

City of Brighton Ordinances Pertaining to FROG

Sec. 90-132. Inspection and sampling.

The city shall inspect the facilities of any user to ascertain whether the purpose of this article is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the city or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, records copying or in the performance of any of their duties. The city, MDEQ, and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the city, MDEQ, and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. (Ord. No. 426, 10-1-98)

Sec. 90-137. Use of public sewers.

(a) *General discharge prohibitions.* No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to the National Categorical Pretreatment Standards or any other national, state or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:

- (2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, petroleum oil, non-biodegradable cutting oil, products of mineral oil origin, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

(b) *Interim pollutant limitations.*

- (2) Compatible pollutants. Surcharge threshold limits are concentrations established herein in section 90-145 that, with city approval, may be exceeded subject to extra-strength charges. Upper limits are the concentrations above which a discharge shall be considered in violation of this article and be subject to applicable fines, penalties, and other enforcement actions. Except as specifically authorized by the city manager or his designee, no user shall discharge wastewater containing in excess of the following upper limits for compatible pollutants:
 - a. 2,800 parts per million by weight of BOD;
 - b. 3,800 parts per million by weight of total suspended solids;
 - c. 130 parts per million by weight of total Kieldahl nitrogen;
 - d. 80 parts per million by weight of total phosphorus; and
 - e. 410 parts per million by weight of fat, oil or grease.

Sec. 90-142. Interceptors—When required.

Grease, oil and sand interceptors shall be provided when in the opinion of the city manager or his designee they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers, which when bolted in place shall be gastight and watertight. (*Ord. No. 426, 10-1-98*)

Sec. 90-143. Same—Maintenance.

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. (*Ord. No. 426, 10-1-98*)

Sec. 90-144. Discharges subject to approval.

- (a) The admission into the public sewers or any waters or wastes that:
 - (1) Contain more than 250 parts per million by weight of BOD;
 - (2) Contain more than 250 parts per million by weights of suspended solids;
 - (3) Contain more than six parts per million by weight of phosphorus;
 - (4) Contain more than 35 parts per million by weight of total Kjeldahl nitrogen;
 - (5) Contain more than 100 parts per million by weights of fats, oil and grease;
 - (6) Contain any quantity of substances having the characteristics described in section 90-137(a) or section 90-137(b); or
 - (7) Have an average daily flow greater than two percent of the average daily sewage flow of the city, or have a rate of flow (gallons per day of) greater than ten percent of the average daily city flow for a period of one hour or more; shall be subject to review and approval of the city manager or his designee.

- (b) Where necessary in the opinion of the city, the owner shall provide at his expense, such preliminary treatment as may be necessary to reduce the BOD, suspended solids, phosphorus, total Kjeldahl nitrogen, or fats, oil and grease to the concentrations given in subsections (1), (2), (3), (4), and (5) of subsection (a) of this section; or to reduce objectionable characteristics of constituents to within the upper limits provided for in section 90-137, or control the quantities and rates of discharge of such waters or wastes. (*Ord. No. 426, 10-1-98*)

Sec. 90-145. Surcharge for certain discharges.

- (a) Where the strength of sewage from an industrial, commercial or institutional establishment exceeds:
 - (1) Two hundred and fifty parts per million of biochemical oxygen demand;
 - (2) Two hundred and fifty parts per million by weight of suspended solids;
 - (3) Six parts per million by weight of phosphorus;
 - (4) Thirty-five parts per million by weight of total Kjeldahl nitrogen; or

- (5) One hundred parts per million by weight of fats, oil and grease; and where such wastes are permitted to be discharged to the sewer system by the city manager or his designee, an added charge, as noted below, will be made against such establishment according to the strength of such wastes when so required by the city. The strength of such wastes shall be determined by composite samples taken over a sufficient period of time to ensure a representative sample. The cost of taking and making the first of these samples shall be borne by the city. The cost of any subsequent sampling and testing shall be borne by the industry or establishment, whether owner or lessee. Tests shall be made by an independent laboratory or at the city wastewater treatment plant.
- (b) Added charges shall be determined by the city. These charges shall be based on the cost of operation, maintenance, and equipment replacement for the sewage works.
- (Ord. No. 426, 10-1-98)*

Sec. 90-153. Power and authority of inspectors.

The city manager or his designee and other duly authorized employees of the city acting as his duly authorized agent, bearing proper credentials and identification, shall be permitted to enter upon such properties as may be necessary for the purposes of inspection, observation, measurement, sampling and testing in accordance with provisions of this article. *(Ord. No. 426, 10-1-98)*

Sec. 90-158. Administrative fines; liability for city costs.

- (a) When the city finds that a user has violated or continues to violate any provision of this article, waste discharge permit or order issued hereunder, or other pretreatment standard or requirement, an administrative fine may be assessed against the affected user in an amount up to \$500.00 per violation. Each day of during which the violation occurred or continues to occur may be deemed a separate violation and, in the case of a violation of monthly or other long-term average discharge limits, the fine may be assessed for each day of during the period of averaging. Receipt, or non-receipt, of an administrative fine shall in no way relieve the affected user of any and all liability associated with the violation. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, any other enforcement actions by the city against the affected user.
- (b) In addition, a user shall be liable to the city for any and all fines, penalties, and associated legal and other costs incurred or expended by the city as the result of damage to the sewer system or wastewater treatment plant or any violation of the city's NPDES permit that is attributable, in whole or in part, to the user's violation of this article or waste discharge permit issued hereunder.
- (Ord. No. 426, 10-1-98)*