



## Legislation Text

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Consider an ordinance repealing and replacing in its entirety, Chapter 42, Article IV, Code of Ordinances (2018 Edition), regarding the City's Pretreatment Program. (First Reading)\*

The Environmental Services Division manages the Industrial Pretreatment Program in accordance with the Clean Water Act and 40 Code of Federal Regulations Part 403. The purpose of the program is to protect the wastewater treatment process by regulating non-domestic wastewater discharge. Fifteen significant industrial users are regulated by the City, seven of which are categorical industrial users. In addition, four general industrial users are regulated by the City.

Elements of the Industrial Pretreatment Program include the ordinance, permits, inspection and sampling, technically based local limits (TBLLs) and enforcement. The ordinance enables the City to enforce the required pretreatment standard on the industrial users. Permits regulate the pollutant discharge of industrial users to the Wastewater Treatment Plant. Inspection and sampling verify that the industrial users are complying and meeting all relevant pretreatment standards. TBLLs are quantitative limits on wastewater discharges applicable to all users. Lastly, the program develops and enforces local limits to provide site-specific protection for the Wastewater Treatment Plant and the receiving waters.

The Texas Commission on Environmental Quality (TCEQ) is requiring the City to modify its Industrial Pretreatment Program ordinance due to requirements set forth in the Environmental Protection Agency's (EPA) streamlining rule. The EPA streamlined existing regulations to give more flexibility to the Control Authority to enforce environmental protection. Changes include expanded sampling techniques, clarification of significant noncompliance, flexibility in determining categorical pollutant limits, and better consistency with the National Pollutant Discharge Elimination System (NPDES) regulations.

Additionally, the TCEQ is requiring updates to the City's TBLLs. TBLLs are determined by conducting a technical evaluation of the maximum allowable pollutant load that the Wastewater Treatment Plant can safely treat. Pollutant contributions from existing industrial users and uncontrollable background sources such as residential wastewater is calculated for each regulated pollutant. Therefore, when the new TBLLs are adopted they will be applicable to all users of the wastewater system.

A modification package was sent to the TCEQ and has been approved for use. This modification package includes updates to the pretreatment ordinance, forms, standard operating procedures, and local limits. To comply with the streamlining rules, several narrative portions of the ordinance have been modified in order to meet regulations. Permit application procedures for existing users and new users have been established. Procedures for wastewater contributions from other jurisdictions have been laid out in the ordinance. Reporting requirements for baseline reports and best management practices are now included in the ordinance. Updates to our wastewater sample requirements and

repeat sampling procedure are also contained within the ordinance. Additionally, reports for changed conditions of pretreatment equipment and potential problems have been modified. Finally, the accidental discharge/slug control plans have been updated to meet regulatory goals.

Implementing this revised Industrial Pretreatment Ordinance will ensure the City is in compliance with the EPA and TCEQ regulations.