



105 E. Center Street
Sikeston, MO 63801
573-471-2512
www.Sikeston.org

TENTATIVE AGENDA

SPECIAL CITY COUNCIL MEETING
SIKESTON CITY HALL
105 E. Center St.

Monday, October 31, 2016
10:45 A.M.

I. CALL TO ORDER

II. EXECUTIVE SESSION

Litigation (RSMo 610.021(1))
Property (RSMo 610.021(2))

III. ADJOURNMENT

Dated this 26th day of October 2016

A handwritten signature in black ink, appearing to read "Carroll Couch", is written over a horizontal line.

Carroll Couch, City Clerk

The City of Sikeston complies with ADA guidelines. Notify Linda Lowes at 471-2512 (TDD Available) to notify the City of any reasonable accommodation needed to participate in the City Council's Meeting.



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TENTATIVE AGENDA

SPECIAL CITY COUNCIL MEETING SIKESTON CITY HALL

Monday, October 31, 2016
11:30 A.M.

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. OPENING PRAYER
- IV. ITEMS OF BUSINESS
 - A. 1st Reading, Bill #6035, Adopting and Enacting a New Title VII-Chapter 716: Wastewater Pretreatment
 - B. Consideration of Resolution 16-10-02, Authorizing Submission of Transportation Alternative Program Grant Application for Rail Trail Project
 - C. Authorization to Participate in Missouri One Call System (Dig-Rite) for Location/Protection of City's Underground Stormwater Infrastructure
 - D. Authorization to Purchase Salt Spreader Stands
 - E. Award Used Equipment Purchase – Code Enforcement
 - F. Consideration of Resolution 16-10-01, Authorization to Surplus Vehicle
 - G. Award Bid #17-5 – Infield Renovations
 - H. Other Items As May Be Determined During the Course of the Meeting
- V. ADJOURNMENT

Dated this 26th day of October 2016



Carroll Couch, City Clerk

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Council Letter

Date of Meeting: 16-10-31

Originating Department: Board of Municipal Utilities

To the Mayor and City Council:

Subject: 1st Reading of Bill 6035, Adopting and Enacting Title VII, Chapter 716: Discharge of Water and Wastes

Attachment:

1. Bill #6035

Action Options:

1. Conduct first reading of Bill 6035
2. Other action Council may deem appropriate

Background:

In 2012 Missouri adopted the 2007 US EPA rule changes. Bill 6035 will amend City Code to bring the city back into compliance.

Council will be asked to conduct the second reading and take action on this bill during the November 7 regular meeting.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6035 ESTABLISHING AND ENACTING TITLE VII, CHAPTER 716 WASTEWATER PRETREATMENT, SETTING FORTH UNIFORM REQUIREMENTS FOR USERS OF PUBLICLY OWNED TREATMENT WORKS OF THE SIKESTON BOARD OF MUNICIPAL UTILITIES AND ENABLING THE BOARD OF MUNICIPAL UTILITIES TO COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS, INCLUDING THE CLEAN WATER ACT AND GENERAL PRETREATMENT REGULATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

SECTION I: This Ordinance shall be codified in Title VII Utilities, Chapter 716, Wastewater Pretreatment Requirements of City Code.

SECTION II: Sikeston Municipal Code, Title VII, Chapter 716 is created to read as follows:

See Exhibit A

SECTION III: General Repealer Section: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION IV: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION V: Record of Passage:

- A. Bill Number 6035 was introduced and read the first time this 31st day of October, 2016.
- B. Bill Number 6035 was read the second time and discussed this 7th day of November, 2016, and voted as follows:

White-Ross, _____, Evans, _____, Depro, _____,
 Meredith, _____, Settles, _____, Gilmore, _____,
 Burch, _____, thereby being

becoming ordinance 6035.

- C. Ordinance 6035 shall be in full force and effect from and after December 7th, 2016.

Steven Burch, Mayor

Approved as to form
Charles Leible, City Counselor

Seal / Attest:

Carroll Couch, City Clerk

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84 Sikeston PRETREATMENT ORDINANCE

85
86
87 ORDINANCE NO. []

88
89 SECTION 1—GENERAL PROVISIONS

90
91 1.1 Purpose and Policy

92
93 This ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment
94 Works for the Sikeston Board of Municipal Utilities and enables the BMU to comply with all
95 applicable State and Federal laws, including the Clean Water Act (33 United States Code
96 [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the *Code of*
97 *Federal Regulations* [CFR] Part 403). The objectives of this ordinance are:

- 98
99 A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works
100 that will interfere with its operation;
101
102 B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works
103 that will pass through the Publicly Owned Treatment Works, inadequately treated, into
104 receiving waters, or otherwise be incompatible with the Publicly Owned Treatment
105 Works;
106
107 C. To protect both Publicly Owned Treatment Works personnel who may be affected by
108 wastewater and sludge in the course of their employment and the general public;
109
110 D. To promote reuse and recycling of industrial wastewater and sludge from the Publicly
111 Owned Treatment Works;
112
113 E. To provide for fees for the equitable distribution of the cost of operation,
114 maintenance, and improvement of the Publicly Owned Treatment Works; and
115
116 F. To enable the BMU to comply with its National Pollutant Discharge Elimination
117 System permit conditions, sludge use and disposal requirements, and any other Federal or
118 State laws to which the Publicly Owned Treatment Works is subject.
119

120 This ordinance shall apply to all Users of the Publicly Owned Treatment Works. The ordinance
121 authorizes the issuance of individual wastewater discharge permits; provides for monitoring,
122 compliance, and enforcement activities; establishes administrative review procedures; requires
123 User reporting; and provides for the setting of fees for the equitable distribution of costs resulting
124 from the program established herein.
125

126 1.2 Administration

127
128 Except as otherwise provided herein, the Director shall administer, implement, and enforce the
129 provisions of this ordinance. Any powers granted to or duties imposed upon the Director may be
130 delegated by the Director to a duly authorized [City] employee.

131
132 1.3 Abbreviations

133
134 The following abbreviations, when used in this ordinance, shall have the designated meanings:

- 135
136 BOD – Biochemical Oxygen Demand
137 BMP – Best Management Practice
138 BMR – Baseline Monitoring Report
139 CFR – *Code of Federal Regulations*
140 CIU – Categorical Industrial User
141 COD – Chemical Oxygen Demand
142 EPA – U.S. Environmental Protection Agency
143 gpd – gallons per day
144 IU – Industrial User
145 mg/l – milligrams per liter
146 NPDES – National Pollutant Discharge Elimination System
147 NSCIU – Non-Significant Categorical Industrial User
148 POTW – Publicly Owned Treatment Works
149 RCRA – Resource Conservation and Recovery Act
150 SIU – Significant Industrial User
151 SNC – Significant Noncompliance
152 TSS – Total Suspended Solids
153 U.S.C. – United States Code

154
155 1.4 Definitions

156
157 Unless a provision explicitly states otherwise, the following terms and phrases, as used in this
158 ordinance, shall have the meanings hereinafter designated.

159
160 A. Act or “the Act.” The Federal Water Pollution Control Act, also known as the Clean
161 Water Act, as amended, 33 U.S.C. section 1251 et seq.

162
163 B. Approval Authority. Missouri Department of Natural Resources

164
165 C. Authorized or Duly Authorized Representative of the User.

166
167 (1) If the User is a corporation:

168
169 (a) The president, secretary, treasurer, or a vice-president of the corporation in
170 charge of a principal business function, or any other person who performs similar
171 policy or decision-making functions for the corporation; or

172
173 (b) The manager of one or more manufacturing, production, or operating
174 facilities, provided the manager is authorized to make management decisions that
175 govern the operation of the regulated facility including having the explicit or
176 implicit duty of making major capital investment recommendations, and initiate
177 and direct other comprehensive measures to assure long-term environmental
178 compliance with environmental laws and regulations; can ensure that the
179 necessary systems are established or actions taken to gather complete and
180 accurate information for individual wastewater discharge permit [or general
181 permit {optional}] requirements; and where authority to sign documents has been
182 assigned or delegated to the manager in accordance with corporate procedures.
183

184 (2) If the User is a partnership or sole proprietorship: a general partner or
185 proprietor, respectively.
186

187 (3) If the User is a Federal, State, or local governmental facility: a director or
188 highest official appointed or designated to oversee the operation and performance
189 of the activities of the government facility, or their designee.
190

191 (4) The individuals described in paragraphs 1 through 3, above, may designate a
192 Duly Authorized Representative if the authorization is in writing, the
193 authorization specifies the individual or position responsible for the overall
194 operation of the facility from which the discharge originates or having overall
195 responsibility for environmental matters for the company, and the written
196 authorization is submitted to the BMU.
197

198 D. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the
199 biochemical oxidation of organic matter under standard laboratory procedures for five (5)
200 days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).
201

202 E. Best Management Practices or BMPs means schedules of activities, prohibitions of
203 practices, maintenance procedures, and other management practices to implement the
204 prohibitions listed in Section 2.1 A and B [40 CFR 403.5(a)(1) and (b)]. BMPs include
205 treatment requirements, operating procedures, and practices to control plant site runoff,
206 spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
207

208 F. Categorical Pretreatment Standard or Categorical Standard. Any regulation
209 containing pollutant discharge limits promulgated by EPA in accordance with sections
210 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of
211 Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
212

213 G. Categorical Industrial User. An Industrial User subject to a categorical Pretreatment
214 Standard or categorical Standard.
215

216 H. BMU. The Sikeston Board of Municipal Utilities.
217

218 I. Chemical Oxygen Demand or COD. A measure of the oxygen required to oxidize all
219 compounds, both organic and inorganic, in water.
220

221 J. Control Authority. The BMU
222

223 K. Daily Maximum. The arithmetic average of all effluent samples for a pollutant
224 collected during a calendar day.
225

226 L. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant
227 during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the
228 daily discharge is the total mass discharged over the course of the day. Where Daily
229 Maximum Limits are expressed in terms of a concentration, the daily discharge is the
230 arithmetic average measurement of the pollutant concentration derived from all
231 measurements taken that day.
232

233 M. Environmental Protection Agency or EPA. The U.S. Environmental Protection
234 Agency or, where appropriate, the Regional Water Management Division Director, the
235 Regional Administrator, or other duly authorized official of said agency.
236

237 N. Existing Source. Any source of discharge that is not a “New Source.”
238

239 O. Grab Sample. A sample that is taken from a wastestream without regard to the
240 flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
241

242 P. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from
243 any nondomestic source.
244

245 Q. Instantaneous Limit. The maximum concentration of a pollutant allowed to be
246 discharged at any time, determined from the analysis of any discrete or composited
247 sample collected, independent of the industrial flow rate and the duration of the sampling
248 event.
249

250 R. Interference. A discharge that, alone or in conjunction with a discharge or discharges
251 from other sources, inhibits or disrupts the POTW, its treatment processes or operations
252 or its sludge processes, use or disposal; and therefore, is a cause of a violation of the
253 BMU’s NPDES permit or of the prevention of sewage sludge use or disposal in
254 compliance with any of the following statutory/regulatory provisions or permits issued
255 thereunder, or any more stringent State or local regulations: section 405 of the Act; the
256 Solid Waste Disposal Act, including Title II commonly referred to as the Resource
257 Conservation and Recovery Act (RCRA); any State regulations contained in any State
258 sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal
259 Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection,
260 Research, and Sanctuaries Act.
261

262 S. Local Limit. Specific discharge limits developed and enforced by the BMU upon
263 industrial or commercial facilities to implement the general and specific discharge
264 prohibitions listed in 40 CFR 403.5(a)(1) and (b).
265

266 T. Medical Waste. Isolation wastes, infectious agents, human blood and blood products,
267 pathological wastes, sharps, body parts, contaminated bedding, surgical wastes,
268 potentially contaminated laboratory wastes, and dialysis wastes.
269

270 U. Monthly Average. The sum of all “daily discharges” measured during a calendar
271 month divided by the number of “daily discharges” measured during that month.
272

273 V. Monthly Average Limit. The highest allowable average of “daily discharges” over a
274 calendar month, calculated as the sum of all “daily discharges” measured during a
275 calendar month divided by the number of “daily discharges” measured during that month.
276

277 W. New Source.
278

279 (1) Any building, structure, facility, or installation from which there is (or may
280 be) a discharge of pollutants, the construction of which commenced after the
281 publication of proposed Pretreatment Standards under section 307(c) of the Act
282 that will be applicable to such source if such Standards are thereafter promulgated
283 in accordance with that section, provided that:
284

285 (a) The building, structure, facility, or installation is constructed at a site at which
286 no other source is located; or

287 (b) The building, structure, facility, or installation totally replaces the process or
288 production equipment that causes the discharge of pollutants at an Existing
289 Source; or

290 (c) The production or wastewater generating processes of the building, structure,
291 facility, or installation are substantially independent of an Existing Source at the
292 same site. In determining whether these are substantially independent, factors
293 such as the extent to which the new facility is integrated with the existing plant,
294 and the extent to which the new facility is engaged in the same general type of
295 activity as the Existing Source, should be considered.
296

297 (2) Construction on a site at which an Existing Source is located results in a
298 modification rather than a New Source if the construction does not create a new
299 building, structure, facility, or installation meeting the criteria of Section (1) (b) or
300 (c) above but otherwise alters, replaces, or adds to existing process or production
301 equipment.
302

303 (3) Construction of a New Source as defined under this paragraph has commenced
304 if the owner or operator has:
305

306 (a) Begun, or caused to begin, as part of a continuous onsite construction program
307

308 (i) any placement, assembly, or installation of facilities or equipment; or
309 (ii) significant site preparation work including clearing, excavation, or
310 removal of existing buildings, structures, or facilities which is necessary for
311 the placement, assembly, or installation of new source facilities or equipment;
312 or

313
314 (b) Entered into a binding contractual obligation for the purchase of facilities or
315 equipment which are intended to be used in its operation within a reasonable time.
316 Options to purchase or contracts which can be terminated or modified without
317 substantial loss, and contracts for feasibility, engineering, and design studies do
318 not constitute a contractual obligation under this paragraph.

319
320 X. Noncontact Cooling Water. Water used for cooling that does not come into direct
321 contact with any raw material, intermediate product, waste product, or finished product.

322
323 Y. Pass Through. A discharge which exits the POTW into waters of the United States in
324 quantities or concentrations which, alone or in conjunction with a discharge or discharges
325 from other sources, is a cause of a violation of any requirement of [the City's] NPDES
326 permit, including an increase in the magnitude or duration of a violation.

327
328 Z. Person. Any individual, partnership, copartnership, firm, company, corporation,
329 association, joint stock company, trust, estate, governmental entity, or any other legal
330 entity; or their legal representatives, agents, or assigns. This definition includes all
331 Federal, State, and local governmental entities.

332
333 AA. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

334
335 BB. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage,
336 garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological
337 materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar
338 dirt, municipal, agricultural and industrial wastes, and certain characteristics of
339 wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

340
341 CC. Pretreatment. The reduction of the amount of pollutants, the elimination of
342 pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or
343 in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be
344 obtained by physical, chemical, or biological processes; by process changes; or by other
345 means, except by diluting the concentration of the pollutants unless allowed by an
346 applicable Pretreatment Standard.

347
348 DD. Pretreatment Requirements. Any substantive or procedural requirement related to
349 pretreatment imposed on a User, other than a Pretreatment Standard.

350
351 EE. Pretreatment Standards or Standards. Pretreatment Standards shall mean prohibited
352 discharge standards, categorical Pretreatment Standards, and Local Limits.

353

354 FF. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions
355 against the discharge of certain substances; these prohibitions appear in Section 2.1 of
356 this ordinance.

357
358 GG. Publicly Owned Treatment Works or POTW. A treatment works, as defined by
359 section 212 of the Act (33 U.S.C. section 1292), which is owned by the BMU. This
360 definition includes any devices or systems used in the collection, storage, treatment,
361 recycling, and reclamation of sewage or industrial wastes of a liquid nature and any
362 conveyances, which convey wastewater to a treatment plant.

363
364 HH. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical
365 toilets, campers, trailers, and septic tanks.

366
367 II. Sewage. Human excrement and gray water (household showers, dishwashing
368 operations, etc.).

369
370 JJ. Significant Industrial User (SIU).

371
372 Except as provided in paragraphs (3) and (4) of this Section, a Significant
373 Industrial User is:

- 374
375 (1) An Industrial User subject to categorical Pretreatment Standards; or
376
377 (2) An Industrial User that:
378
379 (a) Discharges an average of twenty-five thousand (25,000) gpd or more of
380 process wastewater to the POTW (excluding sanitary, noncontact cooling and
381 boiler blowdown wastewater);
382 (b) Contributes a process wastestream which makes up five (5) percent or more of
383 the average dry weather hydraulic or organic capacity of the POTW treatment
384 plant; or
385 (c) Is designated as such by the Muon the basis that it has a reasonable potential
386 for adversely affecting the POTW's operation or for violating any Pretreatment
387 Standard or Requirement.

388
389
390
391 (3) The BMU may determine that an Industrial User subject to categorical
392 Pretreatment Standards is a Non-Significant Categorical Industrial User rather
393 than a Significant Industrial User on a finding that the Industrial User never
394 discharges more than 100 gallons per day (gpd) of total categorical wastewater
395 (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless
396 specifically included in the Pretreatment Standard) and the following conditions
397 are met:

- 398
399 (a) The Industrial User, prior to [City's] finding, has consistently complied with
400 all applicable categorical Pretreatment Standards and Requirements;

401 (b) The Industrial User annually submits the certification statement required in
402 Section 6.14 B [see 40 CFR 403.12(q)], together with any additional information
403 necessary to support the certification statement; and

404 (c) The Industrial User never discharges any untreated concentrated wastewater.
405

406 (4) Upon a finding that a User meeting the criteria in Subsection (2) of this part
407 has no reasonable potential for adversely affecting the POTW's operation or for
408 violating any Pretreatment Standard or Requirement, the BMU may at any time,
409 on its own initiative or in response to a petition received from an Industrial User,
410 and in accordance with procedures in 40 CFR 403.8(f) (6), determine that such
411 User should not be considered a Significant Industrial User.
412

413 KK. Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which
414 could cause a violation of the prohibited discharge standards in Section 2.1 of this
415 ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature,
416 including but not limited to an accidental spill or a non-customary batch Discharge,
417 which has a reasonable potential to cause Interference or Pass Through, or in any other
418 way violate the POTW's regulations, Local Limits or Permit conditions.
419

420 LL. Storm Water. Any flow occurring during or following any form of natural
421 precipitation, and resulting from such precipitation, including snowmelt.
422

423 MM. Director. The person designated by the BMU to supervise the operation of the
424 POTW, and who is charged with certain duties and responsibilities by this ordinance. The
425 term also means a Duly Authorized Representative of the Director.
426

427 NN. Total Suspended Solids or Suspended Solids. The total suspended matter that floats
428 on the surface of, or is suspended in, water, wastewater, or other liquid, and that is
429 removable by laboratory filtering.
430

431 OO. User or Industrial User. A source of indirect discharge.
432

433 PP. Wastewater. Liquid and water-carried industrial wastes and sewage from residential
434 dwellings, commercial buildings, industrial and manufacturing facilities, and institutions,
435 whether treated or untreated, which are contributed to the POTW.
436

437 QQ. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which
438 is designed to provide treatment of municipal sewage and industrial waste.
439

440 SECTION 2—GENERAL SEWER USE REQUIREMENTS

441 2.1 Prohibited Discharge Standards

442
443
444 A. General Prohibitions. No User shall introduce or cause to be introduced into the
445 POTW any pollutant or wastewater which causes Pass Through or Interference. These
446 general prohibitions apply to all Users of the POTW whether or not they are subject to

447 categorical Pretreatment Standards or any other National, State, or local Pretreatment
448 Standards or Requirements.

449
450 B. Specific Prohibitions. No User shall introduce or cause to be introduced into the
451 POTW the following pollutants, substances, or wastewater:

452
453 (1) Pollutants which create a fire or explosive hazard in the POTW, including,
454 but not limited to, wastestreams with a closed-cup flashpoint of less than 140
455 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;

456
457 (2) Wastewater having a pH less than 6.0 or more than 9.5, or otherwise causing
458 corrosive structural damage to the POTW or equipment;

459
460 (3) Solid or viscous substances in amounts which will cause obstruction of the
461 flow in the POTW resulting in Interference;

462
463 (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a
464 discharge at a flow rate and/or pollutant concentration which, either singly or by
465 interaction with other pollutants, will cause Interference with the POTW;

466
467 (5) Wastewater having a temperature greater than 104 degrees F (40 degrees C),
468 or which will inhibit biological activity in the treatment plant resulting in
469 Interference, but in no case wastewater which causes the temperature at the
470 introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

471
472 (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin,
473 in amounts that will cause Interference or Pass Through;

474
475 (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within
476 the POTW in a quantity that may cause acute worker health and safety problems;

477
478 (8) Trucked or hauled pollutants, except at discharge points designated by the
479 Director in accordance with Section 3.4 of this ordinance;

480
481 (9) Noxious or malodorous liquids, gases, solids, or other wastewater which,
482 either singly or by interaction with other wastes, are sufficient to create a public
483 nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or
484 repair;

485
486 (10) Wastewater which imparts color which cannot be removed by the treatment
487 process, such as, but not limited to, dye wastes and vegetable tanning solutions,
488 which consequently imparts color to the treatment plant's effluent, thereby
489 violating BMU's NPDES permit;

490
491 (11) Wastewater containing any radioactive wastes or isotopes except in
492 compliance with applicable State or Federal regulations;

494 (12) Storm Water, surface water, ground water, artesian well water, roof runoff,
495 subsurface drainage, swimming pool drainage, condensate, deionized water,
496 Noncontact Cooling Water, and unpolluted wastewater, unless specifically
497 authorized by the Director;

498
499 (13) Sludges, screenings, or other residues from the pretreatment of industrial
500 wastes;

501
502 (14) Medical Wastes, except as specifically authorized by the Director in an
503 individual wastewater discharge permit;

504
505 (15) Wastewater causing, alone or in conjunction with other sources, the
506 treatment plant's effluent to fail toxicity test;

507
508 (16) Detergents, surface-active agents, or other substances which that might cause
509 excessive foaming in the POTW;

510
511 (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater
512 than 100 mg/l;

513
514 Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored
515 in such a manner that they could be discharged to the POTW.

516 517 2.2 National Categorical Pretreatment Standards

518
519 Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I,
520 Subchapter N, Parts 405–471.

521
522 A. Where a categorical Pretreatment Standard is expressed only in terms of either the
523 mass or the concentration of a pollutant in wastewater, the Director may impose
524 equivalent concentration or mass limits in accordance with Section 2.2E and 2.2F.

525
526 B. When the limits in a categorical Pretreatment Standard are expressed only in terms of
527 mass of pollutant per unit of production, the Director may convert the limits to equivalent
528 limitations expressed either as mass of pollutant discharged per day or effluent
529 concentration for purposes of calculating effluent limitations applicable to individual
530 Industrial Users.

531
532 C. When wastewater subject to a categorical Pretreatment Standard is mixed with
533 wastewater not regulated by the same Standard, the Director shall impose an alternate
534 limit in accordance with 40 CFR 403.6(e).

535
536 D. the Director may convert the mass limits of the categorical Pretreatment Standards of
537 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating
538 limitations applicable to individual Industrial Users. The conversion is at the discretion
539 of the Director.

540

541 E. Once included in its permit, the Industrial User must comply with the equivalent
542 limitations developed in this Section (2.2) in lieu of the promulgated categorical
543 Standards from which the equivalent limitations were derived.
544

545 F. Many categorical Pretreatment Standards specify one limit for calculating maximum
546 daily discharge limitations and a second limit for calculating maximum Monthly
547 Average, or 4-day average, limitations. Where such Standards are being applied, the same
548 production or flow figure shall be used in calculating both the average and the maximum
549 equivalent limitation.
550

551 G. Any Industrial User operating under a permit incorporating equivalent mass or
552 concentration limits calculated from a production-based Standard shall notify the Director
553 within two (2) business days after the User has a reasonable basis to know that the
554 production level will significantly change within the next calendar month. Any User not
555 notifying the Director of such anticipated change will be required to meet the mass or
556 concentration limits in its permit that were based on the original estimate of the long term
557 average production rate.
558

559 2.3 State Pretreatment Standards

560
561 Users must comply with Missouri Pretreatment Standards codified at [insert appropriate cite to
562 State statute or law].
563

564 2.4 Local Limits

565
566 A. The Director is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
567

568 B. The following pollutant limits are established to protect against Pass Through and
569 Interference. No person shall discharge wastewater containing in excess of the
570 following daily maximums.
571

572 573 **North Plant Limits**

574
575 25 mg/l ammonia
576 300 mg/l BOD₅
577 100 mg/l oil and/or grease
578 350 mg/l total suspended solids
579

580 **South Plant Limits**

581
582 25 mg/l ammonia
583 0.097 mg/l arsenic
584 300 mg/l BOD₅
585 0.004 mg/l cadmium
586 2.391 mg/l chromium

587	0.280	mg/l copper
588	0.316	mg/l cyanide
589	0.174	mg/l lead
590	0.025	mg/l mercury
591	0.090	mg/l molybdenum
592	0.638	mg/l nickel
593	100	mg/l oil and/or grease
594	0.127	mg/l selenium
595	0.207	mg/l silver
596	350	mg/l total suspended solids
597	0.729	mg/l zinc

598
599 The above limits apply at the point where the wastewater is discharged to the POTW. All
600 concentrations for metallic substances are for total metal unless indicated otherwise. The
601 Director may impose mass limitations in addition to the concentration-based limitations above.
602

603 C. The Director may develop Best Management Practices (BMPs), by ordinance or in
604 individual wastewater discharge permits, to implement Local Limits and the requirements
605 of Section 2.1.
606

607 2.5 BMU’s Right of Revision
608

609 The BMU reserves the right to establish, by ordinance or in individual wastewater discharge
610 permits, more stringent Standards or Requirements on discharges to the POTW consistent with
611 the purpose of this ordinance.
612

613 2.6 Dilution
614

615 No User shall ever increase the use of process water, or in any way attempt to dilute a discharge,
616 as a partial or complete substitute for adequate treatment to achieve compliance with a discharge
617 limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement.
618 the Director may impose mass limitations on Users who are using dilution to meet applicable
619 Pretreatment Standards or Requirements, or in other cases when the imposition of mass
620 limitations is appropriate.
621

622 SECTION 3—PRETREATMENT OF WASTEWATER
623

624 3.1 Pretreatment Facilities
625

626 Users shall provide wastewater treatment as necessary to comply with this ordinance and shall
627 achieve compliance with all categorical Pretreatment Standards, Local Limits, and the
628 prohibitions set out in Section 2.1 of this ordinance within the time limitations specified by EPA,
629 the State, or the Director, whichever is more stringent. Any facilities necessary for compliance
630 shall be provided, operated, and maintained at the User’s expense. Detailed plans describing
631 such facilities and operating procedures shall be submitted to the Director for review, and shall
632 be acceptable to the Director before such facilities are constructed. The review of such plans and

633 operating procedures shall in no way relieve the User from the responsibility of modifying such
634 facilities as necessary to produce a discharge acceptable to the BMU under the provisions of this
635 ordinance.

636
637 3.2 Additional Pretreatment Measures

638
639 A. Whenever deemed necessary, the Director may require Users to restrict their
640 discharge during peak flow periods, designate that certain wastewater be discharged only
641 into specific sewers, relocate and/or consolidate points of discharge, separate sewage
642 wastestreams from industrial wastestreams, and such other conditions as may be
643 necessary to protect the POTW and determine the User's compliance with the
644 requirements of this ordinance.

645
646 B. The Director may require any person discharging into the POTW to install and
647 maintain, on their property and at their expense, a suitable storage and flow-control
648 facility to ensure equalization of flow. An individual wastewater discharge permit may
649 be issued solely for flow equalization.

650
651 C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the
652 Director, they are necessary for the proper handling of wastewater containing excessive
653 amounts of grease and oil, or sand; except that such interceptors shall not be required for
654 residential users. All interception units shall be of a type and capacity approved by the
655 Director, shall be so located to be easily accessible for cleaning and inspection. Such
656 interceptors shall be inspected, cleaned, and repaired by the User at their expense. This
657 shall be in accordance with Sikeston Municipal Code 715.210, Grease, Oil and Sand
658 Traps.

659
660 D. Users with the potential to discharge flammable substances may be required to install
661 and maintain an approved combustible gas detection meter.

662
663 3.3 Accidental Discharge/Slug Discharge Control Plans

664
665 The Director shall evaluate whether each SIU needs an accidental discharge/slug discharge
666 control plan or other action to control Slug Discharges. the Director may require any User to
667 develop, submit for approval, and implement such a plan or take such other action that may be
668 necessary to control Slug Discharges. Alternatively, the Director may develop such a plan for
669 any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the
670 following:

671
672 A. Description of discharge practices, including nonroutine batch discharges;

673
674 B. Description of stored chemicals;

675
676 C. Procedures for immediately notifying the Director of any accidental or Slug
677 Discharge, as required by Section 6.6 of this ordinance; and
678

679 D. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such
680 procedures include, but are not limited to, inspection and maintenance of storage areas,
681 handling and transfer of materials, loading and unloading operations, control of plant site
682 runoff, worker training, building of containment structures or equipment, measures for
683 containing toxic organic pollutants, including solvents, and/or measures and equipment
684 for emergency response.

685
686 3.4 Hauled Wastewater

687
688 A. Septic tank waste may be introduced into the POTW only at locations designated by
689 the Director, and at such times as are established by the Director. Such waste shall not
690 violate Section 2 of this ordinance or any other requirements established by the BMU.
691 The Director may require septic tank waste haulers to obtain individual wastewater
692 discharge permits.

693
694 B. The Director may require haulers of industrial waste to obtain individual wastewater
695 discharge permits. The Director may require generators of hauled industrial waste to
696 obtain individual wastewater discharge permits. The Director also may prohibit the
697 disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to
698 all other requirements of this ordinance.

699
700 C. Industrial waste haulers may discharge loads only at locations designated by the
701 Director. No load may be discharged without prior consent of the Director. The Director
702 may collect samples of each hauled load to ensure compliance with applicable Standards.
703 The Director may require the industrial waste hauler to provide a waste analysis of any
704 load prior to discharge.

705
706 D. Industrial waste haulers must provide a waste-tracking form for every load. This
707 form shall include, at a minimum, the name and address of the industrial waste hauler,
708 permit number, truck identification, names and addresses of sources of waste, and
709 volume and characteristics of waste. The form shall identify the type of industry, known
710 or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

711
712 Note for items C and D above. The City does not take industrial waste at this time. Industrial
713 waste will only be accepted at the discretion of the Director and only on a case by case basis for
714 a specific time frame.

715
716
717 SECTION 4—INDIVIDUAL WASTEWATER DISCHARGE PERMITS

718
719 4.1 Wastewater Analysis

720
721 When requested by the Director, a User must submit information on the nature and
722 characteristics of its wastewater within thirty (30) days of the request. The Director is authorized
723 to prepare a form for this purpose and may periodically require Users to update this information.
724

725 4.2 Individual Wastewater Discharge Permit Requirement

726

727 A. No Significant Industrial User shall discharge wastewater into the POTW without
728 first obtaining an individual wastewater discharge permit from the Director, except that a
729 Significant Industrial User that has filed a timely application pursuant to Section 4.3 of
730 this ordinance may continue to discharge for the time period specified therein.

731

732 B. The Director may require other Users to obtain individual wastewater discharge
733 permits as necessary to carry out the purposes of this ordinance.

734

735 C. Any violation of the terms and conditions of an individual wastewater discharge
736 permit shall be deemed a violation of this ordinance and subjects the wastewater
737 discharge permittee to the sanctions set out in Sections 10 through 12 of this ordinance.
738 Obtaining an individual wastewater discharge permit does not relieve a permittee of its
739 obligation to comply with all Federal and State Pretreatment Standards or Requirements
740 or with any other requirements of Federal, State, and local law.

741

742 4.3 Individual Wastewater Discharge Permitting: Existing Connections

743

744 Any User required to obtain an individual wastewater discharge permit who was discharging
745 wastewater into the POTW prior to the effective date of this ordinance and who wishes to
746 continue such discharges in the future, shall, within thirty (30) days after said date, apply to the
747 Director for an individual wastewater discharge permit in accordance with Section 4.5 of this
748 ordinance, and shall not cause or allow discharges to the POTW to continue after thirty (30)]
749 days of the effective date of this ordinance except in accordance with an individual wastewater
750 discharge permit issued by the Director.

751

752 4.4 Individual Wastewater Discharge Permitting: New Connections

753

754 Any User required to obtain an individual wastewater discharge permit who proposes to begin or
755 recommence discharging into the POTW must obtain such permit prior to the beginning or
756 recommencing of such discharge. An application for this individual wastewater discharge
757 permit, in accordance with Section 4.5 of this ordinance, must be filed at least thirty (30) days
758 prior to the date upon which any discharge will begin or recommence.

759

760 4.5 Individual Wastewater Discharge Permit Application Contents

761

762 A. All Users required to obtain an individual wastewater discharge permit must submit a
763 permit application. Users that are eligible may request a general permit under Section 4.6.
764 the Director may require Users to submit all or some of the following information as part
765 of a permit application:

766

767 (1) Identifying Information.

768 a. The name and address of the facility, including the name of the operator and
769 owner.

- 770 b. Contact information, description of activities, facilities, and plant production
771 processes on the premises;
772
- 773 (2) Environmental Permits. A list of any environmental control permits held by
774 or for the facility.
775
- 776 (3) Description of Operations.
777 a. A brief description of the nature, average rate of production (including each
778 product produced by type, amount, processes, and rate of production), and
779 standard industrial classifications of the operation(s) carried out by such User.
780 This description should include a schematic process diagram, which indicates
781 points of discharge to the POTW from the regulated processes.
782 b. Types of wastes generated, and a list of all raw materials and chemicals used
783 or stored at the facility which are, or could accidentally or intentionally be,
784 discharged to the POTW;
785 c. Number and type of employees, hours of operation, and proposed or actual
786 hours of operation;
787 d. Type and amount of raw materials processed (average and maximum per day);
788 e. Site plans, floor plans, mechanical and plumbing plans, and details to show all
789 sewers, floor drains, and appurtenances by size, location, and elevation, and
790 all points of discharge;
791
- 792 (4) Time and duration of discharges;
793
- 794 (5) The location for monitoring all wastes covered by the permit;
795
- 796 (6) Flow Measurement. Information showing the measured average daily and
797 maximum daily flow, in gallons per day, to the POTW from regulated process
798 streams and other streams, as necessary, to allow use of the combined
799 wastestream formula set out in Section 2.2C (40 CFR 403.6(e)).
800
- 801 (7) Measurement of Pollutants.
802 a. The categorical Pretreatment Standards applicable to each regulated process
803 and any new categorically regulated processes for Existing Sources.
804 b. The results of sampling and analysis identifying the nature and concentration,
805 and/or mass, where required by the Standard or by the Director, of regulated
806 pollutants in the discharge from each regulated process.
807 c. Instantaneous, Daily Maximum, and long-term average concentrations, or
808 mass, where required, shall be reported.
809 d. The sample shall be representative of daily operations and shall be analyzed in
810 accordance with procedures set out in Section 6.10 of this ordinance. Where
811 the Standard requires compliance with a BMP or pollution prevention
812 alternative, the User shall submit documentation as required by the Director or
813 the applicable Standards to determine compliance with the Standard.
814 e. Sampling must be performed in accordance with procedures set out in Section
815 6.11 of this ordinance.

816
817 (8) Any requests for a monitoring waiver (or a renewal of an approved monitoring
818 waiver) for a pollutant neither present nor expected to be present in the discharge
819 based on Section 6.4 B [40 CFR 403.12(e)(2)].
820

821 (9) Any other information as may be deemed necessary by the Director to
822 evaluate the permit application.
823

824 B. Incomplete or inaccurate applications will not be processed and will be returned to
825 the User for revision.
826

827 4.7 Application Signatories and Certifications 828

829 A. All wastewater discharge permit applications, User reports and certification
830 statements must be signed by an Authorized Representative of the User and contain the
831 certification statement in Section 6.14 A.
832

833 B. If the designation of an Authorized Representative is no longer accurate because a
834 different individual or position has responsibility for the overall operation of the facility
835 or overall responsibility for environmental matters for the company, a new written
836 authorization satisfying the requirements of this Section must be submitted to the
837 Director prior to or together with any reports to be signed by an Authorized
838 Representative.
839

840 C. A facility determined to be a Non-Significant Categorical Industrial User by the
841 Director pursuant to 1.4 GG(3) must annually submit the signed certification statement in
842 Section 6.14 B.
843

844 4.8 Individual Wastewater Discharge Permit Decisions 845

846 The Director will evaluate the data furnished by the User and may require additional
847 information. Within thirty (30) days of receipt of a complete permit application, the Director
848 will determine whether to issue an individual wastewater discharge permit. The Director may
849 deny any application for an individual wastewater discharge permit.
850

851 SECTION 5—INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE 852

853 5.1 Individual Wastewater Discharge Permit Duration 854

855 An individual wastewater discharge permit shall be issued for a specified time period, not to
856 exceed five (5) years from the effective date of the permit. An individual wastewater discharge
857 permit may be issued for a period less than five (5) years, at the discretion of the Director. Each
858 individual wastewater discharge permit will indicate a specific date upon which it will expire.
859

860 5.2 Individual Wastewater Discharge Permit Contents 861

862 An individual wastewater discharge permit shall include such conditions as are deemed
863 reasonably necessary by the Director to prevent Pass Through or Interference, protect the quality
864 of the water body receiving the treatment plant's effluent, protect worker health and safety,
865 facilitate sludge management and disposal, and protect against damage to the POTW.

866
867 A. Individual wastewater discharge permits must contain:

868
869 (1) A statement that indicates the wastewater discharge permit issuance date,
870 expiration date and effective date;

871
872 (2) A statement that the wastewater discharge permit is nontransferable without
873 prior notification to the BMU in accordance with Section 5.5 of this ordinance,
874 and provisions for furnishing the new owner or operator with a copy of the
875 existing wastewater discharge permit;

876
877 (3) Effluent limits, including Best Management Practices, based on applicable
878 Pretreatment Standards;

879
880 (4) Self monitoring, sampling, reporting, notification, and record-keeping
881 requirements. These requirements shall include an identification of pollutants (or
882 best management practice) to be monitored, sampling location, sampling
883 frequency, and sample type based on Federal, State, and local law.

884
885 (5) The process for seeking a waiver from monitoring for a pollutant neither
886 present nor expected to be present in the Discharge in accordance with Section
887 6.4 B.

888
889 (6) A statement of applicable civil and criminal penalties for violation of
890 Pretreatment Standards and Requirements, and any applicable compliance
891 schedule. Such schedule may not extend the time for compliance beyond that
892 required by applicable Federal, State, or local law.

893
894 (7) Requirements to control Slug Discharge, if determined by the Director to be
895 necessary.

896
897 (8) Any grant of the monitoring waiver by the Director (Section 6.4 B) must be
898 included as a condition in the User's permit or other control mechanism.

899
900 B. Individual wastewater discharge permits may contain, but need not be limited to, the
901 following conditions:

902
903 (1) Limits on the average and/or maximum rate of discharge, time of discharge,
904 and/or requirements for flow regulation and equalization;

905

- 906 (2) Requirements for the installation of pretreatment technology, pollution
907 control, or construction of appropriate containment devices, designed to reduce,
908 eliminate, or prevent the introduction of pollutants into the treatment works;
909
- 910 (3) Requirements for the development and implementation of spill control plans
911 or other special conditions including management practices necessary to
912 adequately prevent accidental, unanticipated, or nonroutine discharges;
913
- 914 (4) Development and implementation of waste minimization plans to reduce the
915 amount of pollutants discharged to the POTW;
916
- 917 (5) The unit charge or schedule of User charges and fees for the management of
918 the wastewater discharged to the POTW;
919
- 920 (6) Requirements for installation and maintenance of inspection and sampling
921 facilities and equipment, including flow measurement devices;
922
- 923 (7) A statement that compliance with the individual wastewater discharge permit
924 does not relieve the permittee of responsibility for compliance with all applicable
925 Federal and State Pretreatment Standards, including those which become effective
926 during the term of the individual wastewater discharge permit; and
927
- 928 (8) Other conditions as deemed appropriate by the Director to ensure compliance
929 with this ordinance, and State and Federal laws, rules, and regulations.
930

931 5.3 Permit Issuance Process

932

933 A. Public Notification. The Director will send a draft permit to the permittee. The
934 permittee has 30 days from the date the permit was sent to comment.
935

936 B. Permit Appeals. The Director shall provide public notice of the issuance of an
937 individual wastewater discharge permit. Any person, including the User, may petition
938 the Director to reconsider the terms of an individual wastewater discharge permit within
939 thirty (30) days of notice of its issuance.
940

941 (1) Failure to submit a timely petition for review shall be deemed to be a waiver
942 of the administrative appeal.
943

944 (2) In its petition, the appealing party must indicate the individual wastewater
945 discharge permit provisions objected to, the reasons for this objection, and the
946 alternative condition, if any, it seeks to place in the individual wastewater
947 discharge permit.
948

949 (3) The effectiveness of the individual wastewater discharge permit shall not be
950 stayed pending the appeal.
951

952 (4) If the Director fails to act within thirty (30) days, a request for reconsideration
953 shall be deemed to be denied. Decisions not to reconsider an individual
954 wastewater discharge permit, not to issue an individual wastewater discharge
955 permit, or not to modify an individual wastewater discharge permit shall be
956 considered final administrative actions for purposes of judicial review.
957

958 (5) Aggrieved parties seeking judicial review of the final administrative
959 individual wastewater discharge permit decision must do so by filing a complaint
960 with the Circuit Court of Scott County, Missouri.
961

962 5.4 Permit Modification

963
964 A. The Director may modify an individual wastewater discharge permit for good cause,
965 including, but not limited to, the following reasons:
966

967 (1) To incorporate any new or revised Federal, State, or local Pretreatment
968 Standards or Requirements;
969

970 (2) To address significant alterations or additions to the User's operation,
971 processes, or wastewater volume or character since the time of the individual
972 wastewater discharge permit issuance;
973

974 (3) A change in the POTW that requires either a temporary or permanent
975 reduction or elimination of the authorized discharge;
976

977 (4) Information indicating that the permitted discharge poses a threat to the
978 BMU's POTW, BMU personnel, or the receiving waters;
979

980 (5) Violation of any terms or conditions of the individual wastewater discharge
981 permit;
982

983 (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater
984 discharge permit application or in any required reporting;
985

986 (7) Revision of or a grant of variance from categorical Pretreatment Standards
987 pursuant to 40 CFR 403.13;
988

989 (8) To correct typographical or other errors in the individual wastewater discharge
990 permit; or
991

992 (9) To reflect a transfer of the facility ownership or operation to a new owner or
993 operator where requested in accordance with Section 5.5.
994

995 B. The Director may modify a general permit for good cause, including, but not limited
996 to, the following reasons:
997

- 998 (1) To incorporate any new or revised Federal, State, or local Pretreatment
999 Standards or Requirements;
1000
1001 (2) A change in the POTW that requires either a temporary or permanent
1002 reduction or elimination of the authorized discharge;
1003
1004 (3) To correct typographical or other errors in the individual wastewater discharge
1005 permit; or
1006
1007 (4) To reflect a transfer of the facility ownership or operation to a new owner or
1008 operator where requested in accordance with Section 5.5.
1009

1010 5.5 Individual Wastewater Discharge Permit Transfer
1011

1012 Individual wastewater discharge permits may be transferred to a new owner or operator
1013 only if the permittee gives at least thirty (30) days advance notice to the Director and the
1014 Director approves the individual **wastewater** discharge permit transfer. The notice to the
1015 Director must include a written certification by the new owner or operator which:
1016

1017 A. States that the new owner and/or operator has no immediate intent to change the
1018 facility's operations and processes;
1019

1020 B. Identifies the specific date on which the transfer is to occur; and
1021

1022 C. Acknowledges full responsibility for complying with the existing individual
1023 wastewater discharge permit.
1024

1025 Failure to provide advance notice of a transfer renders the individual wastewater discharge
1026 permit void as of the date of facility transfer.
1027

1028 5.6 Individual Wastewater Discharge Permit Revocation
1029

1030 The Director may revoke an individual wastewater discharge permit for good cause, including,
1031 but not limited to, the following reasons:
1032

1033 A. Failure to notify the Director of significant changes to the wastewater prior to the
1034 changed discharge;
1035

1036 B. Failure to provide prior notification to the Director of changed conditions pursuant to
1037 Section 6.5 of this ordinance;
1038

1039 C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater
1040 discharge permit application;
1041

1042 D. Falsifying self-monitoring reports and certification statements;
1043

- 1044 E. Tampering with monitoring equipment;
- 1045
- 1046 F. Refusing to allow the Director timely access to the facility premises and records;
- 1047
- 1048 G. Failure to meet effluent limitations;
- 1049
- 1050 H. Failure to pay fines;
- 1051
- 1052 I. Failure to pay sewer charges;
- 1053
- 1054 J. Failure to meet compliance schedules;
- 1055
- 1056 K. Failure to complete a wastewater survey or the wastewater discharge permit
- 1057 application;
- 1058
- 1059 L. Failure to provide advance notice of the transfer of business ownership of a permitted
- 1060 facility; or
- 1061
- 1062 M. Violation of any Pretreatment Standard or Requirement, or any terms of the
- 1063 wastewater discharge permit or this ordinance.
- 1064

1065 Individual wastewater discharge permits shall be voidable upon cessation of operations or
1066 transfer of business ownership. All individual wastewater discharge permits issued to a User are
1067 void upon the issuance of a new individual wastewater discharge permit to that User.

1068

1069 5.7 Individual Wastewater Discharge Permit Reissuance

1070

1071 A User with an expiring individual wastewater discharge permit shall apply for individual
1072 wastewater discharge permit reissuance by submitting a complete permit application, in
1073 accordance with Section 4.5 of this ordinance, a minimum of Forty five (45)] days prior to the
1074 expiration of the User’s existing individual wastewater discharge permit.

1075

1076 5.8 Regulation of Waste Received from Other Jurisdictions

1077

1078 At this time the Board does not receive or wish to receive waste from other jurisdictions.

1079

1080 SECTION 6—REPORTING REQUIREMENTS

1081

1082

6.1 Baseline Monitoring Reports

1083

1084 A. Within either one hundred eighty (180) days after the effective date of a categorical
1085 Pretreatment Standard, or the final administrative decision on a category determination
1086 under 40 CFR 403.6(a) (4), whichever is later, existing Categorical Industrial Users
1087 currently discharging to or scheduled to discharge to the POTW shall submit to the
1088 Director a report which contains the information listed in paragraph B, below. At least
1089 ninety (90) days prior to commencement of their discharge, New Sources, and sources

1090 that become Categorical Industrial Users subsequent to the promulgation of an applicable
1091 categorical Standard, shall submit to the Director a report which contains the information
1092 listed in paragraph B, below. A New Source shall report the method of pretreatment it
1093 intends to use to meet applicable categorical Standards. A New Source also shall give
1094 estimates of its anticipated flow and quantity of pollutants to be discharged.
1095

1096 B. Users described above shall submit the information set forth below.
1097

1098 (1) All information required in Section 4.5A (1) (a), Section 4.5A (2), Section
1099 4.5A (3) (a), and Section 4.5A (6).

1100 (2) Measurement of pollutants.

1101 a. The User shall provide the information required in Section 4.5 A (7) (a)
1102 through (d).

1103 b. The User shall take a minimum of one representative sample to compile that
1104 data necessary to comply with the requirements of this paragraph.

1105 c. Samples should be taken immediately downstream from pretreatment facilities
1106 if such exist or immediately downstream from the regulated process if no
1107 pretreatment exists. If other wastewaters are mixed with the regulated
1108 wastewater prior to pretreatment the User should measure the flows and
1109 concentrations necessary to allow use of the combined wastestream formula in
1110 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards.

1111 Where an alternate concentration or mass limit has been calculated in
1112 accordance with 40 CFR 403.6(e) this adjusted limit along with supporting
1113 data shall be submitted to the Control Authority;

1114 d. Sampling and analysis shall be performed in accordance with Section 6.10;

1115 e. The Director may allow the submission of a baseline report which utilizes
1116 only historical data so long as the data provides information sufficient to
1117 determine the need for industrial pretreatment measures;

1118 f. The baseline report shall indicate the time, date and place of sampling and
1119 methods of analysis, and shall certify that such sampling and analysis is
1120 representative of normal work cycles and expected pollutant Discharges to the
1121 POTW.
1122

1123 (3) Compliance Certification. A statement, reviewed by the User's Authorized
1124 Representative as defined in Section 1.4 C and certified by a qualified
1125 professional, indicating whether Pretreatment Standards are being met on a
1126 consistent basis, and, if not, whether additional operation and maintenance
1127 (O&M) and/or additional pretreatment is required to meet the Pretreatment
1128 Standards and Requirements.
1129

1130 (4) Compliance Schedule. If additional pretreatment and/or O&M will be
1131 required to meet the Pretreatment Standards, the shortest schedule by which the
1132 User will provide such additional pretreatment and/or O&M must be provided.
1133 The completion date in this schedule shall not be later than the compliance date
1134 established for the applicable Pretreatment Standard. A compliance schedule
1135

1136 pursuant to this Section must meet the requirements set out in Section 6.2 of this
1137 ordinance.

1138
1139 (5) Signature and Report Certification. All baseline monitoring reports must be
1140 certified in accordance with Section 6.14 A of this ordinance and signed by an
1141 Authorized Representative as defined in Section 1.4C.

1142
1143 6.2 Compliance Schedule Progress Reports

1144
1145 The following conditions shall apply to the compliance schedule required by Section
1146 6.1(B)(4) of this ordinance:

1147
1148 A. The schedule shall contain progress increments in the form of dates for the
1149 commencement and completion of major events leading to the construction and operation
1150 of additional pretreatment required for the User to meet the applicable Pretreatment
1151 Standards (such events include, but are not limited to, hiring an engineer, completing
1152 preliminary and final plans, executing contracts for major components, commencing and
1153 completing construction, and beginning and conducting routine operation);

1154
1155 B. No increment referred to above shall exceed nine (9) months;

1156
1157 C. The User shall submit a progress report to the Director no later than fourteen (14)
1158 days following each date in the schedule and the final date of compliance including, as a
1159 minimum, whether or not it complied with the increment of progress, the reason for any
1160 delay, and, if appropriate, the steps being taken by the User to return to the established
1161 schedule; and

1162
1163 D. In no event shall more than nine (9) months elapse between such progress reports to
1164 the Director.

1165
1166
1167
1168 6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

1169
1170 Within ninety (90) days following the date for final compliance with applicable categorical
1171 Pretreatment Standards, or in the case of a New Source following commencement of the
1172 introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and
1173 Requirements shall submit to the Director a report containing the information described in
1174 Section 4.5A (6) and (7) and 6.1(B) (2) of this ordinance. For Users subject to equivalent mass
1175 or concentration limits established in accordance with the procedures in Section 2.2, this report
1176 shall contain a reasonable measure of the User's long-term production rate. For all other Users
1177 subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge
1178 per unit of production (or other measure of operation), this report shall include the User's actual
1179 production during the appropriate sampling period. All compliance reports must be signed and
1180 certified in accordance with Section 6.14 A of this ordinance. All sampling will be done in
1181 conformance with Section 6.11.

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6.4 Periodic Compliance Reports

A. Except as specified in Section 6.4.C, all [Significant Industrial] Users must, at a frequency determined by the Director submit no less than twice per year (June and December [or on dates specified]) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Director or the Pretreatment Standard necessary to determine the compliance status of the User.

B. The BMU may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. [See 40 CFR 403.12(e) (2)] This authorization is subject to the following conditions:

(1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.

(2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit. See Section 4.5A (8).

(3) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

(4) The request for a monitoring waiver must be signed in accordance with Section 1.4C, and include the certification statement in 6.14 A (40 CFR 403.6(a) (2) (ii)).

(5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

1227 (6) Any grant of the monitoring waiver by the Director must be included as a
1228 condition in the User's permit. The reasons supporting the waiver and any
1229 information submitted by the User in its request for the waiver must be
1230 maintained by the Director for 3 years after expiration of the waiver.
1231

1232 (7) Upon approval of the monitoring waiver and revision of the User's permit by
1233 the Director, the Industrial User must certify on each report with the statement in
1234 Section 6.14 C below, that there has been no increase in the pollutant in its waste
1235 stream due to activities of the Industrial User.
1236

1237 (8) In the event that a waived pollutant is found to be present or is expected to be
1238 present because of changes that occur in the User's operations, the User must
1239 immediately: Comply with the monitoring requirements of Section 6.4 A, or other
1240 more frequent monitoring requirements imposed by the Director, and notify the
1241 Director.
1242

1243 (9) This provision does not supersede certification processes and requirements
1244 established in categorical Pretreatment Standards, except as otherwise specified in
1245 the categorical Pretreatment Standard.
1246

1247 C. The BMU may reduce the requirement for periodic compliance reports [see Section
1248 6.4 A (40 CFR 403.12(e)(1))] to a requirement to report no less frequently than once a
1249 year, unless required more frequently in the Pretreatment Standard or by the [EPA/State],
1250 where the Industrial User's total categorical wastewater flow does not exceed any of the
1251 following:
1252

1253 (1) five thousand (5,000) gallons per day, as measured by a continuous effluent
1254 flow monitoring device unless the Industrial User discharges in batches]

1255 (2) 107.9 pounds BOD
1256

1257 (3) Lbs/day of any of the following pollutants:
1258

1259	a. Arsenic	0.0045
1260	b. Cadmium	0.0002
1261	c. Chromium	0.0985
1262	d. Copper	0.0184
1263	e. Cyanide	0.0134
1264	f. Lead	0.0074
1265	g. Mercury	0.0010
1266	h. Molybdenum	0.0040
1267	i. Nickel	0.0269
1268	j. Selenium	0.0054
1269	k. Silver	0.0143
1270	l. Zinc	0.0421
1271		
1272		

1273 Reduced reporting is not available to Industrial Users that have in the last two (2) years
1274 been in Significant Noncompliance, as defined in Section 9 of this ordinance. In
1275 addition, reduced reporting is not available to an Industrial User with daily flow rates,
1276 production levels, or pollutant levels that vary so significantly that, in the opinion of the
1277 Director, decreasing the reporting requirement for this Industrial User would result in
1278 data that are not representative of conditions occurring during the reporting period.
1279

1280 D. All periodic compliance reports must be signed and certified in accordance with
1281 Section 6.14 A of this ordinance.
1282

1283 E. All wastewater samples must be representative of the User's discharge. Wastewater
1284 monitoring and flow measurement facilities shall be properly operated, kept clean, and
1285 maintained in good working order at all times. The failure of a User to keep its
1286 monitoring facility in good working order shall not be grounds for the User to claim that
1287 sample results are unrepresentative of its discharge.
1288

1289 F. If a User subject to the reporting requirement in this section monitors any regulated
1290 pollutant at the appropriate sampling location more frequently than required by the
1291 Director, using the procedures prescribed in Section 6.11 of this ordinance, the results of
1292 this monitoring shall be included in the report.
1293

1294 6.5 Reports of Changed Conditions

1295

1296 Each User must notify the Director of any significant changes to the User's operations or system
1297 which might alter the nature, quality, or volume of its wastewater at least Ninety (90) days before
1298 the change.
1299

1300 A. The Director may require the User to submit such information as may be deemed
1301 necessary to evaluate the changed condition, including the submission of a
1302 wastewater discharge permit application under Section 4.5 of this ordinance.
1303

1304 B. The Director may issue an individual wastewater discharge permit under Section 5.7
1305 of this ordinance or modify an existing wastewater discharge permit under Section
1306 5.4 of this ordinance in response to changed conditions or anticipated changed
1307 conditions.
1308

1309 6.6 Reports of Potential Problems

1310

1311 A. In the case of any discharge, including, but not limited to, accidental discharges,
1312 discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug
1313 Discharge or Slug Load, that might cause potential problems for the POTW, the User
1314 shall immediately telephone and notify the Director of the incident. This notification
1315 shall include the location of the discharge, type of waste, concentration and volume, if
1316 known, and corrective actions taken by the User.
1317

1318 B. Within five (5) days following such discharge, the User shall, unless waived by the
1319 Director, submit a detailed written report describing the cause(s) of the discharge and the
1320 measures to be taken by the User to prevent similar future occurrences. Such notification
1321 shall not relieve the User of any expense, loss, damage, or other liability which might be
1322 incurred as a result of damage to the POTW, natural resources, or any other damage to
1323 person or property; nor shall such notification relieve the User of any fines, penalties, or
1324 other liability which may be imposed pursuant to this ordinance.

1325 C. A notice shall be permanently posted on the User's bulletin board or other prominent
1326 place advising employees who to call in the event of a discharge described in paragraph
1327 A, above. Employers shall ensure that all employees, who could cause such a discharge
1328 to occur, are advised of the emergency notification procedure.

1329
1330 D. Significant Industrial Users are required to notify the Director immediately of any
1331 changes at its facility affecting the potential for a Slug Discharge.

1332
1333 6.7 Reports from Unpermitted Users
1334

1335 All Users not required to obtain an individual wastewater discharge permit shall provide
1336 appropriate reports to the Director as the Director may require.

1337
1338 6.8 Notice of Violation/Repeat Sampling and Reporting
1339

1340 If sampling performed by a User indicates a violation, the User must notify the Director within
1341 twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the
1342 sampling and analysis and submit the results of the repeat analysis to the Director within thirty
1343 (30) days after becoming aware of the violation. Re-sampling by the Industrial User is not
1344 required if the BMU performs sampling at the User's facility at least once a month, or if the
1345 BMU performs sampling at the User between the time when the initial sampling was conducted
1346 and the time when the User or the BMU receives the results of this sampling, or if the BMU has
1347 performed the sampling and analysis in lieu of the Industrial User.

1348
1349 6.9 Notification of the Discharge of Hazardous Waste
1350

1351 A. Any User who commences the discharge of hazardous waste shall notify the POTW,
1352 the EPA Regional Waste Management Division Director, and State hazardous waste
1353 authorities, in writing, of any discharge into the POTW of a substance which, if otherwise
1354 disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must
1355 include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA
1356 hazardous waste number, and the type of discharge (continuous, batch, or other). If the
1357 User discharges more than one hundred (100) kilograms of such waste per calendar
1358 month to the POTW, the notification also shall contain the following information to the
1359 extent such information is known and readily available to the User: an identification of
1360 the hazardous constituents contained in the wastes, an estimation of the mass and
1361 concentration of such constituents in the waste stream discharged during that calendar
1362 month, and an estimation of the mass of constituents in the waste stream expected to be
1363 discharged during the following twelve (12) months. All notifications must take place no

1364 later than one hundred and eighty (180) days after the discharge commences. Any
1365 notification under this paragraph need be submitted only once for each hazardous waste
1366 discharged. However, notifications of changed conditions must be submitted under
1367 Section 6.5 of this ordinance. The notification requirement in this Section does not apply
1368 to pollutants already reported by Users subject to categorical Pretreatment Standards
1369 under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this ordinance.

1370
1371 B. Dischargers are exempt from the requirements of paragraph A, above, during a
1372 calendar month in which they discharge no more than fifteen (15) kilograms of
1373 hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR
1374 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute
1375 hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as
1376 specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification.
1377 Subsequent months during which the User discharges more than such quantities of any
1378 hazardous waste do not require additional notification.

1379
1380 C. In the case of any new regulations under section 3001 of RCRA identifying additional
1381 characteristics of hazardous waste or listing any additional substance as a hazardous
1382 waste, the User must notify the Director, the EPA Regional Waste Management Waste
1383 Division Director, and State hazardous waste authorities of the discharge of such
1384 substance within ninety (90) days of the effective date of such regulations.

1385
1386 D. In the case of any notification made under this Section, the User shall certify that it
1387 has a program in place to reduce the volume and toxicity of hazardous wastes generated
1388 to the degree it has determined to be economically practical.

1389
1390 E. This provision does not create a right to discharge any substance not otherwise
1391 permitted to be discharged by this ordinance, a permit issued thereunder, or any
1392 applicable Federal or State law.

1393 1394 6.10 Analytical Requirements

1395
1396 All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater
1397 discharge permit application or report shall be performed in accordance with the techniques
1398 prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an
1399 applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or
1400 analytical techniques for the pollutant in question, or where the EPA determines that the Part 136
1401 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and
1402 analyses shall be performed by using validated analytical methods or any other applicable
1403 sampling and analytical procedures, including procedures suggested by the Director or other
1404 parties approved by EPA.

1405 1406 6.11 Sample Collection

1407

1408 Samples collected to satisfy reporting requirements must be based on data obtained through
1409 appropriate sampling and analysis performed during the period covered by the report, based on
1410 data that is representative of conditions occurring during the reporting period.

1411
1412 A. Except as indicated in Section B and C below, the User must collect wastewater
1413 samples using 24-hour flow-proportional composite sampling techniques, unless
1414 time-proportional composite sampling or grab sampling is authorized by the Director.
1415 Where time-proportional composite sampling or grab sampling is authorized by the
1416 BMU, the samples must be representative of the discharge. Using protocols (including
1417 appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance,
1418 multiple grab samples collected during a 24-hour period may be composited prior to the
1419 analysis as follows: for cyanide, total phenols, and sulfides the samples may be
1420 composited in the laboratory or in the field; for volatile organics and oil and grease, the
1421 samples may be composited in the laboratory. Composite samples for other parameters
1422 unaffected by the compositing procedures as documented in approved EPA
1423 methodologies may be authorized by the BMU, as appropriate. In addition, grab samples
1424 may be required to show compliance with Instantaneous Limits.

1425
1426 B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and
1427 volatile organic compounds must be obtained using grab collection techniques.

1428
1429 C. For sampling required in support of baseline monitoring and 90-day compliance
1430 reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], a minimum of four
1431 (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and
1432 volatile organic compounds for facilities for which historical sampling data do not exist;
1433 for facilities for which historical sampling data are available, the Director may authorize
1434 a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e)
1435 and 403.12(h)), the Industrial User is required to collect the number of grab samples
1436 necessary to assess and assure compliance by with applicable Pretreatment Standards and
1437 Requirements.

1438 1439 6.12 Date of Receipt of Reports

1440
1441 Written reports will be deemed to have been submitted on the date postmarked. For reports,
1442 which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal
1443 Service, the date of receipt of the report shall govern.

1444 1445 1446 6.13 Recordkeeping

1447
1448 Users subject to the reporting requirements of this ordinance shall retain, and make available for
1449 inspection and copying, all records of information obtained pursuant to any monitoring activities
1450 required by this ordinance, any additional records of information obtained pursuant to
1451 monitoring activities undertaken by the User independent of such requirements, and
1452 documentation associated with Best Management Practices established under Section 2.4 C.
1453 Records shall include the date, exact place, method, and time of sampling, and the name of the

1454 person(s) taking the samples; the dates analyses were performed; who performed the analyses;
1455 the analytical techniques or methods used; and the results of such analyses. These records shall
1456 remain available for a period of at least three (3) years. This period shall be automatically
1457 extended for the duration of any litigation concerning the User or the BMU, or where the User
1458 has been specifically notified of a longer retention period by the Director.
1459

1460 6.14 Certification Statements

1461
1462 Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The
1463 following certification statement is required to be signed and submitted by Users submitting
1464 permit applications in accordance with Section 4.7; Users submitting baseline monitoring reports
1465 under Section 6.1 B (5); Users submitting reports on compliance with the categorical
1466 Pretreatment Standard deadlines under Section 6.3; Users submitting periodic compliance reports
1467 required by Section 6.4 A–D, and Users submitting an initial request to forego sampling of a
1468 pollutant on the basis of Section 6.4B(4). The following certification statement must be signed
1469 by an Authorized Representative as defined in Section 1.4 C:
1470

1471 I certify under penalty of law that this document and all attachments were
1472 prepared under my direction or supervision in accordance with a system designed
1473 to assure that qualified personnel properly gather and evaluate the information
1474 submitted. Based on my inquiry of the person or persons who manage the system,
1475 or those persons directly responsible for gathering the information, the
1476 information submitted is, to the best of my knowledge and belief, true, accurate,
1477 and complete. I am aware that there are significant penalties for submitting false
1478 information, including the possibility of fine and imprisonment for knowing
1479 violations.
1480

1481 A. Annual Certification for Non-Significant Categorical Industrial Users—A facility
1482 determined to be a Non-Significant Categorical Industrial User by the Director pursuant
1483 to 1.4 GG(3) and 4.7 C must annually submit the following certification statement signed
1484 in accordance with the signatory requirements in 1.4 C. This certification must
1485 accompany an alternative report required by the Director:
1486

1487 Based on my inquiry of the person or persons directly responsible for
1488 managing compliance with the categorical Pretreatment Standards under
1489 40 CFR ____, I certify that, to the best of my knowledge and belief that
1490 during the period from _____, _____ to _____, _____
1491 [months, days, year]:
1492

1493 (a) The facility described as _____
1494 [facility name] met the definition of a Non-Significant Categorical
1495 Industrial User as described in 1.4 GG (3);
1496

1497 (b) The facility complied with all applicable Pretreatment Standards and
1498 requirements during this reporting period; and (c) the facility never

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discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

B. Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on Section 6.4 B must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User.

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 6.4.A.

1522 SECTION 7—COMPLIANCE MONITORING

1523

1524 7.1 Right of Entry: Inspection and Sampling

1525

1526 The Director shall have the right to enter the premises of any User to determine whether the User
1527 is complying with all requirements of this ordinance and any individual wastewater discharge
1528 permit or order issued hereunder. Users shall allow the Director ready access to all parts of the
1529 premises for the purposes of inspection, sampling, records examination and copying, and the
1530 performance of any additional duties.

1531

1532 A. Where a User has security measures in force which require proper identification and
1533 clearance before entry into its premises, the User shall make necessary arrangements with
1534 its security guards so that, upon presentation of suitable identification, the Director shall
1535 be permitted to enter without delay for the purposes of performing specific
1536 responsibilities.

1537

1538 B. The Director shall have the right to set up on the User's property, or require
1539 installation of, such devices as are necessary to conduct sampling and/or metering of the
1540 User's operations.

1541

1542 C. The Director may require the User to install monitoring equipment as necessary. The
1543 facility's sampling and monitoring equipment shall be maintained at all times in a safe
1544 and proper operating condition by the User at its own expense. All devices used to
1545 measure wastewater flow and quality shall be calibrated [insert desired frequency] to
1546 ensure their accuracy.

1547

1548 D. Any temporary or permanent obstruction to safe and easy access to the facility to be
1549 inspected and/or sampled shall be promptly removed by the User at the written or verbal
1550 request of the Director and shall not be replaced. The costs of clearing such access shall
1551 be born by the User.

1552

1553 E. Unreasonable delays in allowing the Director access to the User's premises shall be a
1554 violation of this ordinance.

1555

1556

1557

1558 7.2 Search Warrants

1559

1560 If the Director has been refused access to a building, structure, or property, or any part thereof,
1561 and is able to demonstrate probable cause to believe that there may be a violation of this
1562 ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and
1563 sampling program of the BMU designed to verify compliance with this ordinance or any permit
1564 or order issued hereunder, or to protect the overall public health, safety and welfare of the
1565 community, the Director may seek issuance of a search warrant from the Circuit Court of Scott
1566 County Missouri.

1567

1568 SECTION 8—CONFIDENTIAL INFORMATION

1569

1570 Information and data on a User obtained from reports, surveys, wastewater discharge permit
1571 applications, individual wastewater discharge permits, and monitoring programs, and from the
1572 Director inspection and sampling activities, shall be available to the public without restriction,
1573 unless the User specifically requests, and is able to demonstrate to the satisfaction of the
1574 Director, that the release of such information would divulge information, processes, or methods
1575 of production entitled to protection as trade secrets under applicable State law. Any such request
1576 must be asserted at the time of submission of the information or data. When requested and
1577 demonstrated by the User furnishing a report that such information should be held confidential,
1578 the portions of a report which might disclose trade secrets or secret processes shall not be made
1579 available for inspection by the public, but shall be made available immediately upon request to
1580 governmental agencies for uses related to the NPDES program or pretreatment program, and in
1581 enforcement proceedings involving the person furnishing the report. Wastewater constituents
1582 and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as
1583 confidential information and shall be available to the public without restriction.

1584

1585 SECTION 9—PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

1586

1587 The Director shall publish annually, in a newspaper of general circulation that provides
1588 meaningful public notice within the jurisdictions served by [the POTW], a list of the Users
1589 which, at any time during the previous twelve (12) months, were in Significant Noncompliance
1590 with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance
1591 shall be applicable to all Significant Industrial Users (or any other Industrial User that violates
1592 paragraphs (C), (D) or (H) of this Section) and shall mean:

1593

1594 A. Chronic violations of wastewater discharge limits, defined here as those in which
1595 sixty-six percent (66%) or more of all the measurements taken for the same pollutant
1596 parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric
1597 Pretreatment Standard or Requirement, including Instantaneous Limits as defined in
1598 Section 2;

1599

1600 B. Technical Review Criteria (TRC) violations, defined here as those in which
1601 thirty-three percent (33%) or more of wastewater measurements taken for each pollutant
1602 parameter during a six- (6-) month period equals or exceeds the product of the numeric
1603 Pretreatment Standard or Requirement including Instantaneous Limits, as defined by

1604 Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease,
1605 and 1.2 for all other pollutants except pH);
1606

1607 C. Any other violation of a Pretreatment Standard or Requirement as defined by Section
1608 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that
1609 the Director determines has caused, alone or in combination with other discharges,
1610 Interference or Pass Through, including endangering the health of POTW personnel or
1611 the general public;
1612

1613 D. Any discharge of a pollutant that has caused imminent endangerment to the public or
1614 to the environment, or has resulted in the Director's exercise of its emergency authority
1615 to halt or prevent such a discharge;
1616

1617 E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule
1618 milestone contained in an individual wastewater discharge permit or enforcement order
1619 for starting construction, completing construction, or attaining final compliance;
1620

1621 F. Failure to provide within forty-five (45) days after the due date, any required reports,
1622 including baseline monitoring reports, reports on compliance with categorical
1623 Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on
1624 compliance with compliance schedules;
1625

1626 G. Failure to accurately report noncompliance; or
1627

1628 H. Any other violation(s), which may include a violation of Best Management Practices,
1629 which the Director determines will adversely affect the operation or implementation of
1630 the local pretreatment program.
1631

1632 SECTION 10—ADMINISTRATIVE ENFORCEMENT REMEDIES

1633 10.1 Notification of Violation

1634
1635
1636 When the Director finds that a User has violated, or continues to violate, any provision of this
1637 ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other
1638 Pretreatment Standard or Requirement, the Director may serve upon that User a written Notice of
1639 Violation. Within Forty Five (45) days of the receipt of such notice, an explanation of the
1640 violation and a plan for the satisfactory correction and prevention thereof, to include specific
1641 required actions, shall be submitted by the User to the Director. Submission of such a plan in no
1642 way relieves the User of liability for any violations occurring before or after receipt of the Notice
1643 of Violation. Nothing in this Section shall limit the authority of the Director to take any action,
1644 including emergency actions or any other enforcement action, without first issuing a Notice of
1645 Violation.
1646
1647
1648

1649 10.2 Consent Orders

1650

1651 The Director may enter into Consent Orders, assurances of compliance, or other similar
1652 documents establishing an agreement with any User responsible for noncompliance. Such
1653 documents shall include specific action to be taken by the User to correct the noncompliance
1654 within a time period specified by the document. Such documents shall have the same force and
1655 effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this ordinance
1656 and shall be judicially enforceable.

1657

1658 10.3 Show Cause Hearing

1659

1660 The Director may order a User which has violated, or continues to violate, any provision of this
1661 ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other
1662 Pretreatment Standard or Requirement, to appear before the Director and show cause why the
1663 proposed enforcement action should not be taken. Notice shall be served on the User specifying
1664 the time and place for the meeting, the proposed enforcement action, the reasons for such action,
1665 and a request that the User show cause why the proposed enforcement action should not be
1666 taken. The notice of the meeting shall be served personally or by registered or certified mail
1667 (return receipt requested) at least Forty Five (45) days prior to the hearing. Such notice may be
1668 served on any Authorized Representative of the User as defined in Section 1.4 C and required by
1669 Section 4.7 A. A show cause hearing shall not be a bar against, or prerequisite for, taking any
1670 other action against the User.

1671

1672 10.4 Compliance Orders

1673

1674 When the Director finds that a User has violated, or continues to violate, any provision of this
1675 ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other
1676 Pretreatment Standard or Requirement, the Director may issue an order to the User responsible
1677 for the discharge directing that the User come into compliance within a specified time. If the
1678 User does not come into compliance within the time provided, sewer service may be
1679 discontinued unless adequate treatment facilities, devices, or other related appurtenances are
1680 installed and properly operated. Compliance orders also may contain other requirements to
1681 address the noncompliance, including additional self-monitoring and management practices
1682 designed to minimize the amount of pollutants discharged to the sewer. A compliance order may
1683 not extend the deadline for compliance established for a Pretreatment Standard or Requirement,
1684 nor does a compliance order relieve the User of liability for any violation, including any
1685 continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite
1686 for, taking any other action against the User.

1687

1688

1689 10.5 Cease and Desist Orders

1690

1691 When the Director finds that a User has violated, or continues to violate, any provision of this
1692 ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other
1693 Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the

1694 Director may issue an order to the User directing it to cease and desist all such violations and
1695 directing the User to:

- 1696
- 1697 A. Immediately comply with all requirements; and
- 1698
- 1699 B. Take such appropriate remedial or preventive action as may be needed to properly
1700 address a continuing or threatened violation, including halting operations and/or
1701 terminating the discharge. Issuance of a cease and desist order shall not be a bar
1702 against, or a prerequisite for, taking any other action against the User.
- 1703

1704 10.6 Administrative Fines

- 1705
- 1706 A. When the Director finds that a User has violated, or continues to violate, any
1707 provision of this ordinance, an individual wastewater discharge permit, or order issued
1708 hereunder, or any other Pretreatment Standard or Requirement, the Director may fine
1709 such User in an amount not to exceed \$500.00. Such fines shall be assessed on a per-
1710 violation, per-day basis. In the case of monthly or other long-term average discharge
1711 limits, fines shall be assessed for each day during the period of violation.
- 1712
- 1713 B. Unpaid charges, fines, and penalties shall, after [_____] (____)] calendar days, be
1714 assessed an additional penalty of [_____] percent (____%)] of the unpaid balance, and
1715 interest shall accrue thereafter at a rate of [_____] percent (____%)] per month. A lien
1716 against the User's property shall be sought for unpaid charges, fines, and penalties.
- 1717
- 1718 C. Users desiring to dispute such fines must file a written request for the Director to
1719 reconsider the fine along with full payment of the fine amount within thirty (30) days of
1720 being notified of the fine. Where a request has merit, the Director may convene a hearing
1721 on the matter. In the event the User's appeal is successful, the payment, together with
1722 any interest accruing thereto, shall be returned to the User. The Director may add the
1723 costs of preparing administrative enforcement actions, such as notices and orders, to the
1724 fine.
- 1725
- 1726 D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for,
1727 taking any other action against the User.
- 1728

1729 10.7 Emergency Suspensions

1730
1731 the Director may immediately suspend a User's discharge, after informal notice to the User,
1732 whenever such suspension is necessary to stop an actual or threatened discharge, which
1733 reasonably appears to present, or cause an imminent or substantial endangerment to the health or
1734 welfare of persons. The Director may also immediately suspend a User's discharge, after notice
1735 and opportunity to respond, that threatens to interfere with the operation of the POTW, or which
1736 presents, or may present, an endangerment to the environment.

- 1737
- 1738 A. Any User notified of a suspension of its discharge shall immediately stop or eliminate
1739 its contribution. In the event of a User's failure to immediately comply voluntarily with

1740 the suspension order, the Director may take such steps as deemed necessary, including
1741 immediate severance of the sewer connection, to prevent or minimize damage to the
1742 POTW, its receiving stream, or endangerment to any individuals. the Director may allow
1743 the User to recommence its discharge when the User has demonstrated to the satisfaction
1744 of the Director that the period of endangerment has passed, unless the termination
1745 proceedings in Section 10.8 of this ordinance are initiated against the User.
1746

1747 B. A User that is responsible, in whole or in part, for any discharge presenting imminent
1748 endangerment shall submit a detailed written statement, describing the causes of the
1749 harmful contribution and the measures taken to prevent any future occurrence, to the
1750 Director prior to the date of any show cause or termination hearing under Sections 10.3 or
1751 10.8 of this ordinance.
1752

1753 Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency
1754 Suspension under this Section.
1755

1756 10.8 Termination of Discharge 1757

1758 In addition to the provisions in Section 5.6 of this ordinance, any User who violates the
1759 following conditions is subject to discharge termination:
1760

1761 A. Violation of individual wastewater discharge permit [or general permit] conditions;
1762

1763 B. Failure to accurately report the wastewater constituents and characteristics of its
1764 discharge;
1765

1766 C. Failure to report significant changes in operations or wastewater volume, constituents,
1767 and characteristics prior to discharge;
1768

1769 D. Refusal of reasonable access to the User's premises for the purpose of inspection,
1770 monitoring, or sampling; or
1771

1772 E. Violation of the Pretreatment Standards in Section 2 of this ordinance.
1773

1774 Such User will be notified of the proposed termination of its discharge and be offered an
1775 opportunity to show cause under Section 10.3 of this ordinance why the proposed action should
1776 not be taken. Exercise of this option by the Director shall not be a bar to, or a prerequisite for,
1777 taking any other action against the User.
1778
1779
1780
1781
1782
1783
1784

1785 SECTION 11—JUDICIAL ENFORCEMENT REMEDIES

1786

1787 11.1 Injunctive Relief

1788

1789 When the Director finds that a User has violated, or continues to violate, any provision of this
1790 ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other
1791 Pretreatment Standard or Requirement, the Director may petition the Circuit Court of Scott
1792 County Missouri through the BMU’s Attorney for the issuance of a temporary or permanent
1793 injunction, as appropriate, which restrains or compels the specific performance of the individual
1794 wastewater discharge permit, order, or other requirement imposed by this ordinance on activities
1795 of the User. The Director may also seek such other action as is appropriate for legal and/or
1796 equitable relief, including a requirement for the User to conduct environmental remediation. A
1797 petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other
1798 action against a User.

1799

1800 11.2 Civil Penalties

1801

1802 A. A User who has violated, or continues to violate, any provision of this ordinance, an
1803 individual wastewater discharge permit, or order issued hereunder, or any other
1804 Pretreatment Standard or Requirement shall be liable to the BMU for a maximum civil
1805 penalty of \$1000.00 per violation, per day. In the case of a monthly or other long-term
1806 average discharge limit, penalties shall accrue for each day during the period of the
1807 violation.

1808

1809 B. The Director may recover reasonable attorneys’ fees, court costs, and other expenses
1810 associated with enforcement activities, including sampling and monitoring expenses, and
1811 the cost of any actual damages incurred by the BMU.

1812

1813 C. In determining the amount of civil liability, the Court shall take into account all
1814 relevant circumstances, including, but not limited to, the extent of harm caused by the
1815 violation, the magnitude and duration of the violation, any economic benefit gained
1816 through the User’s violation, corrective actions by the User, the compliance history of the
1817 User, and any other factor as justice requires.

1818

1819 D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking
1820 any other action against a User.

1821

1822 11.3 Criminal Prosecution

1823

1824 A. A User who willfully or negligently violates any provision of this ordinance, an
1825 individual wastewater discharge permit, or order issued hereunder, or any other
1826 Pretreatment Standard or Requirement shall, upon conviction, be guilty of a
1827 misdemeanor, punishable by a fine of not more than \$1000.00 per violation, per day, or
1828 imprisonment for not more than one (1) years, or both.

1829

1830 B. A User who willfully or negligently introduces any substance into the POTW which
1831 causes personal injury or property damage shall, upon conviction, be guilty of a
1832 misdemeanor and be subject to a penalty of at least \$1000.00, or be subject to
1833 imprisonment for not more than one (1) year, or both. This penalty shall be in addition to
1834 any other cause of action for personal injury or property damage available under State
1835 law.

1836
1837 C. A User who knowingly makes any false statements, representations, or certifications
1838 in any application, record, report, plan, or other documentation filed, or required to be
1839 maintained, pursuant to this ordinance, individual wastewater discharge permit, or order
1840 issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any
1841 monitoring device or method required under this ordinance shall, upon conviction, be
1842 punished by a fine of not more than \$1000.00 per violation, per day, or imprisonment for
1843 not more than one (1) year, years, or both.

1844
1845 D. In the event of a second conviction, a User shall be punished by a fine of not more
1846 than \$1000.00 per violation, per day, or imprisonment for not more than one (1) year, or
1847 both.

1848 1849 11.4 Remedies Nonexclusive

1850
1851 The remedies provided for in this ordinance are not exclusive. The Director may take any, all, or
1852 any combination of these actions against a noncompliant User. Enforcement of pretreatment
1853 violations will generally be in accordance with the BMU's enforcement response plan.
1854 However, the Director may take other action against any User when the circumstances warrant.
1855 Further, the Director is empowered to take more than one enforcement action against any
1856 noncompliant User.

1857 1858 SECTION 12—SUPPLEMENTAL ENFORCEMENT ACTION

1859 1860 12.1 Payment of Outstanding Fees and Penalties

1861
1862 The Director may decline to issue or reissue an individual wastewater discharge permit [or a
1863 general permit] to any User who has failed to pay any outstanding fees, fines or penalties
1864 incurred as a result of any provision of this ordinance, a previous individual wastewater
1865 discharge permit, [or a previous general permit] or order issued hereunder.

1866 1867 12.2 Water Supply Severance

1868
1869 Whenever a User has violated or continues to violate any provision of this ordinance, an
1870 individual wastewater discharge permit, [a general permit] or order issued hereunder, or any
1871 other Pretreatment Standard or Requirement, water service to the User may be severed. Service
1872 will recommence, at the User's expense, only after the User has satisfactorily demonstrated its
1873 ability to comply.

1874

1875 SECTION 13—AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

1876

1877 SECTION 14—WASTEWATER TREATMENT RATES - [RESERVED]

1878

1879 SECTION 15—MISCELLANEOUS PROVISIONS

1880

1881 15.1 Pretreatment Charges and Fees - [RESERVED]

1882

1883 15.2 Severability

1884

1885 If any provision of this ordinance is invalidated by any court of competent jurisdiction, the
1886 remaining provisions shall not be affected and shall continue in full force and effect.

1887

1888 SECTION 16—EFFECTIVE DATE

1889

1890 This ordinance shall be in full force and effect immediately following its passage, approval, and
1891 publication, as provided by law.

1892

Council Letter

Date of Meeting: 16-10-31

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: Resolution 16-10-02 – Authorize Submission of Transportation Alternative Program Grant Application for Rail Trail Project

Attachments:

1. Resolution 16-10-02

Action Options:

1. Approve Resolution
2. Other action Council may deem appropriate

Background:

Staff is seeking Council approval of Resolution 16-10-02 authorizing the City to apply for MoDOT Transportation Alternative Program (TAP) funding to construct Phase I of the Railroad Trail Project.

The overall project estimate, including consultant fees, is \$375,315. We propose the request 75% of those funds from the TAP Program, leaving a 25% (\$93,828.75) local match utilizing FY18 Capital Improvement funds that the City will have to cover.

RESOLUTION 16-10-02

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI, STATING ITS INTENT TO SEEK FUNDING FOR THE DEVELOPMENT OF PHASE ONE OF THE RAILROAD RAIL-TO-TRAIL PROJECT THROUGH THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) AND AUTHORIZING THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE SAID FUNDING.

WHEREAS, The Transportation Alternatives Program (TAP) was authorized under Section 1122 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) and is reauthorized under the FAST Act; and

WHEREAS, the federally funded TAP provides opportunities to communities to expand transportation choices and enhance the transportation experience through categories of activities related to the surface transportation system; and

WHEREAS, The Missouri Department of Transportation is designated to award Transportation Alternatives Program funding; and

WHEREAS, The City has an eligible project which may apply for and utilize TAP funding.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sikeston, Missouri, that it desires to participate with the Missouri Department of Transportation in the improvement of our community under the activities authorized pursuant to the Transportation Alternatives Program.

THEREFORE, BE IT FURTHER RESOLVED that the Mayor of the City of Sikeston, Missouri, is hereby authorized to prepare and submit documents which are necessary in applying for funding and establishing an administrative organization to implement activities pursuant to the aforementioned act.

THEREFORE, BE IT FURTHER RESOLVED, that the applicant will dedicate \$ 94,000.00 of local cash funds to be used in the development of phase one of the rail to trail project.

Read this 31st day of October, 2016, discussed and voted upon as follows:

White-Ross _____, Evans _____, Meredith _____,

Depro _____, Gilmore _____, Settles _____,

Burch _____, thereby being

Steven Burch, Mayor

Approved as to form
Charles Leible, City Counselor

Seal / Attest:

Carroll Couch, City Clerk

Council Letter

Date of Meeting: 16-10-31

Originating Department: Public Works Department/ Street Department

To the Mayor and City Council:

Subject: Authorization to Participate in Missouri One Call System (Dig Rite) for location/ protection of City`s underground storm water infrastructure

Attachments:

1. Missouri One Call System, Inc. General Membership Agreement

Action Options:

1. Authorization to participate in Missouri`s One Call System
2. Other action Council may deem appropriate

Background:

Recently, after a local contractor damaged a section of the City`s storm water pipe system, City staff contacted Missouri`s One Call System (Dig Rite) for information on becoming a member. City staff were informed that under Missouri law, any municipality with an underground facility must participate in the One Call System. Therefore, staff is requesting the authorization of the attached agreement to participate in the One Call System. The City will be billed \$1.30 per locate notification. The City must also provide a detailed map to the One Call System of the City`s storm water system.

Missouri One Call System, Inc.
General Membership Agreement

WHEREAS, Missouri One Call System, Inc., (hereinafter called "Corporation"), a Missouri non-profit corporation, has been formed in an effort to reduce damage to the underground facilities of its members through the establishment of a statewide notification system to facilitate the receipt and transmittal of information to and from persons, firms, corporations, municipalities, and other entities intending excavation activities, including but not limited to: backfilling, ditching, drilling, well drilling, auguring, boring, tunneling, scraping, cable or pipe plowing, plowing-in, pulling-in, ripping, driving, demolition, or otherwise disturbing the subsurface of the earth, which activities might interfere with or damage the underground facilities of the members of Corporation who have facilities in the area of the proposed activities; and,

WHEREAS, the undersigned represents that it has underground facilities located within the state of Missouri and is otherwise eligible to be a general member of Corporation; and,

WHEREAS, the undersigned, in accordance with RSMo Chapter 319.015-319.050 makes application.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and benefits to be gained by membership in Corporation, the undersigned hereby applies for admission as a general member of Corporation, and in connection therewith covenants and agrees to be bound as follows:

1. The member agrees to abide by and accept the By-Laws of the Corporation and to be bound thereby in its participation as a member of Corporation.
2. The member agrees to adhere to the requirements of the Member Operating Specifications.
3. The member agrees to advertise, promote and educate its personnel and its contractors about the "One Call" program, as appropriate, through whatever means are available and practical to the member.
4. The member hereby agrees and promises to pay promptly and fully the fees prescribed by the Board of Directors of Corporation pursuant to the By-Laws of Corporation.

Company Name: _____

Representative Name: _____

Title: _____

Signature: _____

Address: _____

City, State & Zip: _____

Do not complete below this line.

ACCEPTANCE

The above Application for General membership in Missouri One Call System, Inc., is hereby accepted this _____ day of _____, 20____.

MISSOURI ONE CALL SYSTEM, INC.

Signature of Board Secretary

Please submit to:
Missouri One Call System, Inc.
824 Weathered Rock Road
Jefferson City, Missouri 65101

Council Letter

Date of Meeting: 16-10-31

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: Authorization to Proceed with Purchase of Salt Spreader Stands

Attachments:

1. Quotation from Viking-Cives Midwest, Inc.

Action Options:

1. Authorization to proceed with purchase of salt spreader stands
2. Other action the City Council deems appropriate

Background:

Staff would like to purchase three (3) salt spreader stands for our snow plow trucks. Viking Cives Midwest, Inc. is the sole vendor for this item. The total cost of three (3) stands is \$11,325.00. This purchase is included in the approved budget using Capital Improvement funds.

We seek Council's approval to proceed with the purchase.



22956 Hwy 61
 PO Box 295
 Morley, MO 63767
 Phone: 573-262-3545
 Fax: 573-262-3369

Quote

Quote #	Date
162813	08/09/16

Customer		
CITY OF SIKESTON 105 E CENTER		
SIKESTON	MO	63801

Ship To		
CITY OF SIKESTON 105 E. CENTER		
SIKESTON	MO	63801

Customer PO	Terms	Sales Rep	Lead Time	Ship Via	FOB	VIN
Brian	Net 30	DARYL	08/09/16		MORLEY, MO	

Item	Description	Ordered	UOM	Price Per	Total Price
MO14OPT605	15' VCM galvanized spreader stand assembly	3.00	EA	3,050.00	9,150.00
ACCOUNT:5104-01 Direct Purchase	Install customer supplied spreader with stainless tailgate lockbar.	3.00	EA	725.00	2,175.00

Prepared By: dhay@vikingcivesmidwest.com

Memo:

Customer must fill out the information below before the order can be processed.

Sub-Total	11,325.00
Shipping	0.000
Discount	0.00
Taxes	0.00
Total	11,325.00

Accepted by: _____ Date: _____ P.O.#: _____

*Quoted price does not include any applicable taxes.

*Terms are Due Upon Receipt unless prior credit

*Terms for established accounts. NET 30 days

*Please note if chassis is furnished. It is as a convenience and terms are Net Due on Receipt of Chassis

Council Letter

Date of Meeting: 16-10-31

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: Authorization to Proceed with Purchase of Used Equipment

Action Options:

1. Authorization to proceed with purchase of used equipment
2. Other action the City Council deems appropriate

Background:

Staff would like to purchase a used pickup truck for the Public Works Code Enforcement Division. The price for this pickup is \$19,000 and is included in the approved budget using \$15,000 in Capital Improvement funds. The additional \$4,000 being used was the result of selling old dump trucks and spreaders.

Utilizing the City's Purchase of Used Equipment policy, we seek Council's approval to comparison shop and proceed with the purchase.

Council Letter

Date of Meeting: 16-10-31

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: Resolution 16-10-01 – Declaration of Surplus Vehicle

Attachments:

1. Resolution 16-10-01

Action Options:

1. Approve
2. Other action Council may deem appropriate

Background:

The Public Works Department is requesting that Council surplus the Suburban formerly used by the DED Department. The Public Works Department would like to utilize the sale proceeds to purchase two (2) used replacement vehicles for Code Enforcement if funds allow.

Vehicles:

1. 2013 Chevrolet Suburban, VIN# 1GNSCJE08DR376906

RESOLUTION 16-10-01

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI DECLARING CERTAIN EQUIPMENT, VEHICLES AND ITEMS IN THE CITY'S INVENTORY TO BE SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSAL.

WHEREAS, Certain equipment, vehicles and items in the City's inventory, due to its age or state of disrepair can no longer adequately perform the day-to-day operations of the City; and

WHEREAS, the City of Sikeston seeks to remove such items from its inventories to maximize operations, and while providing a safe and efficient environment for its employees.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

All of the items enumerated below are hereby declared surplus and the City Manager is directed to proceed with the removal of these items from City inventories by sale at public auction, sale by sealed bid, or when the item is no longer usable, by disposal.

Vehicles:

1. 2013 Chevrolet Suburban), VIN# 1GNSCJE08DR376906

Read this 31st day of October, 2016, discussed and voted as follows:

Depro _____, Evans _____, Gilmore _____, White-Ross _____,
Meredith _____, Settles _____, and Burch _____,
thereby being _____.

Steven Burch, Mayor

Approved as to Form:
Charles Leible, City Counselor

ATTEST:

Carroll Couch, City Clerk

Council Letter

Date of Meeting 16-10-31

Originating Department: Public Works

To the Mayor and City Council:

Subject: Award Bid 17-5 Infield Renovations at Recreation Complex

Attachments:

1. Bid Tabulation sheet for 17-5

Action Options:

1. Award Bid 17-5 to Tru Turf Solutions
2. Other action the City Council deems appropriate.

Background:

Staff opened bids from two vendors on Tuesday, October 19, 2016 for the renovation of two infields in the Recreation Complex. This included the Rookie Field (Field #3) on the Little League field, and the U10 Girls' Softball Field (Field #5). The bid tabulation sheet is attached. The low bid was from Tru Turf Solutions from St. Louis, Missouri for \$25,900.00 for both fields combined. The budget breakdown for the project is: \$14,000 from Capital Improvements, \$4,000 from a donation from the Sikeston Area Youth Baseball and Softball League, and \$7,100 from Ground Maintenance.

Staff recommends awarding the bid to Tru Turf Solutions for \$25,900 to renovate both the Rookie and the U10 Girls' infields.

CITY OF SIKESTON BID TABULATION SHEET
Bid #17-5 Infield Renovation
October 19, 2016

VENDOR	COST
Tru Turf Solutions	Field #3: \$12,950.00 Field #5: \$12,950.00 Total: \$25,900.00
Turf Renovations, LLC	Field #3: \$14,500.00 Field #5: \$14,500.00 Total: \$29,000.00

CHAIRMAN: Dustin Care **RECORDER:** Angie Keller **VERIFIER:** Chris Hart