

Article VI — General Sewer Use Requirements

§ 65-601	Prohibited Discharge Standards.	65-40
	(a) Stormwater, etc.	65-40
	(b) General Prohibitions.	65-40
	(c) Specific Prohibitions.	65-41
	(d) Storage and Processing of Wastes.	65-42
§ 65-602	National Categorical Pretreatment Standards.	65-42
	(a) In General.	65-42
	(b) Standard Expressed in Mass per Unit of Production— Conversion to Equivalent Mass per Day or Concentration.	65-42
	(1) In General.	65-42
	(2) Calculation of Equivalent Mass per Day.	65-43
	(3) Calculation of Equivalent Concentrations.	65-43
	(c) Standard Expressed in Concentrations Only—Conversion to Equivalent Mass Limits.	65-43
	(1) In General.	65-43
	(2) Eligible User.	65-43
	(3) Calculation of Equivalent Mass Limits.	65-43
	(4) Requirements for Users Subject to Equivalent Mass Limits.	65-44

	(d) Standard Expressed in Mass Only—Conversion to Equivalent Concentration Limits.	65-44
	(1) In General.	65-44
	(2) Calculation of Equivalent Concentration Limits.	65-44
	(e) Consistent Calculation of Multiple Equivalent Limits for a Given Standard.	65-44
	(f) Documentation of Equivalent Limits.	65-45
	(g) Effect of Equivalent Limits.	65-45
	(h) Notification of Change in User's Production Level.	65-45
	(i) Combined Wastestreams.	65-45
	(j) Variances.	65-45
	(k) Net/Gross Adjustments.	65-45
§ 65-603	State Pretreatment Standards.	65-45
§ 65-604	Local Limits.	65-45
	(a) In General.	65-45
	(b) City Limits.	65-45
	(c) BMPs.	65-46
	(d) Revisions.	65-46
§ 65-605	Dilution.	65-46
§ 65-606	Rights Reserved by Borough to Prevent Harmful Discharges. ...	65-46

Article VI — General Sewer Use Requirements

§ 65-601 Prohibited Discharge Standards.

(a) **Stormwater, etc.** No Person shall discharge or cause to be discharged any stormwater, surface water, springwater, groundwater, roof runoff, subsurface drainage, building foundation drainage, cellar drainage, drainage from roof leader connections and overflow or drainage from cesspools into any Sewer.

(b) **General Prohibitions.** No User or other Person shall introduce or cause to be introduced into the POTW any Pollutant or Wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other national, state, or local Pretreatment Standards or Requirements.

(c) **Specific Prohibitions.** No User or other Person shall introduce or cause to be introduced into the POTW the following Pollutants, substances, or Wastewater:

(1) Waste having BOD greater than two hundred ten (210) mg/L, TSS greater than two hundred thirty (230) mg/L, or TKN greater than forty (40) mg/L, unless specifically authorized by the Borough in writing;

(2) Waste having BOD greater than three hundred (300) mg/L, TSS greater than three hundred sixty (360) mg/L, or TKN greater than eighty-five (85) mg/L, whenever the City Director of Public Works shall deem it necessary for the protection and safe, economical, and efficient management of the POTW that the User or other Person provide at its own expense such facilities for preliminary treatment and processing of Sewage and/or Industrial Wastes as may be necessary to satisfy this requirement;

(3) [RESERVED]

(4) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140° F (60° C) using the test methods specified in 40 CFR 261.21 or Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent (5%) or any single reading over ten percent (10%) of the lower explosive limit of the meter;

(5) Wastewater having a pH less than 5.0 or more than 12.5, or otherwise causing corrosive structural damage to the POTW or equipment. Wastewater having a pH less than 6.0 or more than 9.0 or otherwise causing corrosive structural damage to the Sewer System shall not be introduced into the Sewer System without the express written approval of the Borough;

(6) Solid or viscous substances in amounts which, alone or in combination with other substances, will cause obstruction of the flow in the POTW resulting in Interference;

(7) Any unground garbage;

(8) Pollutants, including oxygen-demanding Pollutants (BOD, etc.), released in a discharge at a flow rate and/or Pollutant concentration which, either singly or by interaction with other Pollutants, will cause Interference with the POTW;

(9) Wastewater having a temperature that will inhibit biological activity in the Treatment Plant resulting in Interference, but in no case Wastewater which causes the temperature at the introduction into the Treatment Plant to exceed 104° F (40° C). Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (150° F.) shall not be introduced into the Sewer System without the express written approval of the Borough;

(10) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

(11) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

(12) Trucked or hauled Pollutants;

(13) Noxious or malodorous liquids, gases, solids, or other Wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

(14) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the Treatment Plant's effluent;

(15) Wastewater containing any radioactive wastes or isotopes, except in compliance with applicable federal or state regulations;

(16) Artesian well water, significant quantities of condensate, deionized water, Non-contact Cooling Water, or unpolluted water, unless specifically authorized by the City Director of Public Works and the Borough;

(17) Biosolids, sludges, screenings, or other residues from the pretreatment of Industrial Wastes;

(18) Medical wastes, except as specifically authorized in a Wastewater Discharge Permit, and by the Borough and the City Director of Public Works in writing;

(19) Wastewater causing, alone or in conjunction with other sources, the Treatment Plant's effluent to fail a toxicity test;

(20) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW or its discharge;

(21) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 200 mg/L;

(22) Any substance which is a hazardous waste under 40 CFR Part 261; and

(23) Pollutants, substances, or Wastewater prohibited in the POTW by any federal or state permit.

(d) **Storage and Processing of Wastes.** Pollutants, substances, or Wastewater prohibited by this Section shall not be processed or stored in such a manner than they could be discharged to the POTW or the Sewer System.

§ 65-602 National Categorical Pretreatment Standards.

(a) **In General.** Users must comply with the Categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471, which are hereby incorporated into this Section.

(b) **Standard Expressed in Mass per Unit of Production—Conversion to Equivalent Mass per Day or Concentration.**

(1) **In General.** When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of Pollutant per unit of production, the City Director of Public Works may convert the limits to equivalent limitations expressed either as mass of Pollutant discharged per day or effluent concentrations for purposes of calculating effluent limitations applicable to individual Users.

(2) **Calculation of Equivalent Mass per Day.** When calculating equivalent mass-per-day limitations under this subsection (b), the City Director of Public Works shall calculate the limitations by multiplying the limits in the Standard by the User's average rate of production. This average rate of production shall be based not upon the designed production capacity but rather upon a reasonable measure of the User's actual long-term daily production, such as the average daily production during a representative year. For New Sources, actual production shall be estimated using projected production.

(3) **Calculation of Equivalent Concentrations.** When calculating equivalent concentration limits under this subsection (b), the City Director of Public Works shall calculate such limitations by dividing the mass limitations derived under paragraph (2) of this subsection by the average daily flow rate of the User's regulated process Wastewater. This average daily flow rate shall be based upon a reasonable measure of the User's actual long-term average flow rate, such as the average daily flow rate during the representative year.

(c) Standard Expressed in Concentrations Only—Conversion to Equivalent Mass Limits.

(1) **In General.** When a Categorical Pretreatment Standard is expressed only in terms of Pollutant concentrations, an Eligible User may request the City Director of Public Works to convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits for an Eligible User is within the discretion of the City Director of Public Works.

(2) **Eligible User.** For purposes of this subsection (c), an "Eligible User" is a User which—

(A) employs, or demonstrates that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its Wastewater Discharge Permit;

(B) currently uses control and treatment technologies adequate to achieve compliance with the applicable Categorical Pretreatment Standard, and has not used dilution as a substitute for treatment;

(C) provides sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;

(D) does not have daily flow rates, production levels, or Pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and

(E) has consistently complied with all applicable Categorical Pretreatment Standards during the period prior to the User's request for equivalent mass limits.

(3) Calculation of Equivalent Mass Limits.

(A) The City Director of Public Works must calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable Categorical Pretreatment Standard and the appropriate unit conversion factor.

(B) Upon notification of a revised production rate, the City Director of Public Works must reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility.

(C) The City Director of Public Works may retain the same equivalent mass limit in subsequent Wastewater Discharge Permit terms if the User's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to § 65-605. The User must also be in compliance with § 65-1403 (relating to the prohibition of Bypass).

(4) Requirements for Users Subject to Equivalent Mass Limits. A User subject to equivalent mass units under this subsection (c) must—

(A) maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;

(B) continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;

(C) continue to record the facility's production rates and notify the City Director of Public Works whenever production rates are expected to vary by more than twenty percent (20%) from its baseline production rates determined under paragraph (2)(C) of this subsection (c). Upon notification of a revised production rate, the City Director of Public Works must reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility (*see* paragraph (3)(B)); and

(D) continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph (2)(A) of this subsection (c) so long as it discharges under an equivalent mass limit.

(d) Standard Expressed in Mass Only—Conversion to Equivalent Concentration Limits.

(1) **In General.** The City Director of Public Works may convert the mass limits of the Categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Users. The conversion is at the discretion of the City Director of Public Works.

(2) **Calculation of Equivalent Concentration Limits.** When converting mass limits to concentration limits under this subsection (d), the City Director of Public Works must use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455, and document that dilution is not being substituted for treatment as prohibited by § 65-605 (*see* 40 CFR 403.6(d)).

(e) **Consistent Calculation of Multiple Equivalent Limits for a Given Standard.** Many Categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitations under subsections (b), (c), and (d). (*See* 40 CFR 403.6(c)(8)).

(f) **Documentation of Equivalent Limits.** The City Director of Public Works must document how the equivalent limits under subsections (b), (c), and (d) were derived and make this information publicly available. (*See* 40 CFR 403.6(c)(7)).

(g) **Effect of Equivalent Limits.** Equivalent limits calculated in accordance with subsections (b), (c), and (d) are deemed Pretreatment Standards for purposes of this Chapter. Once incorporated into its Wastewater Discharge Permit, the User must comply with the equivalent limitations in lieu of the promulgated Categorical Standards from which the equivalent limitations were derived. (*See* 40 CFR 403.6(c)(7)).

(h) **Notification of Change in User's Production Level.** Any User operating under a Wastewater Discharge Permit incorporating equivalent mass or concentration limits calculated from a production based Standard shall notify the City Director of Public Works within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the City Director of Public Works of such anticipated change will be required to meet the mass or concentration limits in its Wastewater Discharge Permit that were based on the original estimate of the long term average production rate. (*See* 40 CFR 403.6(c)(9)).

(i) **Combined Wastestreams.** When Wastewater subject to a Categorical Pretreatment Standard is mixed with Wastewater not regulated by the same Standard, the City Director of Public Works shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).

(j) **Variances.** A User, the City Director of Public Works, the EPA, or other interested person may request the EPA to grant a variance from the limits specified in a Categorical Pretreatment Standard as it applies to a particular User, pursuant to the procedural and substantive provisions of 40 CFR 403.13, if data specific to the User indicates that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the Categorical Pretreatment Standard, and that the existence of those factors justifies a different discharge limit than specified in the applicable Categorical Pretreatment Standard.

(k) **Net/Gross Adjustments.** A User may obtain a net/gross adjustment to a Categorical Pretreatment Standard in accordance with 40 CFR 403.15.

§ 65-603 State Pretreatment Standards.

[RESERVED]

§ 65-604 Local Limits.

(a) **In General.** The City Director of Public Works is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).

(b) **City Limits.** Limits for discharging Pollutants which are of concern to the POTW will be made by the City using headworks loading analyses which have been reviewed and approved by the Approval Authority. Allocations for discharging such Pollutants will be made to

each Significant Industrial User. Limits may be in the form of monthly average concentration, daily maximum concentration, or instantaneous maximum concentration. Limits will be contained in the Wastewater Discharge Permits issued under § 65-902 *et seq.*, and will be applied at the point where the Wastewater is discharged to the POTW unless otherwise specified in the Permit issued. All concentrations for metallic substances are for “total” metal unless indicated otherwise. The City Director of Public Works may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

(c) **BMPs.** The City Director of Public Works may develop Best Management Practices to implement § 65-601 and Local Limits, which shall be considered Local Limits and Pretreatment Standards for the purposes of this Chapter.

(d) **Revisions.** The City retains the right to establish, by ordinance, inter-municipal agreement, or in Wastewater Discharge Permits, more stringent standards or requirements on discharges to the POTW.

§ 65-605 Dilution.

No User shall ever increase the use of process water, or in any way attempt to dilute a Discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The City Director of Public Works may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

§ 65-606 Rights Reserved by Borough to Prevent Harmful Discharges.

This Borough reserves the right to refuse permission to connect to the Sewer System, to compel discontinuance of use of the Sewer System or to compel pretreatment of Industrial Wastes by an Industrial Establishment in order to prevent Discharges deemed harmful or to have a deleterious effect upon any Sewer or the Sewer System or the Sewage Treatment Plant and to comply with provisions of the Allentown Agreements.