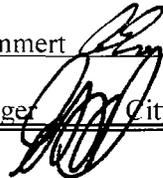




Meeting Date: 11/27/2007

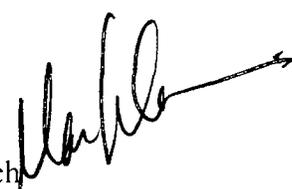
ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Anthony Emmert  Agenda Item No. I-3

Reviewed By: City Manager  City Attorney  Finance  Public Works 

DATE: November 15, 2007

TO: City Council

FROM: Mark S. Norris, Assistant Public Works Director
Public Works Department, Utilities Services Branch 

SUBJECT: Amendments to the City Code Regarding the Wastewater System and Wastewater Disposal

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance that amends Oxnard City Code Chapter 19, Sections 19-3, 19-4, 19-26, 19-39, 19-58, 19-71, 19-74, 19-76, 19-78, 19-80, 19-83, and 19-93 to provide flexibility in the administration of the Technical Services Program – Source Control related to Wastewater system pretreatment activities.

DISCUSSION

The adoption of these amendments to the City Code Chapter 19 will provide the City with the flexibility to reduce the burden of technical and administrative requirements on waste dischargers without undermining the environmental objectives of the pretreatment program. The intent of the Technical Services Program-Source Control (TSP-SC) staff is to work proactively with the City’s business and industrial community and assist in their efforts to comply with the City Code and related federal and state laws and regulations.

The Clean Water Act and associated regulations require publicly owned treatment works (POTW) such as the Oxnard Wastewater Treatment Plant to implement a federally approved pretreatment program. In order to implement such a program, the POTW must possess the necessary legal authority in the form of a statute or ordinance. Chapter 19 of the City Code was adopted to enable the City to comply with all applicable state and federal laws including the Clean Water Act (33 USC Sections 1251 *et seq.*), general pretreatment regulations (40 CFR Part 403), and the requirements of the City's national pollutant discharge elimination system (NPDES) permit.

The U.S. Environmental Protection Agency (USEPA) has finalized a new regulation known as the “Pretreatment Streamlining Rule” which revised several provisions of the general pretreatment regulations. As a result of the streamlining rule changes, existing Chapter 19 requires revisions to be

consistent with the new provisions. The proposed amendments include all of the changes required by the Pretreatment Streamlining Rule.

As part of the amendments to the Clean Water Act, the USEPA made specific changes to the general pretreatment regulations. The pretreatment program requires industrial dischargers to use treatment techniques and management practices to reduce or eliminate the discharge of harmful pollutants to sanitary sewers. The USEPA designed the Pretreatment Streamlining Rule to reduce the overall regulatory burden on both industrial users and control authorities without adversely affecting environmental protection.

The USEPA has identified several rule changes that are more stringent than the previous federal requirements and therefore are considered required modifications. Pursuant to 40 CFR 403.8, City Council should adopt the following changes in order for Chapter 19 to be consistent with the new provisions of the Pretreatment Streamlining Rule:

1. Slug Control requirements must be included in significant industrial users (SIU) control mechanisms.
2. SIUs must be evaluated for the need of a plan or other action to control slug discharges within a year from the final rule's effective date or from becoming an SIU.
3. SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for a slug discharge.
4. Significant noncompliance definition is expanded to include additional types of pretreatment standards and requirements.
5. SIU reports must include best management practice (BMP) compliance information.
6. SIU control mechanisms must contain any BMPs required by a pretreatment standard, local limits, state, or local law.
7. Documentation of compliance with BMP requirements must be maintained as part of the SIUs and POTWs record-keeping requirement.
8. Control authorities which perform sampling for SIUs must perform any required repeat sampling and analysis within thirty days of becoming aware of a violation.

FINANCIAL IMPACT

There is no financial impact.

AAE:joh

Attachment #1 - Ordinance Amending Various Sections of Chapter 19.

Note: The Agreement No. A-6924 has been provided to the City Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Wednesday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday.