

Rules and Regulations Article 2 Definitions
(modified to include new Industrial Wastewater terms)

Article 2

Definitions

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

“Act” or “the Act”: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

“Amalgam” means any mixture or blending of mercury with another metal or with an alloy used in dental applications.

“Amalgam waste” means any waste containing mercury or residues from the preparation, use or removal of amalgam. This includes, but is not limited to, any waste generated or collected by chair-side traps, screens, filters, vacuum systems filters, amalgam separators, elemental mercury, and amalgam capsules.

“Amended Intergovernmental Agreement”: The Amended Inter-governmental Agreement entered into between the District and Spring Canyon Water and Sanitation District.

“Approval authority” means the appropriate EPA regional administrator, or upon approval of Colorado's pretreatment program the Director in an NPDES State with an approved State pretreatment program.

“Approval Authority” means the Director in an NPDES State with an approved State pretreatment program and the appropriate Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program.

“Authorized representative of the industrial user” means the following:

1. If the industrial user is a corporation: 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 the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to ensure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. If the industrial user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
3. If the industrial 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.
4. The individuals described above may designate another authorized representative if the authorization is in writing, 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 is submitted to the District.

“Batch discharge” means the controlled **discharge** of a discrete, contained volume of wastewater.

“Best management practices or BMPs” means the schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed at 40 C.F.R. 403.5(a)(1) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

“Biochemical oxygen demand” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20° C, usually expressed as a concentration (e.g., mg/L).

“Board”: The duly elected and appointed Board of Directors of the District.

“Categorical industrial user” means an industrial user subject to a categorical pretreatment standard

“Categorical pretreatment standards” means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Clean Water Act (33 U.S.C. § 1317) that apply to a specific category of industrial users and that appear at 40 C.F.R. Chapter I, Subchapter N, Parts 405—471.

“Chemical oxygen demand” means a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

Clean Water Act means the Federal Water Pollution Control Act amendments of 1972, PL 92-500, and subsequent amendments, 33 U.S.C. § 1251 et seq.

“Colorado Discharge Permit System” Permit or “CDPS”: means the Permit issued by the State of Colorado pursuant to the Act and the Water Quality Control Act.

“Composite sample” means a sample formed either by continuous sampling or by mixing discrete samples. The composite sample may be a time proportional composite sample or a flow proportional composite sample.

“Contractor”: Any person, firm, association, corporation or agency performing work or furnishing materials to or for the District, directly or indirectly.

“Control authority” means the District, as the entity directly administering and enforcing the pretreatment standards and requirements of this chapter.

“Control mechanism” means those mechanisms used to control the discharges of significant industrial users and industrial users of the POTW. Control mechanisms may include wastewater discharge permits, BMPs, written authorizations to discharge, liquid waste hauler permits, and other requirements enforceable under this chapter.

“Customer”: Any person who is authorized, or who desires, to obtain services from the District.

“Daily maximum limit” means the allowable discharge limit of a pollutant during a calendar day. Where the daily maximum limit is expressed in units of mass, the allowable discharge limit is the total mass discharged over the course of a calendar day. Where the daily maximum limit is expressed in terms of a concentration, the allowable discharge limit is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

“Day” or “days” means calendar days except where otherwise noted.

“Dental facility” means any facility used for the practice of dentistry or dental hygiene that discharges wastewater containing amalgam.

“District”: South Fort Collins Sanitation District, a municipal corporation and political subdivision of the State of Colorado organized and acting pursuant to the Colorado Special District Act (Article I, Title 32 of the Colorado Revised Statutes, as amended).

“Domestic wastewater” or “Domestic waste stream” means liquid waste from noncommercial preparation, cooking, and handling of food, or liquid waste containing only human excrement

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

and similar matter from sanitary conveniences (e.g., toilets, showers, bathtubs) of dwellings or commercial, industrial, or institutional buildings.

“Domestic Service” means introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act. Section 307 deals with toxic pollutants such as priority pollutants.

“Domestic Sewage”: means sewage which can be treated without Pretreatment and within normal operating procedures; which does not contain Pollutants that Pass Through or Interfere with the POTW; which, when analyzed, shows, by weight, a daily average of not more than three hundred (300) parts per one million (1,000,000) of Suspended Solids and not more than two hundred fifty (250) parts per one million (1,000,000) BOD; and which does not contain any other constituents above levels normally found in solely residential wastewater, as determined by the District Manager.

“Enforcement response plan” means the written plan that sets forth the specific actions the District will take to investigate and respond to violations of the industrial pretreatment program and all applicable state and federal laws and regulations.

“Environmental Protection Agency” means the U.S. Environmental Protection Agency or, where appropriate, the regional water management division director, or other duly authorized official of said agency.

“Existing source” means any source of discharge that is not a new source.

“Fats, oil, and grease” means nonpetroleum organic polar compounds derived from animal or plant sources such as fats, nonhydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established at 40 C.F.R. Part 136.

”Flow proportional composite sample” means a composite sample where each discrete sample is collected based upon the flow (volume) of wastewater.

”Food service establishment” means any nondomestic discharger where preparation, manufacturing, or processing of food occurs including, but not limited to, restaurants, cafes, fast-food outlets, pizza outlets, delicatessens, sandwich shops, coffee shops, schools, nursing facilities, assisted living facilities, and other facilities that prepare, service, or otherwise make foodstuff available for consumption.

”Grab sample” means a sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

”Grease interceptor” means a large in-ground tank intended to remove, hold, or otherwise prevent the passage of fats, oil, and grease in the wastewater discharged to the POTW by gravity

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

separation considering calculated retention times and volumes for each facility. Such interceptors include baffle(s) and a minimum of two compartments and generally are located outside a building.

”Grease removal device” means a grease trap, grease interceptor, or other device (i.e., hydromechanical) that is designed, constructed, and intended to remove, hold, or otherwise prevent the passage of fats, oil, and grease to the sanitary sewer.

”Grease trap” means a device designed to reduce the amount of fats, oil, and grease in wastewater discharged into the POTW. Grease traps usually serve no more than four fixtures and generally are located inside a building.

”Hauled waste” means any waste from holding tanks, including, without limitation, chemical toilets, vacuum pump tank trucks, and septic tanks. Hauled waste does not include domestic waste from an individual's recreational vehicle (e.g., camper or trailer).

”Indirect discharge” means the introduction by, without limitation, spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, or dumping of pollutants into the POTW from any nondomestic source.

”Individual control mechanism” means a control mechanism (i.e., Industrial Wastewater Discharge Permit) that only is issued to a specific industrial user.

”Industrial user” means a source of indirect discharge.

“Industrial Wastewater Discharge Permit” or “IWDP”: A permit issued by the District allowing the conditional discharge of industrial Wastewater into the POTW owned by the District, pursuant to 40 CFR 403.

”Instantaneous limits” means the maximum concentration of a pollutant or measurement of a pollutant property allowed to be discharged at any time.

”Interference” means a discharge that, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) inhibits or disrupts the POTW, its treatment processes or operations, or its biosolids processes, use, or disposal; and
- (2) therefore is a cause of a violation of the District's CDPS 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, or any more stringent state or local regulations: Section 405 of the Clean Water Act; the Solid Waste Disposal Act, including Title II, commonly referred to as the Resource Conservation and Recovery Act; any state regulations contained in any state biosolids management plan prepared pursuant to

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

”Local limits” means the specific discharge limits and BMPs developed, applied, and enforced by the District upon significant industrial users to implement the general and specific discharge prohibitions listed at 40 C.F.R. 403.5(a)(1) and (b).

“Manager” means the Manager of the District, designated by the Board, who administers and supervises the business, affairs, operations and maintenance of the District and its facilities, or his or her authorized designee.

“May” means permissive, not mandatory.

”Monthly average limit” means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

”Nanomaterials” means, without limitation, an engineered product developed using a microscopic particle(s) whose size is measured in nanometers.

“NPDES Permit”: means the National Pollution Discharge Elimination Systems Permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

”New source” means the following:

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 proposed pretreatment standards under Section 307(c) of the Clean Water Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that: (a) the building, structure, facility, or installation is constructed at a site at which no other source is located; (b) or the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; (c) or 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 in paragraphs 1(b) or (c) above, but otherwise alters, replaces, or adds to existing process or production equipment.

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

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 that 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 is intended to be used in its operation within a reasonable time. Options to purchase or contracts that 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.

“Nondomestic Service”: means service which is not Domestic Service

“Nondomestic Sewage”: Sewage which is not Domestic Sewage

“Nondomestic source” means any residential or commercial discharger which discharges or could potentially discharge nondomestic wastewater, or any industrial discharger.

“Nondomestic wastewater” means wastewater from a residential or commercial discharger which exceeds domestic wastewater maximum allowable concentration limits as defined in this section, prohibited wastewater as defined by Article II of this chapter, or wastewater from an industrial discharger.

“Oil and sand separator” means a trap, interceptor, or other device designed, constructed, and intended to remove, hold, or otherwise prevent the passage of petroleum products, sand, sediment, sludge, grease, or similar substances in the wastewater discharged to the POTW by gravity separation considering calculated retention times and volumes for each facility. Such separators include baffle(s) and a minimum of two compartments and generally are located outside a building.

“Owner”: Any person, who holds title to any real property or building served by the District.

“Pass through” means a discharge that exits the POTW into waters of the United States in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the District's CDPS permit, including an increase in the magnitude or duration of a violation.

“Permit”: An Industrial Wastewater Discharge Permit.

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

”Person” means any individual, 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, and local governmental entities.

”pH” means a measure of the acidity or alkalinity of a solution, expressed in standard units.

”Pollutant” means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical waste, chemical waste, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural, and industrial wastes, and certain characteristics of wastewater (e.g., TSS, turbidity, color, BOD, COD, toxicity, or odor) and other substance or material (e.g., nanomaterial) as determined by the District Manager.

“Pollution”: means the man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water.

“Potable Water”: means water which is pure and wholesome and does not endanger the lives or health of human beings and which conforms to the requirements of the Safe Drinking Water Act or any other applicable standards.

“Pretreatment” means 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 may be obtained by physical, chemical, or biological processes, process changes, or by other means, except by diluting the concentration of the pollutants, which is prohibited unless allowed by an applicable pretreatment standard, except as prohibited in 403.6(d)

”Pretreatment requirements” means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

”Pretreatment standards or standards” means prohibited discharge standards, categorical pretreatment standards, and local limits. The second is when the BMPs are categorical pretreatment standards established by the EPA.

“Prohibitive Discharge Standards”: The National Prohibitive Discharge Standard or regulations developed under the authority of Section 307(b) of the Act of 40 CFR, 403.5.

”Publicly owned treatment works”, or ”POTW” means A treatment works as defined by section 212 of the Clean Water Act that is owned by a state or municipality (as defined by section 502(4) of the Clean Water Act). This includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

treatment plant. The term also means the municipality, as defined in section 502(4) of the Clean Water Act, that has jurisdiction over indirect discharges to and the discharges from such a treatment works [40 CFR 403.3(q)]

“Sanitary Sewage”: means any combination of liquid and water-carried wastes from residences or nondomestic sources.

“Sanitary Sewer”: means a sewer which carries liquid and water-carried wastes from residences or Nondomestic Sources.

“Service Lateral”: means the Sanitary Sewer line from the connection on the District main Sanitary Sewer to the improvements of the Customer.

“Sewer Main”: means the principal sewer to which lateral sewers are tributary.

“Shall”: means mandatory, not permissive”Significant industrial user” means, except as provided in paragraphs 3 and 4 below:

1. An industrial user subject to categorical pretreatment standards; or
2. An industrial user that: (a) discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); (b) contributes a process waste stream that makes up five 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 District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

”Significant noncompliance” means an industrial user that violates one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all of the measurements taken same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement including instantaneous limits,
2. Technical review criteria (TRC) violations, defined here as those in which 33% or more of all of the measurements for the same pollutant parameter taken during a six-month period equal or exceed the product of a numeric pretreatment standard or requirement including instantaneous limitations multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

3. Any other violation of a pretreatment standard or requirement (daily maximum limit, long-term average limit, instantaneous limit, narrative standard, or BMP) that the POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public).
4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the District exercise of its emergency authority to halt or prevent a discharge.
5. Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.
6. Failure to provide, within 45 days after the due date, any required reports such as baseline monitoring reports, 90-Day Compliance Report, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules.
7. Failure to accurately report noncompliance.
8. Any other violation or group of violations, which may include a violation of BMPs, that the director determines will adversely affect the operation or implementation of the pretreatment program.

“Spring Canyon”: Spring Canyon Water and Sanitation District, a quasi-municipal corporation and political subdivision of the State of Colorado organized and acting pursuant to the Colorado Special District Act (Article I, Title 32 of the Colorado Revised Statutes, as amended).

”Solids interceptor” means a device designed, constructed, and intended to remove, hold, or otherwise prevent the passage of solid foodstuff (e.g., coffee grounds) to the sanitary sewer.

”Spill or slug discharge” means any discharge at a flow rate or concentration that could cause a violation of the prohibited discharge standards, or any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or non-customary batch discharge that has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or control mechanism.

”Stormwater” means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

“Surcharge”: means any charge imposed by the District for the provision of a special service not normally provided by the District.

Rules and Regulations Article 2 Definitions (modified to include new Industrial Wastewater terms)

“Suspended Solids”: The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

“Tap Fee”: means a charge imposed by the District for obtaining sanitary sewer service from the District for purposes of paying capital costs associated with the District facilities, including the POTW, used to provide sewer service.

”Time proportional composite sample” means a sample of equal-volume aliquots taken at regular intervals throughout the sampling period.

”Total suspended solids” or ”suspended solids” means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

“Toxic Pollutant”: means any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under Section 307(a) of the Clean Water Act or other acts.

“Treatment Plant”: means that portion of the POTW or any portion thereof designed to provide treatment of Wastewater.

“User”: means any Person who contributes, causes or permits the contribution of Wastewater into the POTW or any portion thereof.

”Wastewater” means liquid and water-carried industrial, domestic, or other polluted wastes from dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, that are contributed to the POTW.

“Wastewater Facilities”: means the structure, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.