

Item H-3

PUBLIC HEARING: Consider an ordinance update of Chapter 19, Article V of Keller's Code of Ordinances; Wastewater Pretreatment Program.

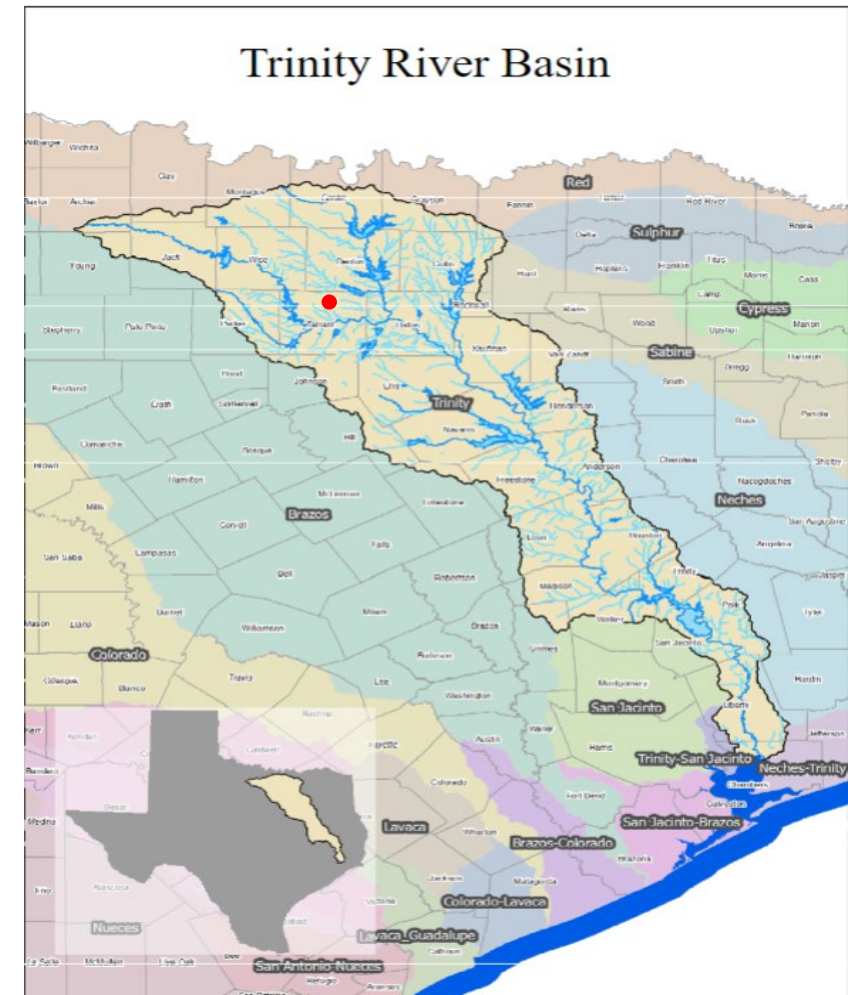
Background

Required by:

- Environmental Protection Agency through the Clean Water Act and General Pretreatment Regulations
- Texas Commission on Environmental Quality through the management of Technically Based Local Limits
- Contract as a wholesale customer of the Trinity River Authority

Last updated in 2003 by Ordinance 1142, the current update centers on expanding enforcement capabilities.

Keller discharges wastewater to TRA's Central Regional and Denton Creek Regional Wastewater System



Prohibited Discharges

The following pollutant limits have been approved by TCEQ and apply at the point of discharge to TRA facilities on a daily/instantaneous maximums

Toxic Pollutant	Old Limit	New Limit (CRW / DCRW)
Arsenic	0.1 mg/l	0.2 / - mg/l
Cadmium	0.1 mg/l	0.1 / 0.044 mg/l
Chromium	1.0 mg/l	2.1 / 10.0 mg/l
Copper	1.5 mg/l	1.8 / 5.64 mg/l
Cyanide	0.5 mg/l	0.4 / 1.0 mg/l
Lead	0.9 mg/l	1.2 / 0.32 mg/l
Mercury	0.0004 mg/l	0.06 / 0.005 mg/l

No longer limited: Barium, Manganese, H2S, NO, SO2

Toxic Pollutant	Old Limit	New Limit (CRW / DCRW)
Molybdenum	0.2 mg/l	0.5 / - mg/l
Nickel	1.0 mg/l	3.3 / 2.91 mg/l
Selenium	0.05 mg/l	0.2 / - mg/l
Silver	0.1 mg/l	0.8 / - mg/l
Zinc	2.0 mg/l	6.1 / 2.8 mg/l
Oil & Grease	100 mg/l	200 / 100 mg/l
Total Toxic Organics	1.0 mg/l	- / 2.13 mg/l
pH	6.0-10.0	5.5-11.0

Additional Enforcement Clauses

Penalty Language

- Creates separation between civil penalties and criminal prosecution, and has users agree to terms under permit application

Best Management Practices

- Allows for additional measures added for achieving compliance in partnership with established local limits and prohibited discharges

Consent orders

- Allows for City and non-complaint users to enter an agreement that includes action items and timeline to achieve compliance

Severability

- Allows for provisions of the ordinance to be invalidated independently of the entire ordinance

Emergency Response Plan

Designed to provide consistent enforcement responses for varying violations and circumstances, the plan includes:

- Compliance Monitoring Procedures
- Procedures to Screen and Track Compliance Data
- Enforcement Responses
- Enforcement Response Guide
- Examples for communication

ENFORCEMENT RESPONSE GUIDE SUMMARY OF ACTION			
Violation	Nature of the Violation	Enforcement Action	Personnel
1. Failure to apply for discharge permit <u>Applies to:</u> Unpermitted Users	Not Significant, if classified as SIU- non CIU	- Informal Notice with Application - NOV with Application	DIRECTOR ^e
	Significant, if classified as CIU	- NOV with Application - Review Meeting with Application	
	Recurring	- AO - Civil Litigation - Criminal Prosecution - Terminate Service	

Excerpt from Enforcement Response Guide



Any Questions?
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