

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTIONS 921.01 AND 921.12 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE, AS THE SAME APPLIES TO DISCHARGE OF DETRIMENTAL WASTES INTO ANY SEWER AND RELATED DEFINITION OF TERMS.

The City of Morgantown hereby ordains that Sections 921.01 and 921.12 of its Streets, Utilities and Public Services Code are amended as follows (new matter underlined, deleted matter struck through):

921.01 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

(a) ~~""~~ "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

(b) "Ambient upstream fluid temperature" means the existing temperature of a fluid under normal operating conditions as measured upstream from a suspected inflow/infiltration point.

(~~bc~~) "Board" means the duly constituted Utility Board of the City of Morgantown, West Virginia.

(~~ed~~) "BOD" or "biochemical oxygen demand" means the quantity of oxygen expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory procedures of five days at twenty degrees Centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

(~~de~~) "Building drain" means that part of the lowest piping of a drainage system which receives the discharge from soil, waste or other drainage pipes inside the walls of the building and conveys it to the customer's service line and/or to the lateral sewer.

(~~ef~~) "City" means the City of Morgantown, West Virginia.

(~~fg~~) "Customer" means the party, whether owner or tenant, utilizing sewer service furnished by the City to a property.

(~~gh~~) "Customer service line" means the extension from the building drain of any structure to the lateral of a sanitary sewer controlled by the City.

(i) "Direct discharge" means a discharge into the sanitary sewer collection system from a discrete and indentifiable point or location.

(hj) "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

(kl) "Indirect discharge" means a discharge into the sanitary sewer collection system that is not a direct discharge.

(il) "Improved property" means any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes are or may be discharged.

(jm) "Industrial waste" means any solid, liquid or gaseous substance or form of energy rejected or escaping in the course of any industrial manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sanitary sewage.

(kn) "Lateral" means that part of the sewer system extending from a sewer located in the street, to the property line, or if no such lateral is provided, then "lateral" means that portion of, or place in, a sewer which is provided for connection of any customer service line.

(lo) "General Manager" means the person designated by the Board to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.

(mp) "Natural outlet" means any outlet, including storm sewers and combined sewers, which overflows into a watercourse, pond, ditch, lake or other body of surface or ground water.

(nq) "Owner" means any person vested with ownership, legal or equitable, sole or partial, in any real property.

(or) "Person" means any individual, firm, company, association, society, corporation, partnership or group.

(ps) "pH" means the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

(qt) "Right of way" or "easement" means an acquired legal right for the specific use of land owned by others.

(ru) "Sanitary sewage" means normal water-carried household and toilet wastes from any improved property. The preferred term is "wastewater".

(~~sv~~) "Sanitary sewer" means a sewer controlled by the City that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions.

(~~tw~~) "Sewer" means any pipe or conduit that carries wastewater, domestic drainage, sanitary wastes or industrial wastes.

(~~ux~~) "Sewer system" means all wastewater facilities, owned by the City, for collecting, pumping, treating and disposing of sanitary sewage or industrial wastes.

(~~vy~~) "Significant industrial user" means any industrial user of the City's wastewater disposal system who:

(1) Has a discharge flow of 2,500 gallons or more per average workday, or

(2) Has a flow greater than five percent (5%) of the flow in the City's wastewater treatment system, or

(3) Has in his waste toxic pollutants as defined pursuant to Section 307 of the Act or State statutes and rules or

(4) Is found by this City, State Control Agency or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singularly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.

(~~wz~~) "Single-family dwelling" means any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of persons living together, or by persons living alone.

(~~aa~~) "Slug" means any discharge of wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes and is more than five times the average twenty-four hour concentration of flows during normal operation and adversely affects the collection system and/or performance of the wastewater treatment works.

(~~bb~~) "Total suspended solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids and which is removable by laboratory filters.

(~~cc~~) "Wastewater facilities" means the structures, equipment and processes required to collect, carry and treat domestic and industrial wastes and to dispose of the effluent.

921.12 DETRIMENTAL WASTES.

(a) No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage or cooling water to any sewer.

(b) No person shall discharge or cause to be discharged or infiltrated or conveyed in any form any of the following described waters or wastes to any public sewer:

(1) Any gasoline, benzene, naphtha, fuel oil, motor oil or other flammable or explosive liquid, solid or gas.

(2) Any water or waste with a BOD in excess of 300 milligrams per liter, except as provided for herein.

(3) Any water or waste containing suspended solids in excess of 300 milligrams per liter, except as provided for herein.

(4) Any water containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant effluent.

(5) Any water or waste having a pH lower than 6.5 or greater than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the wastewater works or the public sewers.

(6) Any solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation in the wastewater facilities such as, but not limited to, gravel, ashes, bones, red dog, sand, mud, coal, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(7) Any liquid or gas having a temperature higher than sixty degrees Centigrade (5 minute average) (140 degrees Fahrenheit), as measured at the tap or point of entry into the collection system.

(8) Any direct or indirect heat transfer into the sewer having a deleterious effect on the sewer, flows within the sewer, treatment and discharge of those flows and/or private service connections to the sewer, or raising the fluid temperature of the normally conveyed waste flow in excess of ten degrees Centigrade (18 degrees Fahrenheit) above the ambient fluid temperature of the upstream flow and over 50 degrees Centigrade (122 degrees Fahrenheit), as measured downstream and at the tap or point of entry into the collection system over a 5 minute period concurrently. Any direct or indirect heat transfer that raises the temperature of the wastewater flow (5 minute average) to over 65 degrees Centigrade (149 degrees Fahrenheit) is prohibited.

(c) The following described substances, materials, waters or wastes shall be limited in discharges to the sewer system, to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment; will not have an adverse effect on the receiving stream; or will not otherwise endanger life, limb, public property or constitute a nuisance. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sewer system which shall not be exceeded by any person without approval of the Manager are as follows:

- (1) Wastewater having a temperature higher than sixty degrees Centigrade.
- (2) Wastewater containing more than twenty-five milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin.
- (3) Wastewater containing floatable oils, fat, or grease in excess of 500 milligrams per liter.
- (4) Any garbage that has not been properly shredded with no particle greater than one-half inch in any dimension. Garbage grinders may be connected to sanitary sewers only from homes, hotels, institutions, restaurants, hospitals or similar places where garbage originates from the preparation of food in on-site kitchens for the purpose of consumption on the premises.
- (5) Any water or waste containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceed the limits established by the Manager for such materials.
- (6) Any water or waste containing color-producing or odor-producing substances exceeding limits which may be established by the Manager.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations.
- (8) Quantities of flow, concentrations or both which constitute a "slug" as defined herein.

(9) Water or waste containing substances such as synthetic detergents which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(d) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Board and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Board for treatment.

(e) Upon identification of a suspected violation of this section, the Manager shall inform by writing all suspected contributors of the suspected violation, including the location and nature of the suspected violation. The Manager shall afford the responsible party/parties a reasonable time to investigate and cure the anomaly, which time to cure shall be the sole prerogative of the Manager. No violation shall be assessed within the assigned time to investigate and cure. If the condition remains following expiration of the time to cure, the Manager shall issue to the responsible party a written notice of violation and employ sanctions as he/she deems appropriate and as authorized by law.

This Ordinance shall be effective upon date of adoption.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED: