



Item: Ordinance 3144, Amending Title 13, Chapter 12, Section 030 of the Official Code of the City of Great Falls Pertaining to the Industrial Pretreatment Program and Prohibited Discharges and Limitations

From: Paul Skubinna, Public Works Environmental Supervisor

Initiated By: Montana Department of Environmental Quality

Presented By: Jim Rearden, Public Works Director

Action Requested: Accept Ordinance 3144 on first reading and set final reading for August 16, 2016.

Suggested Action:

1. Commissioner moves:

“I move the City Commission (accept/not accept) Ordinance 3144 on first reading and set final reading for August 16, 2016.
 2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.
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Background: The City of Great Falls’ (City) current Montana Pollutant Discharge Permit (MPDES) for the wastewater treatment plant was renewed on October 19, 2010. The 2010 permit contained more stringent effluent limits for copper (Cu) and new effluent limits for selenium (Se). The City’s local limits, adopted at 13.12.030, are a direct reflection of MPDES effluent limitations. As such, the City conducted a technical review of its local limits and on November 1, 2011, adopted updated more stringent local limits that reflected the more stringent 2010 MPDES permit limits.

Subsequently, the City conducted a mixing zone study that demonstrated the Missouri River has assimilative capacity for Cu and that the City’s wastewater treatment plant discharge did not have reasonable potential (RP) to exceed the most stringent applicable Se water quality standard. In light of this information the state of Montana took action to modify the City’s MPDES permit on April 11, 2013. The 2013MPDES permit acknowledged the assimilative capacity and relaxed

the effluent Cu limits and issued a mixing zone. Similarly, the 2013 MPDES permit removed effluent limits for Se because there was not RP for the City to exceed the applicable water quality standard.

The 2013 modified MPDES permit limits implement and protect the most stringent applicable water quality standards. This Ordinance updates adjusts the City's pretreatment local limits to reflect the City's current 2013 MPDES permit limits.

Staff Recommendation: Staff recommends that the City Commission accept Ordinance 3144 on first reading and schedule final reading and consideration of adoption for August 16, 2016, at which time public comment period provided by EPA will be complete.

Fiscal impact: No Fiscal impact is expected from this action.

Alternatives: The City Commission may deny Ordinance 3144. The City would then be forced by EPA to enforce upon its industrial users the local limits currently adopted in City Code, which;

1. Are more stringent than necessary to protect the wastewater plant,
2. Are more stringent than necessary to protect water quality,
3. Do not reflect the City's effective MPDES permit, and
4. Are unachievable by some of the City's current industrial dischargers causing them unnecessary and undue compliance issues.

Attachments: Ordinance 3144 and Exhibit "A"

ORDINANCE 3144

AN ORDINANCE AMENDING TITLE 13, CHAPTER 12, SECTION 030 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS PERTAINING TO THE INDUSTRIAL PRETREATMENT PROGRAM AND PROHIBITED DISCHARGES AND LIMITATIONS

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WHEREAS, local limits are numerical wastewater limitations that apply to commercial and industrial facilities that discharge to the City’s Publicly Owned Treatment Works (POTW); and

WHEREAS, local limits are developed to meet the Pretreatment Program objectives and site specific needs of the local POTW; and

WHEREAS, the City has received notice from the United States Environmental Protection Agency that modifications to the City’s local limits have been publicly noticed, no significant comments were received, and that the modifications to the Pretreatment Program are approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. That Title 13, Chapter 12, Section 030 of the Official Code of the City of Great Falls (OCCGF) is hereby amended as depicted in Exhibit “A” attached hereto, which removes any language indicated by a ~~strike-out~~ and adds language which is **bolded**.

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission of the City of Great Falls, Montana on first reading July 5, 2016.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading August _____, 2016.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3144 in three places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

(Seal of the City)

Lisa Kunz, City Clerk

Exhibit "A"

Title 13 - WATER AND SEWER AND STORM DRAINAGE

Chapter 12 INDUSTRIAL PRETREATMENT PROGRAM

13.12.030 Prohibited discharges and limitations.

...

- No Significant Industrial User shall discharge wastewater that exceeds the following limits:

MAXIMUM CONTRIBUTION

POLLUTANT	SYMBOL	Daily Maximum
Arsenic, Total	As	1.57 mg/l
Cadmium, Total	Cd	3.51 mg/l
Chromium, Total	Cr	5.92 mg/l
Chromium (III)	Cr (III)	0.57 mg/l
Chromium (VI)	Cr (VI)	0.04 mg/l
Copper, Total ¹	Cu	1.543 5.37 lbs/day
Lead, Total	Pb	0.14 mg/l
Mercury, Total	Hg	0.02 mg/l
Nickel, Total	Ni	0.59 mg/l
Selenium, Total ¹	Se	0.281 1.42 lbs/day
Silver, Total	Ag	0.62 mg/l
Zinc, Total	Zn	2.13 mg/l
Sulfide, Total		3608 mg/l

Exhibit "A"

Title 13 - WATER AND SEWER AND STORM DRAINAGE

Chapter 12 INDUSTRIAL PRETREATMENT PROGRAM

⁽¹⁾ The loading specified is the total loading for this pollutant that is available to all Significant Industrial Users. The City shall not allocate more pollutant loading through control mechanisms than is available for discharge as specified in this table.

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(Ord. 3144, 2016; Ord. 3082, § 1(Exh. A), 11-1-2011; Ord. 3050, § 1, 8-3-2010; Ord. 2645, 1993; Ord. 2386 Exh. A (part), 1985, § 13.20.020)