

September 17, 1993
WTRSUB2.ORD (MW:clt)

Introduced by: Audrey Gruger

Proposed No.: 93 - 617

ORDINANCE NO. **11034**

AN ORDINANCE establishing water pollution abatement rules and regulations for the Metropolitan Sewerage System

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There is hereby established a new chapter in the King County Code which shall pertain to the provision of water pollution abatement in the department of metropolitan services and which shall contain the provisions of this ordinance.

SECTION 2. Statement of Policy. It is the policy of the department to provide water pollution abatement service for King County and to provide water pollution abatement service for such areas adjacent to the county as may, in the judgment of the council, be feasibly served upon such terms, conditions and rates as the council shall determine.

A. In order to carry out its authorized function of metropolitan water pollution abatement and to comply with federal and state laws and regulations, it is necessary and in the best interests of the residents of the county and users of the metropolitan sewerage system that the council adopt policies and procedures for the disposal of sewage and disposal of industrial waste into the metropolitan sewerage system as set forth in this ordinance.

B. It is the policy of King County to provide sewerage facilities adequate for the transportation, treatment and disposal of industrial and other wastes and to operate the metropolitan sewerage system in such a manner that protects public health and the environment. This chapter sets forth uniform requirements for users of the metropolitan sewerage system and enables the county to comply with all applicable state and federal laws including the Clean Water Act (33 U.S.C. 1251 et seq.) and the General Pretreatment Regulations (40 CFR

1 403). In carrying out this policy, the objectives of this
2 chapter are:

3 1. To prevent pollutants from entering the sewerage
4 system that will interfere with its normal operation, damage
5 the collection or treatment systems, or contaminate the
6 resulting biosolids;

7 2. To prevent the introduction of pollutants into the
8 sewerage system that will not be adequately treated and will
9 pass through into the environment;

10 3. To improve opportunities for recycling and
11 reclamation of wastewater and biosolids;

12 4. To ensure protection of worker safety and health;

13 5. To reduce the introduction of clean water into the
14 sewerage system;

15 6. To implement waste reduction and recycling to
16 prolong the useful life of existing and planned wastewater
17 facilities and to protect the environment;

18 7. To focus sampling and inspection efforts on those
19 industries discharging the greatest volume and concentration of
20 pollutants while still recognizing the cumulative impact of
21 small discharges;

22 8. To implement, administer, and enforce a fee program
23 in compliance with federal and state law and ensure that
24 industrial users pay a fair cost for monitoring and treatment;

25 9. To implement an enforcement response plan aimed at
26 achieving compliance in the shortest time frame possible and
27 promoting responsibility of the industrial user to be in
28 compliance with this chapter; and

29 10. To make information and data on industrial users
30 available to the public except in such cases where the
31 industrial user has requested confidentiality to protect trade
32 secrets or where otherwise prohibited by law.

33 SECTION 3. Definitions.

34 A. The following terms, words and phrases when used in
35 this chapter shall have the meanings hereinafter set forth in

1 this ordinance, whether appearing in capital or lower case
2 form. If not defined below, the words and phrases used in this
3 chapter shall have their common and ordinary meanings to the
4 degree consistent with the technical subjects herein.

5 1. "Act" or "the Act" means Federal Water Pollution
6 Control Act, also known as the Clean Water Act, as amended, 33
7 U.S.C. 1251, et seq.

8 2. "Annual" shall refer to that twelve-month period
9 commencing January 1 and terminating December 31.

10 3. "Applicable Pretreatment Standards" means for any
11 specified prohibitive standards, specific pretreatment
12 standards (local limits), State of Washington pretreatment
13 standards, or EPA's Categorical Pretreatment Standards (when
14 effective), whichever standard is appropriate or most
15 stringent.

16 4. "Authorized Representative of Industrial User" may
17 be:

18 a. A principal executive officer of at least the
19 level of vice president, if the industrial user is a
20 corporation;

21 b. A general partner or proprietor if the
22 industrial user is a partnership or proprietorship,
23 respectively;

24 c. A director or highest official appointed or
25 designated to oversee the operation and performance of the
26 industry if the industrial user is a government agency; or

27 d. A duly authorized representative of the
28 individual designated above if such representative is
29 responsible for the overall operation of the facilities from
30 which the indirect discharge originates.

31 5. "Best Management Practices (BMPs)" shall refer to
32 operating and housekeeping pollution control practices that
33 keep pollutants out of the waste stream.

34 6. "Biochemical Oxygen Demand" or "BOD" shall mean the
35 quantity of oxygen utilized in the biochemical oxidation of

1 organic matter (as described in American Public Health
2 Association publication Standard Methods For The Examination Of
3 Water And Wastewaters, current edition, or Guidelines
4 Establishing Test Procedures For The Analysis Of Pollutants,
5 contained in 40 CFR Part 136) in five days at temperature of 20
6 degrees centigrade, expressed in milligrams per liter.

7 7. "Biosolids" means primarily organic solid products
8 produced by wastewater treatment processes that can be
9 beneficially recycled.

10 8. "Branch" shall mean a sewer or combined sewer which
11 will receive the flow from more than one lateral and which will
12 discharge into a trunk or interceptor.

13 9. "Categorical Pretreatment Standard or Categorical
14 Standard" refers to any regulation containing pollutant
15 discharge limits promulgated by the EPA in accordance with
16 Sections 307(b) and (c) of the Act (33 U.S.C. 1317), which
17 apply to a specific category of users and which appear in 40
18 CFR Chapter I, Subchapter N, Parts 405-471.

19 10. "Clean Water" or "Unpolluted Water" shall mean
20 water in its natural state, or water which, after use for any
21 purpose, is not substantially changed or contaminated as to
22 chemical or biochemical qualities. Water from roof drains,
23 building foundation drains, storm water, clear water from
24 cooling or condensing systems, air conditioning systems, wells
25 and cisterns shall normally be considered to be "clean water"
26 or "unpolluted water."

27 11. "Combined Sewer" or "Combined Sewer System" shall
28 mean a conduit or system of conduits in which both wastewater
29 and storm water are transported.

30 12. "Compatible Pollutants" shall mean biochemical
31 oxygen demand, suspended solids, Ph, and fecal coliform
32 bacteria, plus additional pollutants identified in an NPDES
33 permit if the publicly-owned treatment works is designed to
34 treat such pollutants, and in fact does remove such pollutants
35 to a substantial degree. The term "substantial degree" is not

1 subject to precise definition, but generally contemplates
2 removals in the order of 80 percent or greater. Examples of
3 the additional pollutants that may be considered compatible
4 include: chemical oxygen demand; total organic carbon;
5 phosphorus and phosphorus compounds; nitrogen and nitrogen
6 compounds; and, fats, oils and greases of animal or vegetable
7 origin (except as prohibited where these materials would
8 interfere with the operation of the publicly owned treatment
9 works).

10 13. "Composite Sample" shall mean a sample composed of
11 no less than two (2) grab samples, collected by either hand or
12 machine, over the compositing period.

13 14. "Comprehensive Plan" shall mean the Comprehensive
14 Sewage Disposal Plan adopted by Resolution No. 23 of the
15 Metropolitan Council and all amendments thereto.

16 15. "Construction Dewatering" shall mean the act of
17 pumping ground water or storm water away from an active
18 construction site.

19 16. "Contaminated Nonprocess Wastewater" shall mean any
20 water which, during manufacturing or processing, comes into
21 incidental contact with any raw material, intermediate product,
22 finished product, byproduct or waste product by means of a.
23 rainfall runoff, b. accidental spills, c. accidental leaks
24 caused by the failure of process equipment, and d. discharges
25 from safety showers and related personal safety equipment;
26 provided, that all reasonable measures have been taken (1) to
27 prevent, reduce and control such contact to the maximum extent
28 feasible, and (2) to mitigate the effects of such contact once
29 it has occurred.

30 17. "Control Authority" shall mean a publicly-owned
31 treatment works with an approved pretreatment program. The
32 county is the control authority for dischargers to the
33 metropolitan sewerage system.

1 18. "Cooling Water" shall mean the water discharged
2 from any use, such as air conditioning, cooling or
3 refrigeration, or to which the only pollutant added is heat.

4 19. "Decant Water" shall mean water typically generated
5 from the mechanical eduction and subsequent solids settling of
6 wastewater from the cleaning and maintenance of storm and
7 sanitary conveyance systems.

8 20. "Department" or "DMS" shall mean the department of
9 metropolitan services.

10 21. "Director" shall mean the director of the
11 department of metropolitan services of King County or a duly
12 authorized designee.

13 22. "Discharge Authorization" shall mean an
14 authorization issued for the discharge of wastewater into a
15 public sewer, private sewer, or side sewer tributary to the
16 metropolitan sewerage system. Such authorizations may include,
17 but shall not be limited to, waste discharge permits, minor
18 discharge authorizations, letters of authorization, and general
19 permits.

20 23. "Dilution" shall be defined as the prohibited
21 practice of adding process water, or in any other way,
22 attempting to dilute a discharge as a partial or complete
23 substitution for adequate treatment to achieve compliance with
24 pretreatment standard or requirements.

25 24. "Discharge to Metropolitan System" shall mean any
26 discharge that enters a private side sewer and/or public sewer
27 that is a tributary to the metropolitan sewerage system, and
28 said discharge shall be considered a discharge to said system
29 whether or not specifically identifiable in effluent reaching
30 the county's treatment works.

31 25. "Domestic User (Residential User)" means any person
32 who contributes wastewater into the metropolitan sewerage
33 system from a residential dwelling unit.

34 26. "Engineer" shall mean the engineer duly appointed
35 by a local public agency or the owner of private sewers to

1 supervise and direct the design and construction of local
2 sewerage facilities, acting personally or through agents or
3 assistants duly authorized by him/her, such agents or
4 assistants acting within the scope of the particular duties
5 assigned to them.

6 27. "Excessive Infiltration/Inflow" refers to the
7 quantities of infiltration/inflow which can be economically
8 eliminated from a sewer system by rehabilitation, as determined
9 by a cost-effectiveness analysis that compares the cost for
10 correcting the infiltration/inflow conditions with the total
11 costs for transportation and treatment of the
12 infiltration/inflow.

13 28. "Flow Proportional Composite Sample" shall mean a
14 sample composed of grab samples collected continuously or
15 discretely, by hand or machine, in proportion to the flow at
16 the time of collection or to the total flow since collection of
17 the previous grab sample. The grab sample volume or frequency
18 of grab collection may be varied in proportion to flow.

19 29. "General Permit" shall mean a written authorization
20 issued for the discharge of wastewater from a category of
21 business into a public sewer or side sewer tributary to the
22 metropolitan sewerage system granted for a specific period of
23 time up to five years.

24 30. "Grab Sample" shall mean a single sample collected
25 without consideration to the flow in the waste stream and
26 without consideration of time.

27 31. "Ground Water" shall mean water in a saturated zone
28 or stratum beneath the surface of land or below a surface water
29 body.

30 32. "Hazardous Waste" shall be as defined in accordance
31 with 40 CFR 261.3 or amended.

32 33. "Incompatible Pollutants" shall mean any pollutant
33 that is not a compatible pollutant as defined in this chapter.

34 34. "Indirect Discharge," "Waste Discharge" or
35 "discharge" shall mean the act of introducing or depositing

1 wastes from any nondomestic source regulated under Section
2 307(b), (c), or (d) of the Act into a public sewer, private
3 sewer or side sewer tributary to the metropolitan sewerage
4 system.

5 35. "Industrial Activity" shall refer to areas where
6 material handling equipment or activities, raw materials,
7 intermediate products, final products, waste materials,
8 byproducts, or industrial machinery are located. Such areas
9 include but are not limited to: material handling sites;
10 refuse sites; sites used for the application or disposal of
11 process wastewater; sites used for the storage and maintenance
12 of material handling equipment; sites used for residual
13 treatment; storage or disposal sites; shipping and receiving
14 areas; manufacturing buildings; material storage areas for raw
15 materials and intermediate and finished products; and areas
16 where industrial activity has taken place in the past and
17 significant materials remain.

18 36. "Industrial User" or "User" means a source or
19 potential source of indirect discharge. The source shall not
20 include "Domestic User" as defined in this chapter.

21 37. "Industrial Waste" shall mean any liquid, solid or
22 gaseous substance, or combination thereof, resulting from any
23 process of industry, government agency, manufacturing,
24 commercial food processing, business, agriculture, trade or
25 research, including, but not limited to, the development,
26 recovery or processing of natural resources, leachate from
27 landfills or other disposal sites, decant water, contaminated
28 nonprocess water, and contaminated stormwater and ground water.

29 38. "Infiltration" shall mean the water entering a
30 sewer system, including sewer service connections, from the
31 ground, through such means as, but not limited to, defective
32 pipes, pipe joints, connections or manhole walls. Infiltration
33 does not include, and is distinguished from, inflow.

1 39. "Infiltration/Inflow" refers to the total quantity
2 of water from both infiltration and inflow without
3 distinguishing the source.

4 40. "Inflow" shall mean the water discharged into a
5 sewer system, including service connections from such sources
6 as, but not limited to, roof leaders, cellar, yard, and area
7 drains, cooling water discharges, foundation drains, cooling
8 water discharges, drains from springs and swampy areas, manhole
9 covers, cross connections from storm sewers and combined
10 sewers, catch basins, storm water, surface runoff, street wash
11 waters, or drainage. Inflow does not include, and is
12 distinguished, from infiltration.

13 41. "Interceptor" shall mean a sewer or combined sewer
14 which receives the flow from a number of transverse sewers or
15 combined sewers and transports it to a treatment plant or other
16 point of disposal. Generally, an interceptor collects the flow
17 from a number of trunks or laterals which would otherwise
18 discharge to a natural outlet.

19 42. "Interference" means a discharge that, alone or in
20 conjunction with a discharge or discharges from other sources,
21 either: a. inhibits or disrupts the POTW, its treatment
22 processes or operations; b. inhibits or disrupts its sludge
23 processes, use or disposal; c. causes King County to violate
24 its NPDES permit, or d. prevents King County from using or
25 disposing of its biosolids in compliance with federal, state
26 and local regulations.

27 43. "King County" or "County" shall mean the county of
28 King, Washington, a home rule charter county of the State of
29 Washington, acting through the council; executive, when
30 applicable; or any board, committee, body, official or person
31 which shall have been lawfully delegated the power to act for
32 or on behalf of the county. Unless a particular board,
33 committee, body, official or person is specifically designated
34 in this chapter, wherever action by the county is explicitly
35 required or implied herein, it shall be understood to mean

