

ORDINANCE NO. 1183

AN ORDINANCE ADJUSTING WASTEWATER DISCHARGE LIMITATIONS IN THE CITY OF FORT MORGAN, COLORADO, CONTAINED IN CHAPTER 17 ARTICLE 7 OF THE FORT MORGAN MUNICIPAL CODE

WHEREAS, as part of the City's on-going duty to comply with pretreatment standards, it is necessary for the City to adopt standards relating to the discharge of certain pollutants;

WHEREAS, changes are needed to update discharge limitations contained in Chapter 17 Article 7 of the Fort Morgan Municipal Code (2010).

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN,

Section 1. Section 17-7-10 of the Fort Morgan Municipal Code is hereby repealed and replaced as follows:

Sec. 17-7-10. - Wastewater discharge limitations.

It shall be unlawful for any Industrial User to discharge, deposit, cause or allow to be discharged any waste or wastewater which fails to comply with the limitations imposed by this Section.

(1) Dilution is prohibited as a substitute for treatment and shall be a violation of this Article except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(2) Compliance with maximum daily limits shall be measured with a representative sample taken during the industrial user's operating day, unless elsewhere specified in the user's industrial wastewater discharge permit.

(3) No Significant Industrial User shall discharge wastewater that exceeds the following limits:

| Pollutant | Daily Maximum Discharge Limit | Units |
|--|-------------------------------|---------|
| Arsenic | 0.033 | mg/L |
| Cadmium | 0.031 | mg/L |
| Chromium | 3.62 | mg/L |
| Copper | 0.25 | mg/L |
| Lead | 0.154 | mg/L |
| Mercury | 0.004 | mg/L |
| Molybdenum | 0.07 | mg/L |
| Nickel | 0.13 | mg/L |
| Selenium | 0.03 | mg/L |
| Silver | 3.21 | mg/L |
| Zinc | 2.4 | mg/L |
| Ammonia | 187.8 | lbs/day |
| Total Inorganic Nitrogen (TIN) | 259.2 | lbs/day |
| 5-day Biochemical Oxygen Demand (BOD5) | 1,049 | lbs/day |
| Total Suspended Solids (TSS) | 1,884 | lbs/day |

(4) The City may, at its sole discretion, implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users that correspond to the uniform concentration local limits shown in the table above. The MAILs are hereby incorporated by reference.

(5) The following limits shall apply to wastewaters that are discharged from the groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants or where these pollutants are appropriate surrogates. It shall be unlawful for any Industrial User to discharge or cause to be discharged any waste or wastewater that exceeds the following limits, as applicable.

| Pollutant ^{(a)(c)} | Daily Maximum Limit (mg/L) |
|-----------------------------|----------------------------|
| Benzene | 0.050 |
| BTEX ^(b) | 0.750 |

(a) All pollutants shown in the Table are total.

(b) BTEX shall be measured as the sum of Benzene, Ethylbenzene, Toluene and Xylenes.

(c) These limits are based upon installation of air stripping technology as described in the EPA document: "Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks. June 1989."

(6) All users subject to a categorical pretreatment standard shall comply with all requirements of such standard and shall also comply with any limitations contained in this Chapter. Where the same pollutant is limited by more than one (1) pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be the timeframe specified in the applicable categorical pretreatment standard.

(7) The City may establish more stringent pollutant limits, additional site-specific pollutant limits or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this Chapter.

(8) Best Management Practices (BMPs): the City may establish best management practices (BMPs) or additional pretreatment requirements when, in the judgment of the City, such pretreatment standards are necessary to implement the provisions of this Chapter.

**INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED
PUBLISHED** on the 19th day of July, 2016.



THE CITY COUNCIL OF THE CITY OF FORT
MORGAN, COLORADO


By: Ronald Shaver
Mayor

Attest:


John Brennan
City Clerk

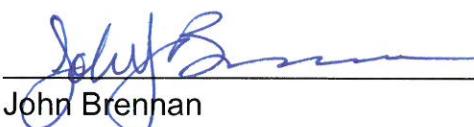
PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED
PUBLISHED this 6th day of September, 2016.



Attest:

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO


By: Ronald Shaver
Mayor


John Brennan
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. CERTIFICATE
CITY OF FORT MORGAN)

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1183** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 19th day of July, 2016. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 23rd day of August, 2016, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 6th day of September, 2016. Within five (5) days after its final passage, said **Ordinance No. 1183** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.


John Brennan
City Clerk