

ORDINANCE NO. 286 Amended by Ord. No. 3409, 3485

TITLE: AN ORDINANCE COVERING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE PUBLIC SEWERS OF THE CITY OF ALBANY, OREGON, PROMULGATING REGULATIONS AND ESTABLISHING FLOW MEASUREMENTS AND SAMPLING PROCEDURES, REPEALING PARAGRAPH ENTITLED "CLASS III" AND PARAGRAPHS a, b, AND c, OF SECTION 3, ORDINANCE NO. 2739, CITY OF ALBANY ORDINANCES, AND ALL ORDINANCES OR PARTS OF ORDINANCES OR REGULATIONS OR PARTS OF REGULATIONS IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, the City of Albany has provided facilities for the collection and treatment of sewage to promote the health, safety, and convenience of its people and for the safeguarding of water resources common to all; and

WHEREAS, provision has been made in the design, construction, and operation of such facilities to accommodate certain types and quantities of industrial wastes in excess of, and in addition to, normal sewage; and

WHEREAS, it is the obligation of the producers of industrial wastes to defray the cost of extraordinary services rendered by the City of Albany in an equitable manner, and, insofar as it is practicable, in proportion to benefits derived; and

WHEREAS, proper protection and operation of the collection and treatment facilities may require either the exclusion, pretreatment or controlled discharge at point of origin of certain types of quantities of industrial waste or industrial wastes; now therefore,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

ARTICLE I - DEFINITION OF TERMS

Section 101. Approving Authority shall mean the City Engineer of the City of Albany or his duly authorized deputy, agent or representative.

Section 102. Biochemical Oxygen Demand (Abbreviated as BOD) shall mean the quantity of oxygen, expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20 degrees Centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods." (See Section 121)

Section 103. City shall mean the City of Albany, Oregon.

Section 104. Combined sewer shall mean a sewer receiving both surface runoff and sewage.

Section 105. Chlorine Requirement shall mean the amount of chlorine in parts per million by weight, which must be added to sewage to produce a specified residual chlorine content, or to meet the requirements of some other objective, in accordance with procedures set forth in "Standard Methods;"

Section 106. Garbage shall mean the residue from the preparation and dispensing of food, and from the handling, storage, and sale of food products and produce.

Section 107. Ground Garbage shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch in any dimension.

Section 108. Industrial Waste shall mean any flow discharged into the sewer facilities containing:

- a. A total of more than 500 pounds of suspended solids in any one day.
- b. A total of more than 500 pounds of BOD in any one day.

Section 109. Parts Per Million shall mean a weight-to-weight ratio; the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.

Section 110. Person shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.

- Section 111. Public Sewer shall mean a sewer provided by or subject to the jurisdiction of the City of Albany. It shall also include sewers within or outside the City boundaries that serve one or more persons and ultimately discharge into the City sanitary or combined sewer system, even though those sewers may not have been constructed with City funds.
- Section 112. pH shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the procedures outlined in "Standard Methods".
- Section 113. Sanitary Sewer shall mean a sewer that conveys sewage or industrial wastes, or a combination of both, and into which storm, surface, and groundwaters or unpolluted industrial wastes are not intentionally admitted.
- Section 114. Service Charge shall mean the assessment levied on all users of the public sewer system.
- Section 115. Sewage shall mean the water-carried human, animal or household wastes in a public or private drain, and may include groundwater infiltration, surface drainage, and industrial wastes.
- Section 116. Sewage Disposal Works shall mean all facilities for collecting, pumping, treating, and disposing of sewage and industrial waste, and it includes sewerage as well as the sewage treatment facilities.
- Section 117. Sewage Treatment Plant shall mean an assemblage of devices, structures, and equipment for treating sewage and industrial waste.
- Section 118. Sewer shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and groundwater drainage.
- Section 119. Sewerage shall mean the system of sewers and appurtenances for the collection, transportation, and pumping of sewage and industrial wastes.
- Section 120. "Shall" is mandatory; "may" is permissible.
- Section 121. Standard Methods shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Associations.
- Section 122. Storm Sewer shall mean a sewer that carries storm, surface, and groundwater drainage, but excludes sewage and industrial wastes.
- Section 123. Storm Water Runoff shall mean that portion of the rainfall that is drained into the sewers.
- Section 124. Suspended Solids shall mean solids that either float on the surface of, or are in suspension in water, sewage or industrial wastes, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods."
- Section 125. Unpolluted Water or Liquids shall mean any water or liquid containing none of the following: free or emulsified grease or oil; acids or alkalies; substances that may impart taste-and-odor or color characteristics; toxic or poisonous substances in suspension, colloidal state or solution; odorous or otherwise obnoxious gases. It shall contain not more than 30 parts per million each of suspended solids or biochemical oxygen demand. Analytical determinations shall be made in accordance with procedures set forth in "Standard Methods".
- Section 126. Commercial Building shall mean all buildings or premises used for any purpose other than a dwelling unit, but not an industrial waste contributor.
- Section 127. Dwelling Units shall mean buildings and structures that are constructed and used primarily for residential purposes. Any building or structure which has been constructed or altered to provide for two or more families or households, or which has been constructed or altered to accommodate travelers or transients, shall also be considered a dwelling unit(s).
- Section 128. Industrial User shall mean all sewer users which discharge an industrial waste as defined by Section 108.
- Section 129. Sewer User shall mean every person using a City sewer, or who has a dwelling unit, commercial building, or industry within two hundred feet of an available sewer, and who puts to use a sewer which requires sewage facilities, though not connected therewith.

ARTICLE II

ADMISSION OF INDUSTRIAL WASTES INTO PUBLIC SEWERS

Section 201. Approval Required. Review and acceptance of the Approving Authority shall be obtained prior to the discharge into the public sewers of any water or wastes having:

- a. A total of more than 30 pounds of suspended solids in any one day.
- b. A total of more than 30 pounds of BOD in any one day.

Section 202. Pretreatment. Where required, in the opinion of the Approving Authority, to modify or eliminate wastes that are harmful to the structures, processes, or operation of the sewage disposal works, the person shall provide at his expense such preliminary treatment or processing facilities as may be necessary to render his wastes acceptable for admission to the public sewers.

All wastes containing soil, dirt, and/or sand shall be settled a minimum of two hours in an acceptable basin before discharge to a sewer.

All industrial wastes must be passed through approved selfcleaning, 20-mesh screens, unless otherwise allowed by the Approving Authority.

Section 203. Submission of Information. Plans specifications, and any other pertinent information relating to proposed pretreatment or processing facilities shall be submitted for approval to the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

ARTICLE III - PROHIBITED DISCHARGES

Section 301. Sanitary Sewers. No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water, or unpolluted water into any sanitary sewer.

Section 302. Combined and Storm Sewers. Storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water, or unpolluted water may be admitted to such sewers as are specifically designated as combined sewers or storm sewers and which have adequate capacity for their accommodation. No person shall use such sewers without first having obtained the consent of the Approving Authority.

Section 303. Prohibitions and Limitations. Except as hereinafter provided, no person shall discharge into the public sewers:

- a. Any solids, liquids, or gases which may, by themselves or by interaction with other substances, cause fire or explosive hazards, or in any other way be injurious to persons, property or the operation of the sewage disposal works.
- b. Any noxious or malodorous solids, liquids, or gases which either singly, or by interaction with other substances, are capable of creating a public nuisance or hazard to life or preventing entry into sewers for their maintenance or repair.
- c. Any solids, greases, waxes, slurries or viscous material of such character or in such quantity that, in the opinion of the Approving Authority, may cause an obstruction to the flow in the sewer, or otherwise interfere with the proper functioning of the sewage disposal works.
- d. Any toxic substance, chemical elements or compounds in quantities sufficient to impair the operation of efficiency of the sewage treatment facilities, or that will pass through the sewage treatment plant and cause the effluent thereof to exceed the State of Oregon water requirements for the receiving stream.
- e. Any liquids having a pH lower than 5.5 or higher than 9.0, or having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the sewage disposal works.

- f. Any radioactive isotopes without obtaining a special permit from the Approving Authority.
- g. Any liquid of vapor having a temperature greater than 140 degrees Fahrenheit.
- h. Any garbage than has not been ground or shredded.
- i. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair, or any other solid capable of causing obstruction to the flow in sewers or other interference with proper operation of the sewage works.

Section 304. Special Agreements. No statement contained in this Article shall be construed as prohibiting any special agreement or arrangement between the City and any person whereby an industrial waste of unusual strength of character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the City without recompense by the person.

ARTICLE IV - CONTROL OF ADMISSIBLE WASTES

Section 401. Submission of Basic Data. Within three months after passage of this ordinance, each person who discharges industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the sewage disposal works.

Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

Section 402. Extension of Time. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by Section 401, a request for extension of time may be presented for consideration of the Approving Authority.

Section 403. Industrial Waste Sewer Service Charges. Each person discharging industrial wastes into a public sanitary sewer with a daily total in excess of 500 pounds of either BOD or suspended solids, may, at his option, or shall, when directed by the Approving Authority, construct and maintain approved measurement, sampling and sample storage facilities for all waste entering the sanitary sewer. These facilities may be used to obtain flow, BOD, and suspended solids data for use as a basis for an industrial waste sewer service charge.

In lieu of directing the construction of measurement sampling and sample storage facilities, the Approving Authority may direct that each person discharging industrial wastes into a public sanitary sewer which has a daily total in excess of 500 pounds of either BOD or suspended solids to procure at the persons expense and in a manner approved by the Approving Authority sufficient composite samples on which to base and compute the persons industrial waste sewer service charge. In the event that automatic flow measurement, sampling and sample storage facilities are not provided, the industrial waste charge shall be computed using the metered water flow to the premises as a basis for waste flow and the laboratory analysis of samples procured as directed by the Approving Authority as a basis for computing BOD and suspended solids content of the wastes. Metered water flow shall include all water delivered to or used on the premises and which is discharged to a public sanitary sewer. In the event that private water supplies are used, they shall be metered at the persons expense. Cooling waters or water not discharged to a public sanitary sewer shall be separately metered at the persons expense and in a manner approved by the Approving Authority prior to allowing deduction of such flow from the total water used on the premises in computing the industrial waste sewer service charge.

Persons discharging industrial wastes into a public sanitary sewer with a daily total of 500 pounds or less of either BOD or suspended solids may install measurement and sampling facilities for the purpose of receiving an industrial waste sewer service charge based on quantity and strength of the waste, or may elect to have their sewer service charge based on the commercial sewer service rate.

The City may determine, by at least three composite samples during a year, if a waste discharged to the sanitary sewers, based on either BOD or suspended solids, exceeds 500 pounds per day. If three consecutive measurements by the City indicate that the 500 pounds per day rate is being exceeded, then, the waste will be considered to be an industrial waste.

Section 404. Flow Measurement and Sampling Facilities. If so directed by the Approving Authority, all devices, access facilities, and related equipment shall be installed by the person discharging the waste, at his expense, and shall be maintained by him so as to be in safe condition, in proper operating condition at all times, and readily accessible to City forces during the operating day.

The flow measurement device can be a Parshall flume, weir, venturi nozzle, magnetic flowmeter, or any other type of device providing accurate and continuous flow indication. Pump timers or other indirect measurement devices will not be acceptable.

The flowmeter shall be suitable for indicating and totalizing the flow in millions of gallons per day through the device, provided above, with an error not exceeding plus or minus 5 percent. The instrument shall be equipped with a set of electrical contacts arranged to momentarily close a circuit to energize a process timer and sampling device for every fixed quantity of flow. This quantity should be selected so as to insure a minimum of 50 samples per operating day. Other control variations will be acceptable if it can be demonstrated that the sampling procedure will result in a waste sample which is proportional to the waste flow. The length of operation of the sampling device shall be dependent on the type of sampling arrangement used, but in no case shall the daily collected sample be less than two quarts in volume.

The method of sampling used can be by continuous pumping past a solenoid-operated valve, direct pumping into the sample container, continuous pumping past a sampler dipper calibrated to remove a constant sample, by a proportional dipper sampler operating directly in the waste flow, or by any other approved means. All samples must be continuously refrigerated at a temperature of 39 degrees Fahrenheit, plus or minus 5 degrees.

The flow measurement and sampling station shall be located and constructed in a manner acceptable to the City. Complete plans on all phases of the proposed installation, including all equipment proposed for use, shall be submitted to the City for approval prior to construction.

The person discharging the waste shall keep flow records as required by the City and shall provide qualified personnel to properly maintain and operate the facilities.

Section 405. Analyses. The waste samples will be analyzed by City forces. Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods." However, alternate methods for certain analyses of industrial wastes may be used.

ARTICLE V - INDUSTRIAL WASTE CHARGES

Section 501. Method. The total yearly treatment plant operation, maintenance and debt service costs chargeable to contributors of industrial wastes, as defined in Section 108, will be computed on the basis of the quantity and quality of industrial waste discharged to the treatment plant. The average daily industrial waste BOD and suspended solids will be estimated during the calendar month of maximum total BOD at the sewage treatment plant by deducting the estimated domestic and commercial suspended solids and BOD loads from the measured totals at the plant. The remaining loads will be considered as the industrial waste load.

The industrial flow will be based on metered water consumption from each industry, with allowances for cooling water and other uses which are not discharged to the sewer. If any industry constructs an approved flow measurement station, the flow will be based on the amount of waste discharged to the sewer as measured through the flow measurement station.

Approved metering facilities shall be installed by each industry within 90 days of official notice to do so by the City.

The method of computation will follow the procedures outlined in the engineering report entitled "An Engineering Report on Sewage Treatment Plant Additions, City of Albany, Oregon" January 1965, as prepared by Cornell, Howland, Hayes and Merryfield, and referred to hereinafter as the January 1965 report.

Section 502. Apportionment. Apportionment of sewage treatment plant operation and maintenance costs to individual industries will be based on the ratio of estimated or measured total yearly industrial waste flow from each industry to the total yearly treatment plant flow. Flows will be measured as in Section 501.

Fixed costs will be considered as actual yearly bond interest, and debt service costs on the plant portion of the bond issues sold in 1952 and 1954 to finance the initial construction and any issues sold to finance future plant expansions.

The total fixed costs chargeable to industry will be apportioned to individual industries on the basis of the flow BOD and suspended solids contributed by each industry.

Section 503. Method of Billing. The industrial waste charge outlined herein will become effective and will continue on a fiscal year basis thereafter. The charges through fiscal year 1965-66 will be based on the estimates of flow, BOD, and suspended solids in the January, 1965 report. Billing for future fiscal years will be based on the computed results for the previous year.

Over payments to the City will be applied to the following year estimated charges. Underpayments will be added to the next year charges over the 12 month period.

The total computed charges for each industry will be billed on a 1 July of each full fiscal year.

ARTICLE VI - BILLING PRACTICE

Section 601. Billing Periods. Industrial waste sewer charges provided for in this ordinance shall be payable in four quarterly payments each year.

Section 602. Payment. Industrial waste sewer service charges shall be payable at the City Hall.

ARTICLE VII - PENALTIES

Section 701. Delinquency. Such sewer service charges levied in accordance with the ordinance shall be a debt due to the City and shall be a lien upon the property. If this debt is not paid within thirty (30) days after it shall be due and payable, it shall be deemed delinquent and may be recovered by civil action in the name of the City against the property owner, the person, or both.

Section 702. Descontinuance of Service. In the event of failure to pay sewer service charges after they become delinquent, or failure to have flow or sampling devices in proper operating condition for more than one week, the City shall have the right to remove or close sewer connection, and enter upon the property for accomplishing such purposes.

The expense of such removal, or closing, as well as the expense of restoring service, shall likewise be a debt due to the City and a lien upon the property and may be recovered by civil action in the name of the City against the property owner, the person, or both.

Section 703. Restoration of Service. Sewer service shall not be restored until all charges, including the expense of removal, closing, and restoration, shall have been paid.

Section 704. Ownership and Occupancy. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

ARTICLE VIII - VALIDITY

Section 801. Repeal of Conflicting Ordinances. All of paragraph entitled "Class III" and paragraphs a, b, c, of Section 3 of Ordinance No. 2739, City of Albany Ordinances, and all ordinances or parts of ordinances or regulations or parts of regulations in conflict with this ordinance are hereby repealed.

Passed by the Council: April 14, 1965

Approved by the Mayor: April 14, 1965

Ruell W. Sipp
Mayor

Effective Date: May 14, 1965

ATTEST:

Ernest W. Lehman
City Recorder