

- (2) SIC number according to the Standard Industrial Classification manual, Bureau of the Budget, 1972, as amended.
- (3) Wastewater constituents and characteristics including, but not limited to those governed by section 25-20 of this ordinance as determined by reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.
- (4) Time and duration discharge.
- (5) Average daily wastewater flow rates, including daily, monthly, and seasonal variations, if any.
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation; if available on existing facilities.
- (7) Description of activities, facilities, and plant processes on the premises including all materials which are or could be discharged.
- (8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any Town, state, or federal pretreatment standards, and (for existing discharge) a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional pretreatment is required for the user to meet applicable pretreatment standards.
- (9) Any other information as may be deemed by the Superintendent to be necessary to evaluate the permit application. The Superintendent will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a wastewater discharge permit subject to terms and conditions provided herein.

(d) Wastewater discharge permits shall be expressly subject to all provisions of this ordinance and all other applicable regulations, user charges, and fees established by the Town.

- (1) Permits shall contain the following:
 - i. Limits on the average and maximum wastewater constituents and characteristics.
 - ii. Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule.
 - iii. Requirements for submission of technical reports or discharge reports.
 - iv. Requirements for notification to the Superintendent of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.

- v. Requirements for notification of slug discharges to the Superintendent.

(2) Permits may contain the following:

- i. The unit charge or schedule of user charges and fees for the wastewater to be discharged to the wastewater disposal system.
- ii. Limits on the average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- iii. Requirements for installation and maintenance on inspection and sampling facilities
- iv. Requirements for installation, operation, and maintenance of pretreatment facilities.
- v. Compliance schedules.
- vi. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Superintendent and affording the Superintendent access thereto.
- vii. Other conditions as deemed appropriate by the Town to ensure compliance with this ordinance.

(e) Permits shall be issued for a specified time period not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Town during the term of the permit as limitations or requirements identified in section 25-20 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least one hundred twenty (120) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(f) Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit may be reassigned to a new owner or new user at the same premises. Any succeeding owner or user shall comply with the terms and conditions of the existing permit.

Section 14. Pretreatment of wastewater.

Users shall provide necessary wastewater treatment as required to comply with this ordinance. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town for review, and must be approved by the Town before construction of the facility. Any subsequent changes in the pretreatment facilities or methods of operation shall be

reported to and be acceptable to the town prior to the user's initiation of the changes. The Town may charge a reasonable fee to cover its costs of the review process.

Section 15. Confidential information.

Information and data on a user obtained from reports, questionnaires, permit applications, permits, and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Town that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this ordinance, NPDES permit, state permits, or regulations, and/or pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or federal governments or agencies in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Section 16. Sludge management.

Sludges, floatable solids, skimmings, etc., generated by an industrial or commercial pretreatment system shall not be placed into the Town's wastewater disposal system. Such sludges shall be contained, transported, and disposed of by haulers in accordance with all federal, state, and local regulations.

Section 17. Enforcement.

(a) Users shall notify the Superintendent immediately upon having a slug or accidental discharge of substances or wastewater in violation of this ordinance in order to enable countermeasures to be taken to minimize damage to the wastewater disposal system and the receiving waters. Such notification will not relieve users of liability for any expense, loss, or damage to the wastewater disposal system and/or treatment process, or for any fines imposed on the Town on account thereof under any state or federal law.

The Town may suspend the wastewater treatment service and/or a wastewater discharge permit when such suspension is necessary, in the opinion of the governing body in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the wastewater disposal system, or would cause the Town to violate any condition of its NPDES permit or any state permit or regulation. Any user notified of a suspension of the wastewater treatment service and/or the wastewater discharge permit

shall immediately stop the discharge. In the event of a failure of the user to comply voluntarily with the suspension order, the Superintendent shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the wastewater disposal system or endangerment to any individuals. The Superintendent shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the slug or accidental discharge and the measures taken to prevent any future occurrence shall be submitted to the Superintendent within fifteen (15) days of the date of occurrence.

(b) In accordance with section 25-27, the governing body may revoke the permit of any user which fails to factually report the wastewater constituents and characteristics of its discharge; which fails to report significant changes in wastewater constituents or characteristics; which refuses reasonable access to the user's premises for the purpose of inspection or monitoring; or for violation of conditions of its permit, this ordinance, or applicable state and/or federal regulations.

(c) Whenever the Town finds that any person has violated or is violating this ordinance, wastewater discharge permit or any prohibition, limitation, or requirement contained herein, the Town may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Town by the user.

(d) If the violation is not corrected by timely compliance, the Town may order any user which cause or allows an unauthorized discharge to show cause before the governing body why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the governing body regarding the violation, the reasons why the action is to be taken, the proposed enforcement action and directing the user to show cause before the governing body why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

(e) The governing body may itself conduct the hearing and take the evidence, or may designate any officer or employee of the Town to:

- (1) Issue in the name of the governing body, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- (2) Take the evidence; and
- (3) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the governing body for action thereon.

(f) Any hearing held pursuant to this ordinance, testimony taken must be under oath and recorded stenographically. The transcript to be recorded will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

(g) After the governing body has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices, or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

(h) If any person discharges sewage, industrial wastes or other wastes into the Town's wastewater disposal system contrary to the provisions of this ordinance, federal or state pretreatment requirements or any order of the Town, the Town attorney may, following the authorization of such action by the governing body, commence an action of appropriate legal and/or equitable relief.

(i) A list of the users which were not in compliance with any pretreatment requirements or standard at least once during the previous twelve (12) months shall be published annually in the Town's official newspaper. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve (12) months.

Section 18. Compliance.

All users must obtain full compliance with this ordinance within one hundred twenty (120) days of its Effective Date.

Section 19. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional, the invalidity shall not affect other provisions of application of this Ordinance which can be given affect without the invalid provision or application, and to this and the provisions of this act are severable.

Section 20. Ordinances Repealed.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 21. Effective Date.

This Ordinance shall become effective from the date of its passage.

PASSED 1ST READING THIS 5 DAY OF February 2008.

Vote: 5 yes 0 no 0 abstain 0 absent

PASSED 2ND READING THIS 19 DAY OF February, 2008.

Vote: 5 yes 0 no 0 abstain 0 absent

PASSED 3RD READING THIS 4 DAY OF March, 2008.

Vote: 5 yes 0 no 0 abstain 0 absent

PASSED AND APPROVED THIS 4th DAY OF March, 2008.



TOWN OF ALPINE

BY: Victoria DeCora
Victoria DeCora, Mayor

ATTEST:

BY: Whitney Heller
Whitney Heller, Clerk

ATTESTATION OF THE TOWN CLERK

STATE OF WYOMING)
COUNTY OF LINCOLN)
TOWN OF ALPINE)

I hereby certify that the forgoing Ordinance No. 170 was duly posted for ten (10) days in the Town Clerk's Office.

I further certify that the forgoing Ordinance was duly recorded in the BOOK OF ORDINANCES IV, TOWN OF ALPINE, LINCOLN COUNTY, WYOMING.

ATTEST:



Whitney Heller
WHITNEY HELLER, CLERK

EXHIBIT A

Prohibited Substances in Town of Alpine Sewer System

1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five (5) percent nor any single reading over ten (10) percent of the lower explosive limit (LEL) of the meter. Pollutants that create a fire or explosion hazard in the POTW include but are not limited to: waste streams with a closed cup flash point of less than one hundred forty (140) degrees Fahrenheit or sixty (60) degrees centigrade using the test methods specified in 40 CFR 261.21. Prohibited materials include, but are not limited to: gasoline, kerosene, fuel oil, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides. Solid or viscous substances which will or 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, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissue, animal feces, 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, plastic, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

2. Any wastewater having a ph less than 5.5 or greater than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.

3. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants which may injure or interfere with any wastewater treatment process, that constitutes a hazard to humans or animals, or creates a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to section 307 (a) of the Act.

4. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance repair. Pollutants that

result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and/or safety problems.

5. Any substance which may cause the wastewater disposal system's effluent or any other product of the wastewater treatment process such as residues, sludges, or scums, to be unsuitable for or interfere with normal disposal practices.

6. Any substance which alone will cause the wastewater disposal system to violate its NPDES and/or state disposal system permit or the receiving water quality standards.

7. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to: dye wastes, ink, and vegetable tanning solutions.

8. Any wastewater causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding one hundred four (104) degrees Fahrenheit (forty (40) degrees Celsius).

9. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD5, COD, etc.), released in a discharge of such volume or strength as to cause interference in the wastewater disposal system. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes, more than five (5) times the average twenty-four-hour concentrations of quantities, or flow during normal operation.

10. Any unpolluted water including, but not limited to, cooling water, stormwater, groundwater, or swimming pool water.

11. Any wastewater containing fats, wax, grease or oils, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between zero (0) degrees Celsius and sixty-five point six (65.6) degrees Celsius; and any wastewater containing oil or grease concentrations of mineral origin of greater than fifty (50) mg/l. The addition of grease emulsifiers to any wastewater is not allowed.

12. Wastewater containing inert suspended solids (such as but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that they would cause interference with the wastewater disposal system.

13. Any wastewater which exceeds a concentration of three hundred (300) mg/l of BOD5, COD, or TSS.

EXHIBIT B

Administrative Policy

Town of Alpine, Wyoming

Grease Trap/Interceptors and Sand and Sediment Interceptors

Equipment Specification, Sizing, Installation and Maintenance Requirements

1. Policy Basis

The Town of Alpine has passed a sewer ordinance that limits what can be discharged into the municipal sewer system. This ordinance limits both the type and concentration of certain constituents that may be discharged in the sewer system. The purpose of the limitation is to preserve the integrity of service lines, mains, and the treatment facility, and to ensure that our treatment facility is able to process waste in an efficient manner and within the limits of our federal discharge permit. This policy sets forth the standards for sizing and installation as well as minimum frequency standards for the cleaning/maintenance of food service industry grease traps and grease interceptors, as well as sand and sediment interceptors required within car wash facilities.

Accumulated grease from food service facilities has created problems in the Town's sewage treatment infrastructure. The new sewer ordinance provides a means for the Town to regulate the amount of grease allowed to enter the system as is done in most other communities. Due to the problems associated with unregulated grease entering the sewage collection system, grease traps or interceptors are now required for all food service facilities in the Town of Alpine. This action is supported by the International Plumbing Code, Section 1003, recently adopted by ordinance by the Town. The ordinance applies to all food service facilities, which are defined as institutional or business establishments engaged in the processing or preparation of food.

Grease from infrequently cleaned grease traps accumulates in sewer mains and service lines and may cause blockage that could flood a commercial kitchen. If public health is compromised, a facility closure will be ordered, thus affecting business. If a grease-blockage occurs in a sewer main, entire neighborhoods may be flooded causing thousands of dollars in damage. To be effective, grease traps must be maintained and cleaned commensurate with the number of meals served.

Grease traps are defined here as grease removal units having a capacity of less than 50 gallons per minute, while grease interceptors have a capacity of greater than 50 gallons per minute.

Sand and Sediment Interceptors are required for all car wash facilities in order to eliminate the majority of grit material as well as oil and grease resulting from car wash operations. This action is also supported by the International Plumbing Code.

This policy statement may be amended from time to time as individual circumstances require refinement or clarification.

2. Grease Trap/Interceptor and Sand And Sediment Interceptor Equipment Specification

All grease traps/interceptors shall be tested, rated and certified by the Plumbing and Drainage Institute under Standard PDI-G101. Acceptable manufacturers are:

Zurn Industries, Inc.
Manufacturer's Representative:
H2R, Salt Lake City, UT 801-892-3030

Watts Regulator Company
Manufacturer's Representative:
R.E. Fitzpatrick Sales, Inc., West Jordan, Utah, 801-282-0700

Jay R. Smith Manufacturing
Manufacturer's Representative:
Shyne and Associates, Denver, CO 303-722-1300

A variety of Sand and Sediment Interceptors are manufactured by the same companies. Sand and Sediment Interceptors shall additionally be capable of intercepting light oils and grease typically discharged from car wash operations by the installation of outlet traps at the interceptor discharge.

3. Sizing and Installation

I. Grease Traps/Interceptors.

Sizing and Installation of units shall be in conformance with PDI-G101 Appendix A. Installation shall include a properly sized and vented flow control fitting. If the flow stream to an interceptor/trap includes solids (such as from a food grinder or pre-rinse sink) a solids interceptor shall be installed upstream of the flow control fitting. Food solids shall be disposed to solid waste facilities and shall not be allowed to enter the grease interceptor.

Fixtures not requiring a trap or interceptor must discharge separately from fixtures which require the devices. The connections between the two drain pipes must be made downstream of the trap/interceptor.