

AN ORDINANCE PROVIDING INDUSTRIAL WASTE RESTRICTIONS AND INDUSTRIAL WASTE RATE PRINCIPLES.

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. Industrial Waste Restrictions

- (1) It is unlawful to discharge or permit the discharge of industrial wastes into a public sewer under City control or into a sewer discharging into the City sewer system unless prior approval of the City is obtained.
- (2) If any industrial wastes are discharged or are proposed to be discharged to a public sewer, which, in the judgment of the City may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or create malodors, the City may:
 - (a) Reject the waste,
 - (b) Require preliminary treatment to an acceptable condition for discharge to the public sewer, and
 - (c) Require regulation of the quantities and/or rates of discharge.

- (3) SPECIAL AGREEMENTS. No statement contained in this Section shall be construed as prohibiting any special agreement or arrangement between the City and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment works, either before or after preliminary treatment, provided that there is no impairment of the functioning of the wastewater treatment works by reason of the admission of such wastes, and no extra costs are incurred by the City.

Section 2. Industrial Waste Rate Principles

- (1) GENERAL. The Environmental Protection Agency, hereinafter called the EPA, awarded a grant to the City for 75% participation in the waste water treatment plant construction for

the City, which construction is now in progress, and the City is required to enact a system of equitable user charges that meet the EPA guidelines to provide for industries discharging into the municipal system to pay their "fair Share" of the treatment costs. The EPA guidelines were published in the Federal Register, Vol. 38, No. 161 on August 21, 1973 and EPA continues to make the regulations and the guidelines with which the City is required to comply.

(2) STATEMENT OF RATE.

(a) The primary objective in setting industrial waste rates is to provide for equitable distribution of the cost of treatment services, based on the quantity and quality of effluent from system users. Three criteria; liquid flow (Q), biochemical oxygen demand (BOD), and suspended solids (SS), form the principal basis of design and resultant cost for treatment works. As such, these three criteria form a logical basis for development of a fair rate structure. The rate structure, then, will be built around these components - Q, BOD, and SS.

(b) The rates will be based on the "average cost pricing" concept. That is, all users shall pay at the average unit cost of service. No credit for economy of scale, volume discount, or rate reductions based on community impact are included. It is intended that all scale economies shall accrue equally to all users.

INDUSTRIAL COST RECOVERY AND USER CHARGE SYSTEM. As set forth in the EPA guidelines, the system for industrial cost recovery and user charge system must be approved by the EPA and be implemented and maintained by the City in accordance with the regulations published in the Federal Register, Vol. 38, No. 161 on August 21, 1973.

OPERATION AND MAINTENANCE COST PRINCIPLES. The operation and maintenance cost principles shall be as set forth in the Cornell, Howland, Hays & Merryfield, Clair A. Hill & Associates report entitled "Industrial Waste Rate Methods", May

1974, a copy of which is attached hereto.

(5) SUMMARY OF INDUSTRIAL WASTE RATE METHODS.

(a) The proposed rate of methods for the industrial wastewater treatment consist of: (1) a fixed annual charge to the industry equal to a calculated percentage of the amortized net project cost, for capital costs, and (2) a variable annual user charge to the industry, which is based on the actual loading at the treatment plant, and the actual cost of operation and maintenance, including its share of amortizing the City's bond costs for the project.

(b) The O&M charge to an industry would be by unit charges for flow (Q), BOD, and suspended solids (SS). Based on the estimates described herein, the O&M cost formula is:

$$\text{O\&M Charge} = \$104.00 \times Q + \$0.0557 \times \text{BOD} + \$0.0138 \times \text{SS}.$$

(c) The unit charges for Q, BOD and SS are \$104.00 per million gallons Q, \$0.0557 per lb BOD, and \$0.0138 per lb SS. These unit charges will change with actual loads and actual O&M costs. To recalculate the unit charges when better data on O&M costs and/or plant loadings are available, the total joint O&M cost is divided among Q, BOD and SS in the ratio of 54% to Q, 38% to BOD and 8% to SS. These percentage factors could be changed under conditions described in the Cornell, Howland, Hays & Merryfield, Clair A. Hill & Associates "Industrial Waste Rate Methods" May, 1974, but this would not be done routinely.

Section 3. Establishing Rates.-

The City Council shall prescribe the industrial waste user rates in accordance with EPA requirements and guidelines, and in accordance with the principles stated in this Ordinance.

Section 4. Emergency Clause.

It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate

preservation of the public peace, health, and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 28 day of May, 1974.

Edward H. Bucher
Mayor

ATTEST:

David M. Cletcher
City Manager