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**ORDINANCE NO. 3487**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING CHAPTERS 7.90, 7.91, 7.92, 7.94 AND 7.102 OF THE EDMONDS CITY CODE; CLARIFYING THE APPLICABILITY OF PRETREATMENT STANDARDS AND REGULATIONS TO EXISTING AND NEW FACILITIES; REVISING CERTAIN CODIFIED DEFINITIONS FOR SAID STANDARDS AND REGULATIONS; ESTABLISHING COMPLIANCE DEADLINES FOR REGULATED FACILITIES; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, the Edmonds City Council adopted Ordinance No. 3401 in order to establish a comprehensive regulatory framework for discharges to the City's publicly owned treatment works (POTW); and

WHEREAS, the City Council desires to amend said regulations for the purpose of revising the codified definitions therefore, establishing compliance deadlines for regulated entities, and clarifying the extent to which mandatory pretreatment equipment requirements apply to new and existing facilities, respectively; and

WHEREAS, the amendments effected hereby will minimize the financial impact of the City's pretreatment regulations upon local businesses while still ensuring the continued protection of the POTW;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Amendment of ECC 7.90.030. Section 7.90.030 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.90.030 Definitions.**

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

A. Accessible. Accessible, when applied to required pretreatment monitoring or treatment equipment, shall mean direct access without the necessity of removing any panel, door, vehicle, equipment, materials, or other similar obstruction.

B. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, 33 USC 1251 et seq., as now exists or may hereafter be amended.

C. Administrative Penalty (fine). A punitive monetary charge unrelated to treatment cost, which is assessed by the Director rather than by a court.

D. AKART. An acronym for "all known, available, and reasonable technology (prevention, control, and treatment) to prevent and control pollution of the waters of the State of Washington." AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. AKART shall be applied by all Users of the POTW. AKART includes Best Management Practices and may be required by the Director for any discharge to the POTW.

E. Applicable Pretreatment Standards. For any specified pollutant, the more stringent of the City's prohibitive standards, the City's specific pretreatment standards, the State of Washington's pretreatment standards, or applicable National Categorical Pretreatment Standards.

F. Approval Authority. The State of Washington Department of Ecology.

G. Authorized Representative of the User.

1. If the User is a corporation:

a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

b. The manager of one or more manufacturing, production, or operation facilities, if authority to

sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively;

3. If the User is a Federal, State or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her authorized designee.

4. The individuals described in paragraphs 1 through 3 above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

H. Average Daily Flow. Average Daily Flow shall be defined as the arithmetical mean of the total Process Wastewater flow over a one (1) year period. This mean shall be calculated based on days when a discharge occurs.

I. Best Management Practices (BMPs). The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

J. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter amenable to measurement by the methods described in Standard Methods for The Examination of Water and Wastewater (current edition); under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration [milligrams per liter (mg/L)].

K. Bypass. The intentional diversion of wastestreams from any portion of a User's treatment facility.

L. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Act (33 USC 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, SubChapter N, Parts 405-471.

M. Categorical User. A User covered by one or more of the EPA's Categorical Pretreatment Standards.

N. City. The City of Edmonds, Washington.

O. Cooling Water/Non-Contact Cooling Water. Water used for cooling purposes which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

P. Color. The optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Q. Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

R. Day. Day shall be defined as a calendar day.

S. Department, the. The Washington State Department of Ecology (DOE) or authorized representatives thereof. (DOE is also the definition of the Approval Authority)

T. Director. The Director of the City of Edmonds Public Works Department, or his duly authorized representative or designee.

U. Domestic Sewage. The liquid and water borne wastes derived from ordinary living processes, free from industrial wastewaters, and of such character to permit satisfactory disposal, without special treatment, into the POTW.

V. Domestic User (Residential User). Any person who contributes, causes, or allows the contribution of wastewater into the City POTW that is of a similar volume and/or chemical make-up as that from a residential dwelling unit. Discharges from a residential dwelling unit typically include up to 100 gallons per capita per day at 250 mg/L of BOD and TSS.

W. Environmental Protection Agency (EPA). The US Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

X. Existing Source. For a categorical User, an "existing source" is any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Y. Existing User. For non-categorical Users an "existing User" is defined as any User which is discharging wastewater prior to the effective date of this Ordinance.

Z. Fats, Oils and Grease (FOG). The term fats, oils, and grease shall mean those components of wastewater amenable to measurement by the methods described in Standard Methods for the Examination of Water and Wastewater, (current edition). The term Fats, Oils and Grease shall include polar and non-polar fats, oils, and grease and other components extracted from wastewater by these methods.

AA. Food Service Facility. Any facility which prepares and/or packages food for sale or consumption, on or off site, with the exception of private residences. Food service facilities shall include, but are not limited to: food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, and all other food service facilities not listed above.

AB. Grab Sample. A sample which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and without consideration of time.

AC. Grease Interceptor. A device located underground and outside of a food service facility designed to collect, contain or remove food wastes and grease from the wastestream while allowing the balance of the liquid waste to discharge to the sewer system.

AD. Grease Trap. A device located in a food service facility or under a sink designed to collect, contain or remove food wastes and grease from the wastestream while allowing the balance of the liquid waste to discharge to the sewer system.

AE. High Strength Waste. Any waters or wastewater having a concentration of Biochemical Oxygen Demand (BOD) or Total Suspended Solids (TSS) in excess of 250 mg/L.

AF. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act. The discharge into the POTW is normally by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, and all constructed devices and appliances appurtenant thereto.

AG. Industrial Wastewater. Water or liquid-carried waste from any industry, manufacturing operation, trade, or business which includes any combination of process wastewater, cooling water, contaminated stormwater, contaminated leachates, or other waters such that the combined effluent differs in some

way from purely domestic sewage, or is subject to regulation under Federal Categorical Pretreatment Standards, the State Waste Discharge Permit program, or this Ordinance.

AH. Interceptor. A device designed and installed so as to separate and retain deleterious or undesirable matter from normal wastes and permit normal liquid wastes to discharge to the sewer system.

AI. Interference. A discharge which alone or in conjunction with a discharge or discharges from other sources, either:

1. inhibits or disrupts the POTW, its treatment processes or operations;
2. inhibits or disrupts its sludge processes, use or disposal; or
3. is a cause of a violation of the City's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory or regulatory provisions or permits issued thereunder:
  - a. Section 405 of the Clean Water Act;
  - b. The Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA);
  - c. The Code of Federal Regulations Title 40 Part 503, Standards for the Use or Disposal of Sewage Sludge;
  - d. Any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA;
  - e. The Clean Air Act;
  - f. The Toxic Substances Control Act;
  - g. And the Marine Protection, Research, and Sanctuaries Act.

AJ. Lateral. That portion of the sewage conveyance system from the point it exits the User's facility to the point where it connects to the POTW main line. Also known as a Side Sewer.

AK. Liquid Waste. Liquid waste is the discharge from any appliance, appurtenance, or other fixture in connection with a plumbing system that does not receive fecal matter.

AL. Maximum Allowable Discharge Limit. The maximum concentration (or loading) of a pollutant allowed to be discharged at any time.

AM. May. A permissive or discretionary directive.

AN. Medical Wastes. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

AO. New Source.

1. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of applicable categorical standards, provided that:

a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or

b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

2. Construction on a site at which an existing source is located results in a modification rather than a new source, if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

3. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

a. Begun, or caused to begin as part of a continuous on-site construction program;

i. any placement, assembly, or installation of facilities or equipment; or

ii. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

b. Entered into a binding contractual obligation for the purchase of facilities or equipment that are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

AP. New User. A "new User" is not necessarily a "new-source" and is defined as a User that applies to the City for a new building permit or any person who occupies an existing building and plans to discharge wastewater to the City's collection system after the effective date of this Ordinance. Any person that buys an existing facility that is discharging non-domestic wastewater will be considered an "existing User" if no significant changes are made in the operation.

AQ. Ordinance, this. As used in ECC Chapters 7.90 through 7.102, "this Ordinance" shall mean the provisions of ECC Chapters 7.90 through 7.102.

AR. Pass Through. A condition occurring when discharges from Users (singly or in combination) exit the POTW in quantities or concentrations which either: (1) cause a violation of any requirement of a City NPDES or State Waste Discharge permit; (2) cause an increase in the magnitude or duration of a violation; or, (3) cause a violation of any water quality standard for waters of the State promulgated under State regulations including Chapter 173-201A WAC.

AS. Permittee. A person or User issued a wastewater discharge permit or discharge authorization.

AT. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all Federal, State, or local governmental entities.

AU. pH. A measure of the acidity or alkalinity of a substance, expressed in standard units. (Technically defined as the logarithm of the reciprocal of the mass of hydrogen ions in grams per liter of solution).

AV. Pollutant. Any substance discharged into a POTW or its collection system which, if discharged directly, would alter the chemical, physical, biological or radiological properties of waters of the State of Washington, including pH, temperature, taste, color, turbidity, oxygen demand, toxicity or odor. This includes any discharge likely to create a nuisance or render such waters harmful, detrimental or injurious to any beneficial uses, terrestrial or aquatic life, or to public health, safety or welfare.

AW. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means (except by diluting the concentration of the pollutants, unless allowed by an applicable pretreatment standard).

AX. Pretreatment Requirements. Any substantive or procedural local, State, or federal requirement related to pretreatment developed under Chapter 90.48 RCW and/or Sections 307 and 402 of the Clean Water Act.

AY. Pretreatment Standards or Standards. Any pollutant discharge limitations including Categorical Standards, State standards, and limits of Chapter 7.91.040 of this Ordinance applicable to the discharge of Non-Domestic Wastes to the POTW. The term shall also include the Prohibited discharge Standards of this Ordinance, WAC 173-216-060, and 40 CFR Part 403.5.

AZ. Process Wastewater. Industrial wastewater minus Cooling Water/Non-Contact Cooling Water.

BA. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Chapters 7.91.010(A) and (B) of this Ordinance.

BB. Publicly Owned Treatment Works (POTW). A "treatment works," as defined by Section 212 of the Act (33 USC 1292) which is owned by the City. This definition includes all devices, facilities, or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastewaters of a liquid nature and any conveyances that convey wastewater to a treatment plant. The term also means the City of Edmonds Wastewater Treatment Plant.

BC. Sanitary Flow. Sewage.

BD. Septic Tank Waste. Any domestic and/or residential sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

BE. Sewage. Water-carried human wastes or a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such gray water (household showers, dishwashing operations, food preparation, etc.) as may be present.

BF. Sewer. Any pipe, conduit, ditch, or other device used to collect and transport sewage from the generating source.

BG. Shall. A mandatory directive.

BH. Side Sewer. See Lateral.

BI. Significant Industrial User (SIU).

1. A User subject to categorical pretreatment standards; or

2. A User that:

a. Discharges an average daily flow of 25,000 GPD or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater); or

b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

c. Is designated as such by the Department with input from the City on the basis that it, alone or in conjunction with other sources has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

3. Upon a finding that a User meeting the criteria in subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any applicable pretreatment standard or requirement, the Department may at any time, on its own initiative or in response to a petition received from a User or the City [and in accordance with procedures in 40 CFR 403.8(f)(6)] determine that such User should not be considered a Significant Industrial User.

BJ. Significant Non-Compliance. (SNC) shall refer to a violation or pattern of violation of one of the following natures:

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all wastewater measurements taken during a six-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

2. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC [1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH];

3. Any other discharge violation that the City believes has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of City personnel or the general public);

4. Any discharge of pollutant that has caused imminent endangerment to human health, welfare or to the environment, or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge;

5. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

6. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report non-compliance;  
or

8. Any other violation(s) that the Director determines will adversely affect the operation or implementation of the local pretreatment program.

BK. Slug Load. Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in Chapter 7.91.010 through 7.91.040 of this Ordinance or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge, or any discharge greater than or equal to five (5) times the amount or concentration allowed by permit or this Ordinance.

BL. Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget, as now exists or as may hereafter be amended.

BM. State. The State of Washington.

BN. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

BO. Total Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering and is amenable to measurement by the methods described in Standard Methods for the Examination of Water and Wastewater, (current edition).

BP. Toxic Pollutant. One of the pollutants, or combination of those pollutants, listed as toxic in regulations promulgated by EPA under Section 307 (33 USC 1317) of the Act, or other pollutants as may be promulgated.

BQ. Treatment Plant Effluent. The discharge from the City's POTW.

BR. Upset. An exceptional incident in which there is unintentional and temporary non-compliance with applicable pretreatment standards because of factors beyond the reasonable control of the User.

BS. User or Industrial User. A source of indirect discharge. The source shall not include "domestic User" as defined herein.

BT. Wastewater. Liquid and water-carried industrial wastewaters and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

BU. Wastewater Discharge Permit (Industrial Wastewater Discharge Permit, Discharge Permit, Discharge Authorization). An authorization or equivalent control document issued by the Department to Users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this Ordinance.

BV. Wastewater Treatment Plant or Treatment Plant or Pollution Control Facility. That portion of the POTW that is designed to provide treatment of municipal sewage and industrial wastewater.

BW. Zero Discharge Permit. A permit for a Categorical User that operates its processes so that no Industrial wastewater is discharged to the POTW.

Section 2. Amendment of ECC 7.90.040. Section 7.90.040 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.90.040 Abbreviations.**

The following abbreviations shall have the designated meanings:

AKART.....	All Known Available and Reasonable Technology
ASPP.....	Accidental Spill Prevention Plan
BMPs.....	Best Management Practices
BOD.....	Biochemical Oxygen Demand
CFR.....	Code of Federal Regulations
COD.....	Chemical Oxygen Demand
EPA.....	U.S. Environmental Protection Agency
FOG.....	Fats, Oils, and Grease
gpd.....	gallons per day
l.....	liter
LEL.....	Lower Explosive Limit
mg.....	milligrams
mg/L.....	milligrams per liter
MSDS.....	Material Safety and Data Sheet
NOV.....	Notice of Violation
NPDES.....	National Pollutant Discharge Elimination System
O&M.....	Operation and Maintenance
OSHA.....	Occupational Safety and Health Administration
POTW.....	Publicly Owned Treatment Works
RCRA.....	Resource Conservation and Recovery Act, 42 USC 6901 et seq.
RCW.....	Revised Code of Washington
SIC.....	Standard Industrial Classifications
SIU.....	Significant Industrial User
SNC.....	Significant Non-Compliance
SWDA.....	Solid Waste Disposal Act, Chapter 70.95 RCW
TSS.....	Total Suspended Solids
UPC.....	Uniform Plumbing Code
USC.....	United States Code
WAC.....	Washington Administrative Code

With regards to abbreviations contained in this Chapter, the use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

Section 3. Amendment of ECC 7.91.040. Section 7.91.040 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.91.040 Local Limits.**

A. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following daily maximum allowable discharge limits:

arsenic	0.36	mg/L
cadmium	0.27	mg/L
chromium	1.99	mg/L
copper	2.98	mg/L
cyanide	0.29	mg/L
lead	1.09	mg/L
mercury	0.07	mg/L
nickel	2.14	mg/L
silver	1.44	mg/L
zinc	5.13	mg/L
nonpolar fats, oils, and grease (NPF OG)	100	mg/L

B. The above limits apply at the point where the wastewater is discharged to the POTW (i.e., end of the User's pipe). Categorical pretreatment standards apply at the end of the process. However, the Director may elect to have local limits apply after pretreatment and/or prior to mixing with dilution flows.

C. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The Department may impose mass limitations in addition to (or in place of) the concentration-based limitations above.

D. Where a User is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment standard shall apply.

Section 4. Amendment of ECC 7.91.080. Section 7.91.080 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.91.080 Pretreatment Facilities.**

A. General Pretreatment Requirements.

1. Users shall procure and properly install, operate, and maintain the wastewater facilities which combined with appropriate practices are necessary to achieve AKART as defined herein. Such pretreatment facilities shall be designed to achieve compliance with all applicable pretreatment standards and requirements set out in this Ordinance within the time limitations specified by the EPA, the State, or the Director, whichever is more stringent.

2. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Department for review and approval in accordance with the procedures of Chapter 173-240 WAC, and shall be submitted to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the City and/or the Department and meet discharge limitations under the provisions of this Ordinance. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the User's expense.

3. Users shall comply with approved Engineering Reports, Plans and Specifications, and Operations and Maintenance manuals, and shall modify such documents to reflect any proposed modifications of industrial wastewater (pretreatment) facilities. Users shall submit proposals to modify pretreatment facilities to the Department before implementation in accordance with Chapter 173-240 WAC. Users shall submit a copy of such revised plans and the Department's acceptance to the Director before implementing changes to approved pretreatment facilities. The Director may audit the compliance of any User, and require changes in operating procedures deemed necessary by the Director to ensure continued compliance with applicable pretreatment standards and requirements.

4. New sources, and new Users determined to be SIUs, must have pretreatment facilities installed and operating prior to discharge, if required.

5. Users who operate restaurants, cafes, lunch counters, delis, cafeterias, bars, or clubs, or hotel, hospital, sanitariums, factory or school kitchens, butcher shops, grocery stores or other establishments where food (polar) grease may be introduced to the sewer system shall have pretreatment facilities to prevent the discharge of fat, oil, and grease. Such pretreatment facilities shall be either a grease interceptor or grease trap as determined by the Director, and installed in the wastewater line leading from sinks, drains, or other fixtures where grease may be discharged.

6. Users who operate automobile or truck repair facilities, steam cleaning facilities for motorized equipment, air compressor(s), or any other establishments or equipment where petroleum based (non-polar) grease and oil may be introduced to the sewer system shall have pretreatment facilities to prevent the discharge of oil and grease. These pretreatment facilities shall be oil/water separators or interceptors located to collect such mixture of grease, oil, and water. Such facilities shall be in accordance with City and state standards.

7. Oil or grease of petroleum or mineral origin (non-polar) shall not be discharged to the City's sewer system at a concentration in excess of 100 mg/l.

8. A plumbing permit is required for the installation of a grease trap. Fee schedule on file with City Clerk's office.

9. A side sewer permit is required for the installation of a grease interceptor. Fee schedule on file with the City Clerk's office.

B. Pretreatment Requirements for FOG.

1. The wholesale shredding and subsequent discharge of food wastes into the POTW is prohibited. Dry scraping dishes and cooking ware and the installation of flat screens and/or baskets in the pre-rinse, preparation and pot sinks is encouraged to reduce the solid waste load and the discharge of fats and oils. A food or garbage disposal unit, if used, must be connected to a grease interceptor, which may require more frequent cleaning due to the increased solid waste load. A food or garbage disposal unit shall not be used in a facility that is served by a grease trap. For purposes of this section, a food or garbage disposal unit is any device designed to chop, cut, or grind food and other waste material and discharge such waste to the wastewater drainage system.

2. Users that recycle fats, oils and grease must do so in a way that complies with all applicable State, City, and Health Department regulations.

3. The Director will determine the type of grease removal equipment required according to the following criteria:

a. For new facilities: After February 16, 2004, food service facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility where such facility did not previously exist, shall be required to install, operate and maintain a grease interceptor. The Director may, in his or her sole discretion, allow new facilities to install a grease trap instead of a grease interceptor according to the following criteria:

i. A grease trap may be utilized instead of a grease interceptor if it is demonstrated to the satisfaction of the Director that the installation of a grease interceptor is physically impracticable. For purposes of this determination, "physically impracticable" shall include, but is not necessarily limited to, the following conditions: (1) the lack of

available space on the premises; (2) unavoidable interference from underground utilities or structures; and (3) topographical conditions such as slope that unavoidably prevent installation of a grease interceptor.

ii. A grease trap may be utilized instead of a grease interceptor if both of the following conditions are present: (1) the City's interceptor sizing formula results in a required capacity of 500 gallons or less for the facility; and (2) the facility has a seating capacity of 60 or less; provided, that if either condition subsequently ceases to exist, the Director may require said facility to install a grease interceptor.

Notwithstanding the above, nothing herein shall be construed as requiring the Director to allow a grease trap in lieu of a grease interceptor.

b. For existing facilities: Subject to the provisions of this subsection, food service facilities operating prior to February 16, 2004, shall be permitted to install, operate, and maintain grease traps that are properly sized and installed according to the City's guidelines in lieu of grease interceptors. However, the Director may, in his or her sole discretion, require an existing facility to install a grease interceptor if the facility meets one or both of the following conditions: (1) continues to deposit FOG in the wastewater collection system; or (2) repeatedly violates BMPs or maintenance standards.

i. Continued FOG deposition: The facility shall be notified in writing by the Director if it must upgrade to a properly sized and installed grease trap. Immediately following the allowable period for installation and upgrade, the Director may begin evaluation of performance and FOG removal effectiveness by inspection of the affected sewer main line and lateral or by other appropriate means. If the facility is found to still be contributing FOG in quantities and at a projected deposition rate sufficient to necessitate cleaning the affected portion of the City's wastewater collection system more frequently than once every five years, or if the lateral continues to require cleaning one or more times per year to prevent grease blockages, then the Director may require installation of a grease interceptor.

ii. Violation of maintenance standards or BMPs: If the facility demonstrates an unwillingness or incapacity to apply appropriate BMPs or to conduct proper grease trap maintenance by receiving four or more written notices

of violation within a twelve month period, or six or more within a 24 month period, then the Director may require installation of a grease interceptor in addition to or in lieu of any other fees, penalties, or other enforcement action.

iii. The Director shall give written notification to a facility that is required to install a grease interceptor and shall require such installation to be completed within twelve months of receipt of written notification.

iv. Approval by the Director of proposed grease removal equipment does not in any way guarantee that this equipment will function in the manner described by its constructor or manufacturer; nor shall it relieve a person or facility of the responsibility of replacing, enlarging, or otherwise modifying such equipment to accomplish the intended purpose. Approval by the Director to install and operate a grease trap shall not be construed to mean that a grease interceptor may not subsequently be required according to the aforementioned criteria.

c. Exempt facilities: The Director, in his or her sole discretion, may grant exemption from the requirement for grease removal equipment to facilities that have little or no potential to contribute oil and grease to the wastewater collection system because they do not cook or prepare food. The Director may revoke a facility's exemption if that facility's operation changes to include cooking or food preparation or if it becomes apparent that FOG is being discharged and accumulating in the facility's lateral or the POTW main line.

4. The use of any additive, such as enzymes, chemicals, or bacteria, as a substitute for grease traps or interceptors or the maintenance of grease traps or interceptors is prohibited. In no case shall any additive that emulsifies fats, oils or grease be used. Any use of additives as a supplement to grease interceptors shall first be authorized in writing by the Director prior to their use by the facility owner or the grease hauler. MSDS sheets and any other applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the City together with a written statement outlining the proposed use of the additive/s. Based upon the information received and any other information solicited from the potential user or supplier, the City shall allow or deny the use of the additive in writing. Permission to use any specific additive may be withdrawn by the City at any time if violations of this Chapter occur that can be demonstrated to be due to the use of the additive.

5. Alternative grease/oil removal systems may be approved in writing by the Director on a case-by-case basis to augment or replace grease interceptors to achieve acceptable discharge. Testing of alternative devices to demonstrate acceptable removal of FOG shall be at the expense of the User.

6. Authorized City employees shall be allowed ready access at all reasonable times to all parts of the User's premises for the purpose of inspection, observation, records examination, measurement, sampling and testing in accordance with the provisions of this Ordinance. The refusal of any User to allow the Director entry to or upon the User's premises for purposes of inspection, sampling effluents or inspecting and copying records or performing such other duties as shall be required by this Ordinance shall constitute a violation of this Ordinance. The Director may seek a warrant or use such other legal procedures as may be advisable and reasonably necessary to discharge his duties under this Ordinance.

7. Inspections. City employees may inspect the User's premises on both an unscheduled and unannounced basis or on a scheduled basis to ascertain whether the intent of this Ordinance is being met and all requirements are being complied with. The official may also determine if the facility has implemented Best Management Practices as fully as possible. Inspections may include all equipment, food processing and storage areas and shall pay special attention to the processes that produce wastewater which is discharged from the facility through the grease interceptor/trap. The official may also inspect the interceptor/trap maintenance record, other pertinent data, the grease interceptor/trap and may check the level of the interceptor/trap contents and/or take samples as necessary. Noted deficiencies may include but not be limited to:

a. Failure to properly maintain the grease interceptor or trap in accordance with the provision of this Ordinance.

b. Failure to record pumping activities or keep copies of manifest forms or receipts.

c. Failure to maintain logs, files, records or access for inspection or monitoring activities.

8. Re-inspections. The City official shall re-inspect Users' facilities that received deficiency notices at a previous inspection. The City official shall inspect the repairs or other deficiencies and shall provide written notice of compliance or non-compliance as the case may be. In the event of continuing non-compliance, successive re-inspections will be scheduled and appropriate fees shall be charged to the User concerned. A first re-inspection shall be performed after a minimum of 30 working days has elapsed to allow for corrective action by the User to be completed.

9. Monitoring. The City shall have the right to inspect a facility's lateral or to sample and analyze the wastewater from any facility at any time to determine compliance with the requirements of the City Code and to evaluate the performance and effectiveness of equipment and procedures to remove FOG from the waste stream. Evidence of the deposition of FOG in the facility's lateral or the City's sewer line may cause enforcement action to be initiated, and the City's monitoring costs may be billed to the User.

10. If a failure to maintain grease traps or interceptors, results in partial or complete blockage of the building sewer, private sewer system discharging to the City sewer system, or other parts of the City sewer system, or adversely affects the treatment or transmission capabilities of the POTW, or requires excessive maintenance by the City, or poses a possible health hazard, the discharger responsible for the facilities shall be subject to the remedies herein, including cost recovery, enforcement and penalties.

C. Grease traps. All grease trap installations must meet the following criteria:

1. Trap design and location. Grease traps shall conform to the standards in the current edition of the UPC. Grease traps shall be installed in strict accordance with the manufacturer's instructions. Grease traps shall be equipped with a cover and a mechanism for a secure closing. Flow control devices shall be required where the water flow through the grease trap may exceed its rated flow. Dishwashers and food or garbage disposal units shall not be connected to grease traps. No more than four (4) fixtures shall connect to an individual grease trap. Grease traps shall be located in the facility's sewer line between all fixtures which may introduce grease into the sewer system and the connection to the City's wastewater collection system. Wastewater from sanitary facilities and other similar fixtures shall not be introduced into the grease trap under any circumstances.

2. Trap capacity. The required flow capacity of the grease trap in gallons per minute shall be determined according to sizing guidelines adopted by the Director. The Director may require installation of a grease trap having a greater capacity than that indicated by said guidelines if deemed necessary to protect the City's sewer system.

3. Flow control device. Grease traps shall be equipped with a device to control the rate of flow through the unit. The rate of flow shall not exceed the manufacturer's rated capacity recommended in gallons per minute for the unit.

4. Inspection, cleaning and maintenance. Each facility shall be solely responsible for the cost of trap installation, inspection, cleaning and maintenance. Each facility may contract

with a grease hauler, or it may develop a written protocol and perform its own grease trap cleaning and maintenance procedures. Cleaning and maintenance must be performed when the total volume of captured grease and solid material displaces more than 25% of the total volume of the unit. Each facility shall determine the frequency at which their grease trap shall be cleaned, but all grease traps shall be opened, inspected, cleaned and maintained at a minimum of once per week. However, the Director, in his or her sole discretion, may authorize in writing a different schedule based upon the rate at which 25% of the unit's volume is displaced by retained grease and solids as determined by inspections.

5. Inspection. Grease traps may be inspected by the City as necessary to assure compliance with this Ordinance and to assure proper cleaning and maintenance schedules are being adhered to.

6. Repairs. The facility shall be responsible for the cost and scheduling of all repairs to its grease trap(s). Repairs required by the City shall be completed within 14 working days after the date of written notice of required repairs is received by the facility. Users may utilize a different schedule for repair upon prior written approval from the City.

7. Disposal. Grease and solid materials removed from a grease trap shall be disposed of in the solid waste disposal system.

8. Record keeping. The facility shall maintain records of the date and time of all cleaning and maintenance of each grease trap, and shall make this record available for inspection by the City on demand.

D. Grease Interceptors. All grease interceptor installations must meet the following criteria:

1. Interceptor design and location. Grease interceptors shall conform to the standards in the current edition of the UPC. Grease interceptors shall have a minimum of two compartments and shall be capable of separation and retention of grease and storage of settled solids. Extended inlet and outlet sanitary tees must be provided that extend down to within 12 inches from the bottom of the tank. The owner/operator must provide, at his or her sole expense, an access manhole over each compartment for monitoring purposes. The inlet and outlet tees must be a minimum of six inches in diameter, and the influent and effluent flow must be visible and easily accessible from the access manhole for sampling. Covers shall have a gas tight fit. The grease interceptor shall be designed, constructed and installed for adequate load-bearing capacity. Grease interceptors shall be located in the facility's lateral sewer line between all fixtures which may introduce grease into the sewer system and the connection to the City's wastewater collection system. Such fixtures shall include but not be limited to: sinks, dishwashers, automatic hood

wash units, floor drains in food preparation and storage areas, and any other fixture which is determined to be a potential source of grease. Wastewater from sanitary facilities and other similar fixtures shall not be introduced into the grease interceptor under any circumstances. Interceptors shall be installed in a location outside of the building which provides easy access at all times for inspections, cleaning and proper maintenance, including pumping. The Director is authorized to adopt additional criteria and specifications for grease interceptors.

2. Interceptor capacity. Grease interceptor capacity calculations shall be performed by each facility based on size and type of operation according to the formulas contained in the sizing guidelines adopted by the Director. The minimum capacity of any one unit shall be 500 gallons and the maximum capacity of any one unit shall be 4000 gallons.

3. Inspection, pumping and maintenance. Each facility shall be responsible for the costs of installing, inspecting, cleaning and maintaining its grease interceptor. All facilities that have grease interceptors shall utilize a grease hauler. Pumping services shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludges and solids. Decanting or discharging of removed wastes back into the grease interceptor from which the wastes were removed, or into any other grease interceptor, for the purpose of reducing the volume to be disposed of is strictly prohibited. Grease interceptor cleaning shall include removal of excessive solids from the walls, floors, baffles and all pipework. Each facility shall ensure that all fittings and fixtures inside the interceptor are in good condition and functioning properly after the pumping procedure, and that the unit is filled with enough clean, cool tap water to prevent any FOG from passing through the unit as it fills.

4. Interceptor pumping frequency. Each facility shall clean its grease interceptor at a minimum frequency of once every ninety (90) days. Each facility shall determine the frequency at which its grease interceptor shall be pumped according to the following criteria:

a. When the floatable grease layer exceeds twelve inches (12") in depth as measured in the inlet compartment, or;

b. When the total volume of captured grease and solid material displaces more than 25% of the capacity of the interceptor as measured in the inlet compartment, or;

c. When the interceptor is not retaining/capturing oils and greases; or the removal efficiency of the device, as determined through sampling and analysis, is less than eighty percent (80%).

5. Cleaning Variance. If a facility believes that quarterly pumping of their grease interceptor is unnecessary in order to remain in compliance with the criteria of paragraph (4) above, the facility may make written application to the Director for a written variance from the quarterly pumping requirements. City employees will review cleaning maintenance records and perform physical inspections of the interceptor as needed to verify compliance with paragraph (4) above. The City will base the new cleaning frequency schedule upon observed accumulation for the User requesting the variance.

6. Inspection. Grease interceptors may be inspected by the City as necessary to assure compliance with this Ordinance and to assure proper cleaning and maintenance schedules are being adhered to.

7. Repairs. The facility shall be responsible for the cost and scheduling of all repairs to its grease interceptor(s). Repairs required by the City shall be completed within 14 working days after the date of written notice of required repairs is received by the facility or other schedule upon written approval from the City.

8. Disposal. Wastes removed from each grease interceptor shall be disposed of at a facility that is permitted to receive such wastes. Grease or gray water shall not be returned to any grease interceptor, private sewer line or to any portion of the City's wastewater collection system.

9. Record keeping. Each facility shall maintain records of the date and time of all cleaning and maintenance of each grease interceptor, and shall make this record available for inspection by the City on demand.

#### E. Other Interceptors.

1. Dischargers who operate automatic and coin-operated laundries, car washes, filling stations, commercial garages or similar businesses having any type of washing facilities (including pressure washing and steam cleaning) or any other dischargers producing grit, sand, oils, lint, or other materials which have the potential of causing partial or complete obstruction of the building side sewer or other areas in the POTW shall, upon order of the Director, install approved interceptors, oil/water separators, or tanks in accordance with specifications adopted by the City of Edmonds such that excessive amounts of oil, sand and inert solids are effectively prevented from entering the POTW.

2. Installation and Maintenance. All grease interceptors, oil/water separators, settling tanks and grit traps shall be properly installed, maintained and operated by the discharger at his own expense. The installation shall be kept in continuous operation at all times, and shall be maintained in a manner that

shall prevent oil or grease, and inert solids from being carried into the sewer system at all times. A service contractor qualified to perform such cleaning must perform cleaning. All material removed shall be disposed of in accordance with all state and federal regulations. Records and certification of maintenance shall be made readily available to the Director for review and inspection, and must be maintained for a minimum of three (3) years.

3. If a failure to maintain settling tanks, grit traps, grease interceptors, or oil/water separators results in partial or complete blockage of the building sewer, private sewer system discharging to the City sewer system, or other parts of the City sewer system, or adversely affects the treatment or transmission capabilities of the POTW, or requires excessive maintenance by the City, or poses a possible health hazard, the discharger responsible for the facilities shall be subject to the remedies herein, including cost recovery, enforcement and penalties.

Section 5. Amendment of ECC 7.91.090. Section 7.91.090 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.91.090 Deadline for Compliance with Applicable Pretreatment Requirements.**

A. Pretreatment Facilities for FOG. All restaurants, cafes, lunch counters, delis, cafeterias, bars, or clubs, or hotel, hospital, sanitariums, factory or school kitchens, butcher shops, or other establishments where food (polar) grease may be introduced to the sewer system which do not have grease traps or interceptors, or do not have adequately sized or correctly installed traps or interceptors shall meet the requirement for removal of fats, oils, and grease by installing or properly connecting an approved grease trap or interceptor, as determined by the Director.

Facilities that are required to install approved grease interceptors shall do so within 12 months after receiving written notification from the Director.

Facilities that are allowed to install approved grease traps or to upgrade existing trap installations, as provided elsewhere in this Chapter, shall do so within 90 days after receiving written notification from the Director.

Facilities which are newly proposed or constructed after February 16, 2004 shall meet the requirements in this Chapter for installation of grease removal equipment prior to commencement of discharge.

B. Significant Industrial Users. Compliance by existing sources (categorical Users) covered by Categorical Pretreatment Standards shall be within 3 years of the date the

Standard is effective unless a shorter compliance time is specified in the appropriate Standard. The Department shall establish a final compliance deadline date for any categorical User when the local limits for said User are more restrictive than EPA's Categorical Pretreatment Standards.

New source dischargers, and "new Users" that are determined to be SIUs, are required to comply with applicable pretreatment standards within the shortest feasible time (not to exceed 90 days from the beginning of discharge). New Sources, and "new Users" that are determined to be SIUs, shall install and have in operating condition, and shall "start-up" all pollution control equipment required to meet applicable pretreatment standards before beginning to discharge.

Section 6. Amendment of ECC 7.92.010. Section 7.92.010 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.92.010 Requirements to Complete Industrial User Surveys.**

The Director may periodically notify new, existing, and potential Users of the requirement to complete an Industrial User Survey form. Upon notification, Users shall fully and accurately complete the survey form, and return the completed form to the Director within 30 days of receipt. Each User shall maintain a copy of the latest completed survey form at their place of business. Failure to fully or accurately complete a survey form or to maintain the latest survey form on the premises where a wastewater discharge is occurring shall be a violation of this Ordinance.

Section 7. Amendment of ECC 7.94.010. Section 7.94.010 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.94.010 Sampling Requirements for Users.**

A. Users which discharge to the Edmonds POTW shall abide by all applicable wastewater monitoring requirements of this Ordinance, any applicable Order, and any State or Federal regulation or permit, including a State Waste Discharge or NPDES permit. The Director may require self-monitoring as a requirement of discharge to the POTW, or may conduct City monitoring of any discharge to the POTW.

B. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated or manufacturing process if no pretreatment exists or as determined by the City and/or contained in the User's wastewater discharge permit. For categorical Users,

if other wastewaters are mixed with the regulated wastewater prior to pretreatment the User shall measure the flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR 403.6(e) in order to evaluate compliance with the applicable National Categorical Pretreatment Standards. Other SIUs which are required to sample, shall measure the flows and concentrations necessary to evaluate compliance with the pretreatment standards and requirements.

C. Non-categorical Users: All other Users where required to sample, shall measure the flows and pollutant concentrations necessary to evaluate compliance with Pretreatment Standards and Requirements.

D. Users that analyze wastewater samples shall record and report with the sampling results, the information required in Chapter 7.93.040(B). All required reports shall also certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges from the User. If a User sampled and analyzed more frequently than what was required in its wastewater discharge permit, using methodologies in 40 CFR Part 136, it must submit all results of sampling and analysis of the discharge with the next required wastewater discharge report. Reports containing incomplete information shall not demonstrate compliance with this Ordinance, or a wastewater discharge permit.

Section 8. Amendment of ECC 7.94.020. Section 7.94.020 of the Edmonds City

Code is hereby amended to provide in its entirety as follows:

**7.94.020 Analytical Requirements.**

A. All pollutant analyses, including sampling techniques, shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA or the Department.

B. All analyses required to be reported with the exception of flow, temperature, settleable solids, conductivity, and pH shall be performed by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC. Laboratories must be accredited for the analyses which they are performing.

Section 9. Amendment of ECC 7.102.010. Section 7.102.010 of the Edmonds

City Code is hereby amended to provide in its entirety as follows:

**7.102.010 Pretreatment Charges and Fees.**

A. General Charges and Fees

1. The following fees relate solely to the matters covered by this Ordinance and are separate from all other rates or charges for sewer service; PROVIDED, that the City shall collect said charges in the same manner as other sewer utility rates are collected, including but not limited to the sewer lien procedures provided under 35.67 RCW. A fee schedule containing all applicable charges shall be maintained on file at the City Clerk's office.

2. Fees shall correspond to the actual amount of expense incurred by the City, and may include:

a. Fees for monitoring, inspection, surveillance and enforcement procedures including the cost of collection and analyzing a User's discharge;

b. Fees for reviewing and responding to accidental discharge procedures and construction;

c. Fees for preparing and executing enforcement action;

d. Fees for filing appeals;

e. Fees for High Strength Waste and Industrial Process flow; and

f. Other fees as the City may deem necessary to carry out the requirements contained herein.

3. All fees or charges will be collected by direct billing. Unless the Director has been made aware of extenuating circumstances that would prevent prompt payment, all fees are payable within 30 days of the billing. Fees past due will be considered a violation of this Ordinance. Users not paying fees within 60 days of the billing period will be subject to termination of service. The Director may change existing or adopt new fees.

B. High Strength Waste Surcharge

1. Monthly Fee for BOD and Suspended Solids. Rates for strength of industrial wastewater from High Strength Users are established for each pound of BOD and suspended solids as authorized by Chapter 7.91.060.

2. Sampling of Industrial wastewater. The samples taken shall be twenty-four hour composite samples, obtained through flow-proportioned composite samples, where feasible. Charges shall apply as specified in subsection (3) of this Section, as determined on the basis of at least one twenty-four hour flow proportioned or timed sample analysis to be obtained twice per month and such analyses averaged for each month; provided, a new average for strength of industrial wastewater may be computed, regardless of previous averages, when changes in preliminary treatment or industrial process changes have been made which are expected to significantly change the average strength of wastes.

3. Surcharge Fee. Users having effluent concentrations of BOD and/or TSS in excess of 250 mg/L will be billed a High Strength Waste Surcharge fee. The surcharge rate is \$0.158736 per pound of BOD or TSS. The Director may establish new rates based upon the cost of conveyance and treatment in the POTW.

C. Industrial Flow Surcharge. An Industrial flow surcharge will be billed to Significant Industrial Users and Categorical Users (and may be billed to other Users where deemed appropriate by the Director). This charge is based upon measured volume of total sewage or metered water consumption, as determined by the Director. The surcharge rate is \$0.19 per 1000 gallons industrial wastewater flow. The Director may establish new rates based upon the cost of conveyance and treatment in the POTW.

D. Billing. Sewer use service charges under this Chapter shall be billed monthly by the City Director of Finance. The amount of the charge will be determined by the Director at the end of each month and will be submitted to the City Director of Finance after sufficient time has been given for laboratory analysis of all sewage samples and/or computations. Charges will be computed and billed based on records of flow from the previous month and mean waste strengths as determined in subsections (B) and (C) of this Section. The Director may check sewage strength as outlined in this Chapter and adjust charges where applicable at any time in accordance with all the provisions of this Chapter.

Section 10. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

\_\_\_\_\_  
MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK:	01/30/2004
PASSED BY THE CITY COUNCIL:	02/03/2004
PUBLISHED:	02/08/2004
EFFECTIVE DATE:	02/13/2004
ORDINANCE NO. <u>3487</u>	

**SUMMARY OF ORDINANCE NO. 3487**

of the City of Edmonds, Washington

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On the 3<sup>rd</sup> day of February, 2004, the City Council of the City of Edmonds, passed Ordinance No. 3487. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING CHAPTERS 7.90, 7.91, 7.92, 7.94 AND 7.102 OF THE EDMONDS CITY CODE; CLARIFYING THE APPLICABILITY OF PRETREATMENT STANDARDS AND REGULATIONS TO EXISTING AND NEW FACILITIES; REVISING CERTAIN CODIFIED DEFINITIONS FOR SAID STANDARDS AND REGULATIONS; ESTABLISHING COMPLIANCE DEADLINES FOR REGULATED FACILITIES; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 4<sup>th</sup> day of February, 2004.

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CITY CLERK, SANDRA S. CHASE