



## Legislation Details (With Text)

**File #:** 14-0568      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Mayor's Office  
**File created:** 9/11/2014      **In control:** City Council  
**On agenda:** 12/9/2014      **Final action:** 12/9/2014

**Title:** Ordinance No. 14-66 amending Section 201 (Definitions) of Part 2 (Definitions); Section 702 (Wastewater Discharge; Prohibitions), Section 703 (Wastewater Discharge; Limitations), and Section 705 (Silver Source Control) of Part 7 (Prohibitions - Limitations on Wastewater Discharge); Section 901 (Reporting Requirements) and Section 903 (Inspection, Sampling, and Analysis) of Part 9 (Industrial Wastewater Monitoring and Reporting); Section 1002 (Manifest System), Section 1004 (Vehicle Maintenance Requirements) and 1005 (Financial Assurance Requirements) of Part 10 (Liquid Waste Hauler Requirements); Section 1102 (Discharge Permit; Application For), 1104 (Significant Industrial User Discharge Permit; Conditions), 1106 (Discharge Permit; Duration), 1108 (Liquid Waste Hauler Permit; Application For), 1109 (Liquid Waste Hauler Permit; Conditions) and 1112 (Modification for Permits and Control Mechanisms of Part 11 (Permit and Control Mechanism System); and Section 1201 (Enforcement Generally; Remedies Cumulative) and 1207 (Affirmative Defenses) of Part 12 (Enforcement) of all Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended

**Sponsors:** Granicus User

**Indexes:**

**Code sections:**

**Attachments:** 1. 092314 Water Treatment Code Ordinance As Presented and Adopted

| Date       | Ver. | Action By    | Action                     | Result |
|------------|------|--------------|----------------------------|--------|
| 12/9/2014  | 2    | City Council | finally passed             | Pass   |
| 11/10/2014 | 2    | City Council | postpone to a date certain | Pass   |
| 10/14/2014 | 2    | City Council | postpone to a date certain | Pass   |
| 9/23/2014  | 1    | City Council | approved on first reading  | Pass   |

**Ordinance No. 14-66 amending Section 201 (Definitions) of Part 2 (Definitions); Section 702 (Wastewater Discharge; Prohibitions), Section 703 (Wastewater Discharge; Limitations), and Section 705 (Silver Source Control) of Part 7 (Prohibitions - Limitations on Wastewater Discharge); Section 901 (Reporting Requirements) and Section 903 (Inspection, Sampling, and Analysis) of Part 9 (Industrial Wastewater Monitoring and Reporting); Section 1002 (Manifest System), Section 1004 (Vehicle Maintenance Requirements) and 1005 (Financial Assurance Requirements) of Part 10 (Liquid Waste Hauler Requirements); Section 1102 (Discharge Permit; Application For), 1104 (Significant Industrial User Discharge Permit; Conditions), 1106 (Discharge Permit; Duration), 1108 (Liquid Waste Hauler Permit; Application For), 1109 (Liquid Waste Hauler Permit; Conditions) and 1112 (Modification for Permits and Control Mechanisms of Part 11 (Permit and Control Mechanism System); and Section 1201 (Enforcement Generally; Remedies Cumulative) and 1207 (Affirmative Defenses) of Part 12 (Enforcement) of all Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended**

**From:**

Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

**Summary:**

Colorado Springs Utilities is proposing an ordinance that would amend Chapter 12, Article 5 of the City Code, which is the City of Colorado Springs' Wastewater Treatment Code. The purpose of the amendments is to address comments raised in recent EPA audits, streamline the Liquid Waste Hauler (LWH) regulations, and address housekeeping items. Article 5 was last revised in 2010, when new local limits were approved by City Council and general housekeeping items were addressed. The ordinance that contains the proposed amendments will be presented to City Council on September 23, 2014. After the first reading at City Council, the proposed amendments will be publicly noticed by EPA.

**Previous Council Action:**

N/A

**Background:**

Colorado Springs Utilities is proposing an ordinance that would amend Chapter 12, Article 5 of the City Code, which is the City of Colorado Springs' Wastewater Treatment Code. Colorado Springs Utilities' Industrial Pretreatment Program (IPT) is routinely audited by EPA, most recently in August 2012 (a program audit) and January 2014 (a pretreatment compliance inspection). As a result of these audits, Article 5 needs to be amended so that it does not conflict with the requirements in the Code of Federal Regulations (CFR). The majority of the proposed amendments are for the purpose of aligning Article 5 with federal requirements contained within 40 CFR Part 403. Primarily, the proposed amendments address:

- Proposed limits for BTEX, benzene, and pH (upper). These limits have been included in currently issued permits where IPT determined a limit was necessary due to the types of industrial processes being performed. The limits for these existing permits were publicly noticed on September 8, 2013, and received no comments.
- Modifications to the Liquid Waste Hauler program requirements. IPT proposes amendments to Article 5 to streamline the regulations for the LWH program in order to remove provisions that are more appropriately contained in a procedures manual. In early 2014, IPT developed a policies and procedures manual for the LWH program which included many of the City Code requirements pertaining to the LWH program. Including these provisions in the manual (and not within the City Code) ensures that IPT staff will not be required to conduct enforcement for inconsequential infractions.
- General housekeeping, to include formatting adjustments. IPT proposes to make minor housekeeping amendments to Article 5, including correction of incorrect City Code cross-references and formatting issues.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

Move for approval on first reading of the attached ordinance amending Article 5 of the Wastewater Treatment Code.

**Stakeholder Process:**

N/A

**Alternatives:**

Modify the proposed amendments to Article 5; refer the matter back to Colorado Springs Utilities for further review as directed; deny Colorado Springs Utilities' request to amend Article 5.

**Proposed Motion:**

Approve the attached ordinance amending the Treatment Code on first reading.

Colorado Springs Utilities proposes an ordinance amending Chapter 12, Article 5 of the City Code, related to Wastewater Treatment. The purpose is to address comments from recent EPA audits, streamline Liquid Waste Hauler regulations, and address housekeeping items.