoring of their liquid waste. The Environmental Compliance Manager may require control authority monitoring on a permitted LWG's liquid waste to verify compliance with LWCP rules.

77:01:01:B09 Requirements necessary to be issued a LWG Permit:

A LWG may voluntarily choose to be permitted under the Liquid Waste Control Program. The LWG must develop and implement a Best Management Plan (BMP) before issuance of a LWG Permit. Following are the minimum requirements necessary in the development of LWG BMP.

- a. A responsible company representative must attend the City's Liquid Waste Generator (LWG) Waste Reduction and Pollution Prevention workshop; and
- b. Complete and submit a City LWG Questionnaire; and
- c. Develop a Pollution Prevention (P2) Policy Statement; and
- d. Develop and Implement a Pollution Prevention (P2) Plan; and
- e. Demonstrate through Baseline-Monitoring that liquid waste generated from their facility is non-hazardous, compatible, and in compliance with pollutant guidance levels established in Section 77:01:01:A02 of these rules.

77:01:01:B10 Posting of Liquid Waste Generator Permit

The LWG permit must be posted under glass in the area of the permitted liquid waste receptacle(s). The permit must be clearly visible and accessible to the liquid waste hauler at time of collection.

77:01:01:B11 Liquid Waste Compliance Monitoring

All compliance monitoring by the LWG must be from a representative sample collected by a qualified individual. The liquid waste monitored must be from the receptacle(s) or load(s) that depicts the normal facility operation and waste characteristics.

77:01:01:B12 Failure to implement LWG Best Management Plan (BMP).

Permitted LWG's must implement all conditions established in their approved BMP. Failure to implement any condition(s) of their plan will subject them to enforcement as established in the Industrial Pretreatment Program's Enforcement Response Plan.

77:01:01:B13 Best Management Plan (BMP) Updates

It is the LWG's responsibility to update their BMP as operational, facility or administrative changes occur at their facility. The LWG must submit any updates or revisions to their BMP to the City at least annually.

77:01:01:B14 Trained Personnel

A permitted LWG must have at least one employee that has attended the City's LWG Pollution Prevention Workshop. This employee must have access to the LWG Best Management Plan and authority to ensure that the plan is being implemented. If the company loses their trained employee due to turnover they must assign a new employee to this responsibility and have them attend the next scheduled City training course.

77:01:01:B15 Transfer of LWG Permit

LWG permits may be transferred to a new owner or operator if the Environmental Compliance Manager is notified by permittee and approves of the transfer request. Transfer request must include and meet the following requirements:

- a. Revised Best Management Plan reflecting any operational or administrative changes; and
- b. Any reduction in frequency of the maintenance and cleaning of liquid waste receptacle would require a new Baseline Monitoring Event to verify compliance with local limits; and
- c. All outstanding fees must be paid in full prior to issuance of new permit.

77:01:01:B16 Liquid Waste Receptacle Modification or Removal

A LWG must receive advance approval from the City's Water Reclamation Division and Public Works Engineering before modification, bypass, disconnection or removal of any liquid waste receptacle.

77:01:01:B17 Termination of LWG Permit

A LWG may terminate their LWG Permit by submitting a request in writing to the Environmental Compliance Manager. The City will perform a final site inspection before terminating permit.

77:01:01:B18 Interceptor Cleaning

In accordance with Section 41-117 of the Revised Ordinances of Sioux Falls all interceptors must be maintained and properly cleaned. Any user that has an interceptor connected to or waste discharged to the Sioux Falls POTW must have the interceptor thoroughly cleaned at least annually.

77:01:01:C01 Hauling of Liquid Waste

Any liquid waste disposed to the Sioux Falls Publicly Owned Treatment Works (POTW) must be pumped and hauled by a licensed Liquid Waste Hauler (LWH). Any liquid waste from a non-permitted Liquid Waste Generator (LWG) must be hauled separately by a clean truck and not allowed to mix with other waste prior to disposal unless the City's Environmental Compliance Manager grants an exception.

77:01:01:C02 LWH Mixed Load - Self Monitoring Requirement

The Environmental Compliance Manager may require a LWH to self-monitor any mixed load of liquid waste disposed to the City's POTW.

77:01:01:C03 Proper Operation of POTW Disposal Stations

Liquid Waste Haulers are required to follow all standard operating procedures established for the City's liquid waste disposal stations.

77:01:01:C04 Liquid Waste Hauler Inspection of LWG Permit

In order to receive the exemptions established in Section 77:01:01:B04 of these rules and the local limits established in Section 41-119.3(e) the Liquid Waste Hauler must physically inspect the LWG Permit before handling their waste to ensure that a valid permit is in effect. In the event of a lost or destroyed permit, the LWH must notify a City Pretreatment Program representative within twenty four hours in advance of the collection of the liquid waste to receive a verbal approval to ensure the exemptions as listed above.

77:01:01:C05 LWH Monitoring Evaluation

A LWH shall not collect and dispose of any liquid waste from a LWG that has not complied with monitoring requirements established under these rules. The LWH must notify a city pretreatment program representative prior to collection of any liquid waste from a non-permitted LWG to ensure that appropriate self-monitoring requirements are met.

77:01:01:C06 LWH Complete Pull

A Liquid Waste Hauler must perform a complete pull on every Liquid Waste Generator that they service. A complete pull means that the liquid waste receptacle(s) must be completely pumped into the LWH's transport at time of servicing. The only exception would be the removal of a partitioned portion of the liquid waste as part of a treatment scheme that would be disposed of in an alternative approved method. This exception would need advanced City approval.

77:01:01:C07 Distribution of Liquid Waste Disposal Coupons

The City's Industrial Pretreatment Program issues sequentially numbered liquid waste disposal coupons to Licensed Liquid Waste Haulers. LWH must distribute a liquid waste disposal coupon to any LWG for the disposal of any liquid waste to the City. One copy of the completed coupon must be left with the LWG for their records. One copy must be maintained by the LWH for their records. The original must be submitted to the City at the time of disposal of the liquid waste.

77:01:01:C08 Liquid Waste Disposal Coupon Accountability

Any Liquid Waste Hauler (LWH) or Liquid Waste Generator (LWG) must account for every coupon that was distributed to them by the City. The coupons must be used and submitted to the City within one year of issuance or the LWH must document and justify any coupon shortage. The LWH or LWG shall be subject to a \$30.00 administrative penalty for each coupon that has not been submitted unless the LWH or LWG has documented an acceptable reason for its loss to the City. This minimum administrative penalty does not circumvent or limit the City from escalating enforcement action as deemed necessary.