

ORDINANCE NO. _____

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING § 201, GENERAL REGULATIONS, AND § 209, ACCIDENTIAL DISCHARGE, BOTH OF PART 2, REGULATIONS, AND § 403, INDUSTRIAL USERS, OF PART 4, ADMINISTRATION, ALL OF CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. § 201, General Regulations, of Part 2, Regulations, of Chapter 18, Sewers and Sewage Disposal, of the Code of the Borough of Pottstown, as amended, is hereby amended to amend § 201.1(C) to read as follows:

§ 201. General Regulations.

1(C). Any wastewater having a pH less than six or greater than ten or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.

SECTION 2. Subsection (1) of § 201, General Regulations, of Part 2, Regulations, of Chapter 18, Sewers and Sewage Disposal, of the Code of the Borough of Pottstown, as amended, shall be amended to create a new subsection (O) to read as follows:

O. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

SECTION 3. § 209, Accidental Discharge, of Part 2, Regulations, of Chapter 18, Sewers and Sewage Disposal, of the Code of the Borough of Pottstown is amended to read as follows:

§ 209. Accidental Discharge.

The Borough shall evaluate, at least once every two years, if the user requires spill prevention and slug discharge measures to be implemented.

SECTION 4. § 403.7, Industrial Users, of Part 4, Administration, of Chapter 18, Sewers and Sewage

Disposal, is hereby revised to amend Section C(1) and C(4) as follows:

- C. Notice of Potential Problems, Notice of Violation, Resampling Requirement, Notification of Discharge of Hazardous Wastes, Submission of All Monitoring Data
 - 1. Notice of potential problems, including slug loading. All categorical and non-categorical industrial users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings, or changes affecting potential for a slug discharge, as defined by § 102 of this chapter, by the industrial user.
 - 2. (NO CHANGE)
 - 3. (NO CHANGE)
 - 4. Baseline Monitoring Report Submission. In accordance with 40 CFR 403.12(b), within 180 days after the effective date of the categorical Pretreatment Standard, existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit to the Control Authority a report which contains the information listed below. New sources and sources that become Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall be required to submit to the Control Authority a report which contains the information below. New sources shall also be required to include in the report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards.

Requirements for the Baseline Monitoring Reports:

- A. Identifying information – Name and address of the facility including the name of the operator and owners.
- B. Permits – Submit a list of any environmental control permits held by or for the facility.
- C. Description of operations – Submit a brief description of the nature, average rate of production and Standard Industrial Classification of the operation(s) carried out by the Industrial User. Schematic process diagram should be included.
- D. Flow measurement – measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - i. Regulated process streams
 - ii. Other streams as necessary to allow use of the combined wastestream formula.

Verifiable estimates will be allowed for flows that are justified by cost or feasibility considerations.

- E. Measurement of pollutants:

- i. The user shall identify the Pretreatment Standards applicable to each required process.
- ii. The user shall submit results of sampling and analysis identifying the nature and concentration (or mass) of the regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration shall be reported. The sample shall be representative of daily operations.
- iii. The user shall take a minimum of one (1) representative sample to compile that data necessary to comply with the requirements.
- iv. Samples should be taken downstream from pretreatment facilities or regulated process. Combined wastestream formula should be used when other wastewaters are mixed with regulated wastewater prior to pretreatment.
- v. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 or by using validated analytical methods and applicable sampling and analytical procedures if 40 CFR Part 136 methods are inappropriate for pollutant in question.
- vi. POTW may allow submission of baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
- vii. Baseline report shall indicate the time, date and place of sampling and methods of analysis and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

F. Certification – A statement indicating whether Pretreatment Standards are being met on a consistent basis and if not, whether additional operation and maintenance and/or additional pretreatment is required for the industrial user to meet the pretreatment standards and requirements.

G. Compliance Schedule. If additional pretreatment and/or O/M will be required to meet the pretreatment standards; the shortest schedule by which the Industrial User will provide such additional pretreatment and O/M. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

SECTION 5. Re-Enactment. In all other respects, the remaining provisions of Chapter 18, Sewers and Sewage Disposal, of the Code of Ordinances of the Borough of Pottstown, as amended, to the extent not inconsistent herewith, are hereby reenacted and reordained.

SECTION 6. Repealer. All ordinances or parts of ordinances which are inconsistent with this ordinance shall be and the same are expressly repealed.

SECTION 7. Severability. If any sentence, clause, section or other part of this ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not

affect or impair any remaining provisions, sentences, clauses, sections or other parts of this ordinance. It is hereby declared as the intent of the Burgess and Town Council of the Borough of Pottstown that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not be included herein.

SECTION 8. Effective Date. This ordinance shall become effective immediately upon enactment.

ENACTED and **ORDAINED** this _____ day of April, 2022.

**THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN**

By: _____
Dan Weand, President

Attest: _____
Virginia L. Takach, Secretary

Approved this ____ day of
_____, 2022.

Stephanie Henrick, Mayor