



**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:** Final reading and Adoption of Ordinance 3144.

---

**Suggested Action:**

1. Commissioner moves:  
  
    “I move the City Commission (adopt/deny) Ordinance 3144 contingent upon EPA approval of the proposed program modification as submitted.
  2. Mayor calls for a second, discussion, public comment, and calls for the vote.
- 

**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 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. Adoption of this Ordinance adjusts the City's pretreatment local limits to reflect the City's current 2013 modified MPDES permit limits.

On July 5, 2016, the City Commission accepted Ordinance 3144 on first reading.

Meaningful public participation is one of the cornerstones of a successful industrial pretreatment program. Therefore, in accordance with Title 40, Chapter I, Subchapter N, Part 403.11 of the Code of Federal Regulation, EPA will provide notice in the *Great Falls Tribune* that it is accepting substantive comments regarding the proposed revisions to the Cu and Se local limits. EPA will respond to all substantive comments and approve and/or require revisions to the proposed updated local limits, accordingly.

**Staff Recommendation:** Staff believes EPA will approve the proposed local limits as drafted and recommends that the City Commission adopt Ordinance 3144, contingent upon EPA approval of the local limits as proposed.

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

**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**

\* \* \* \* \*

**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, contingent final EPA approval.

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.**

...

2. 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 <sup>1</sup>	Cu	<del>1.543</del> <b>5.37 lbs/day</b>
Lead, Total	Pb	0.14 mg/l
Mercury, Total	Hg	0.02 mg/l
Nickel, Total	Ni	0.59 mg/l
Selenium, Total <sup>1</sup>	Se	<del>0.281</del> <b>1.42 lbs/day</b>
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

<sup>(1)</sup> 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.

...

**(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)