



City Council
COMMITTEE OF THE WHOLE
City of Belvidere, Illinois

Alderman Clinton Morris, 1st Ward

Alderman Daniel Snow, 2nd Ward

Co-Chairman, City/County Coordinating

Alderman Thomas Ratcliffe, 3rd Ward

Chairman, Finance and Personnel

Vice Chairman Building Planning and Zoning

Alderman George Crawford, 4th Ward

Chairman, Public Safety

Alderman John Sanders, 5th Ward

Chairman, Building, Planning and Zoning

Alderman Clayton Stevens, 1st Ward

Vice Co-Chairman, City/County Coordinating

Alderman Daniel Arevalo 2nd Ward

Vice Chairman, Public Safety

Alderman Wendy Frank, 3rd Ward

Vice Chairman, Finance and Personnel

Alderman Ronald Brooks, 4th Ward

Chairman, Public Works

Alderman Mark Sanderson, 5th Ward

Vice Chairman, Public Works

AGENDA

August 8, 2016

6:00 p.m.

City Council Chambers

401 Whitney Boulevard

Belvidere, Illinois

Call to Order: Mayor Chamberlain

Roll Call: Present: Absent:

Public Comment:

Public Forum:

Reports of Officers, Boards, and Special Committees:

Police Chief Noble – Intergovernmental Agreement for School Resource Officer between School District 100 and the City of Belvidere.

1. Building, Planning & Zoning, Unfinished Business: None.
2. Building, Planning & Zoning, New Business: None.

3. Public Works, Unfinished Business:

(A) Menomonie Street – update.

4. Public Works, New Business:

(A) Infrastructure Agreement and Industrial Expansion Agreement between the City of Belvidere and FCA US LLC.

(B) Chrysler Water Meter Upgrade.

(C) Chrysler Street Lighting.

(D) W. Pleasant Street – Sanitary Sewer Extension.

(E) WWTP Pre-treatment Ordinance Revisions.

(F) Purchase of Utility Van – Water and Sewer Department.

5. Adjournment:

INTERGOVERNMENTAL AGREEMENT FOR
SCHOOL RESOURCE OFFICER BETWEEN
SCHOOL DISTRICT 100 AND THE CITY OF BELVIDERE

THIS AGREEMENT is entered into on this 18th day of August, 2016 between the City of Belvidere (the City) and the Board of Education of the Belvidere Community Unit School District No. 100 (District 100), Boone County, Illinois (District 100), both located within Boone County, State of Illinois.

WHEREAS, Section 10 of Article 7 of 1970 Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) empower units of local government to contract among themselves to share services and exercise, combine, or transfer any powers not prohibited by law; and

WHEREAS, District 100 desires to have the services of a City police officer available at the Belvidere High School (the High School) and the Belvidere South Middle School (the Middle School). The High School and Middle School are jointly referred to herein as the Schools; and

WHEREAS, the City determines that it is in the City's best interest to provide said services to the Schools located within the corporate limits of the City.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the adequacy of which is hereby acknowledged, the City and District 100 agree as follows:

1. RECITALS: The foregoing recitals are incorporated herein by this reference as if fully set forth.
2. SERVICES PROVIDED:
 - A. The City shall provide a School Resource Police Officer (the SRO) to District 100, to perform general police duties and to assist District 100 in the security of the Schools.
 - B. The City shall also assist District 100 with the overall security evaluation of the Schools.
3. SRO EMPLOYMENT:

The SRO is a City employee and shall be supervised and remain subject to the Police Department chain of command. All activities of the SRO shall be taken as a City employee and pursuant to applicable laws and the City Police Department's rules and regulations.

The Chief of Police, or his designee, shall coordinate the provision of SRO services with the principals of the Schools and/or the Superintendent of District 100.

It is essential that the City ensure that it is providing competent and professional services, not only to District 100, but to the entire community. As such, in the unlikely event that District 100 is in any way dissatisfied with the SRO assigned to District 100, or if District 100 feels that the assigned SRO has in any way acted in an improper manner, District 100 shall immediately notify the Chief of Police or his designee. District 100 shall not take any unilateral action with regard to the assigned SRO. The Chief of Police and District 100 shall coordinate an effective response and solution to District 100's concerns. In the event that District 100 and the Chief of Police conclude that an alternative SRO should be assigned, District 100 agrees and understands that it may take a period of time to train the new SRO and staff the position.

4. TIME OF PERFORMANCE:

The SRO shall be available for school purposes during school hours and at school sponsored events as follows:

- A. On all student attendance days from 8:00 a.m. to 3:30 p.m.
- B. At all other school sponsored functions as requested by the Schools' Principals: Regularly scheduled home football games; home football playoff games; homecoming activities, within City boundaries; selected home boys or girls basketball or wrestling; IHSA contests hosted at the Schools; other school dances; senior activities – graduation; and other school functions as needed.
- C. City and District 100 agree that the SRO shall only be assigned to the Schools and events identified above which are located within the corporate limits of the City.
- D. City and District 100 agree that the City Police Department may withdraw the SRO as needed on an emergency basis to assist with emergencies within or outside of the City.

5. COMPENSATION:

- A. District 100 shall pay the City an annual sum for the services of the SRO. The Compensation shall equal 70% of the average City patrol officer's compensation package including, but not limited to, employer contributions for Worker's Compensation, pension plans and health insurance. For purposes of calculating the Compensation, the average patrol officer's salary shall be calculated utilizing the City's fiscal year.
- B. Payment of the Compensation amount shall be made in ten (10) equal monthly installments, on the 15th day of each month, commencing in August of each year and terminating in May.
- C. If the City provides an SRO on an overtime basis at school functions as required under Section IV or upon request by District 100, District 100 shall pay to the City the actual assigned officer's rate of overtime pay as determined by the CBA between the City and the Fraternal Order of Police then in effect, or such amount as the parties may agree to in writing.

6. SERVICES TO BE SUPPLEMENTAL:

The parties agree that the services provided by this Agreement are in addition to general police services provided by the City in the regular course of operating its Police Department.

7. MISCELLANEOUS:

- A. This Agreement embodies the entire agreement between the parties with respect to the provision of the SRO. No extension or amendment of this Agreement shall be made or claimed by any party to have any force or effect whatsoever, unless such extension or amendment shall be set forth in writing and signed by all the parties hereto.
- B. This Agreement may be executed in separate counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.
- C. The headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.
- D. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Illinois, without regard to conflicts of law rules. If any provision of this Agreement is deemed invalid by a court of competent jurisdiction, such invalidation shall not render invalid any other provisions of this Agreement which can be given effect without the invalid provision.
- E. The parties agree that any action brought under or relating to this Agreement shall be brought in the 17th Judicial Circuit, Boone County, Illinois and the parties hereby submit to the jurisdiction of and venue in that Court.

8. EFFECTIVE DATE:

This Agreement shall take effect on August 18, 2016 and shall remain in effect for a period of three (3) years from that date. Either party may cancel this Agreement at any time prior to the expiration of the Agreement with sixty (60) days advance written notice of cancellation.

9. NOTICE:

Any notice required or given under this Agreement shall be given in writing and shall either be hand delivered or delivered through the U.S. Mail, postage prepaid, to the recipient at its formal administrative office. Any notice sent to the City shall be addressed to the Mayor with copies to the Chief of Police and the City Attorney. Any notice to District 100 shall be addressed to the Superintendent of Schools with copy to the Principals of the Schools.

IN WITNESS WHEREOF, the undersigned duly authorized representatives of the City and District 100 have caused this Agreement to be executed.

CITY OF BELVIDERE

BELVIDERE COMMUNITY UNIT
SCHOOL DISTRICT NUMBER 100

By: 

Mayor

By: 


Board of Education President

Date: 27 JUNE 2016

Date: 7/18/16

Attest:

Attest:

By: 

City Clerk

By: 

Board of Education Secretary

INFRASTRUCTURE AGREEMENT AND INDUSTRIAL EXPANSION AGREEMENT
BETWEEN THE CITY OF BELVIDERE AND
FCA US LLC

This Agreement is entered into this 20th day of July, 2016 between the City of Belvidere, an Illinois municipal corporation ("City") and FCA US LLC, a corporation authorized to transact business in Illinois ("FCA").

WHEREAS, FCA operates an automobile assembly plant ("the Plant") within the City which employs thousands of workers over three automobile assembly lines; and

WHEREAS, FCA desires to expand and change operations at the Plant (the "Project"); and

WHEREAS, the Project is estimated to include \$296,000,000 in new investment on or before December 31, 2018; and

WHEREAS, the Project and FCA's projected commitment to the region is anticipated to retain 3,651 jobs; and

WHEREAS, the Project is estimated to create 278 new jobs for the region; and

NOW THEREFORE, in consideration of the Recitals, the mutual agreements and covenants set forth in this Agreement and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1) The foregoing recitals are incorporated herein by this reference.
- 2) FCA agrees and acknowledges that this Agreement is specifically contingent upon ratification by the City's City Council. Further, any commitment by the City to provide any incentive or perform any work is contingent upon a specific appropriation for that work or incentive by the City's City Council.
- 3) The City will, at its cost, resurface Chrysler Drive adjacent to the Plant and will, at its cost, resurface 1,000 feet of South Appleton Road in the vicinity of the Plant. These infrastructure improvements will be presented to the City Council for approval no later than January 2017. The City will use its best efforts to complete the resurfacing of South Appleton Road and Chrysler Drive, as described in this section, by October 1, 2018. FCA acknowledges that funding and final approval for this work may not be approved until May 31, 2018.
- 4) The City, at its cost, shall convert the forty-four (44) street lights surrounding the Plant to LED technology. The City will present these upgrades to the City Council for approval in August of 2016 and will use its best efforts to complete this conversion by December 31, 2016.
- 5) The Parties acknowledge the need for FCA to have real time, accurate information relating to their water usage for budgetary purposes. As such, the City agrees to install a meter or modify the existing meter to provide the capability of real time information to

provide FCA that capability. This water meter upgrade will be presented to the City Council for approval in August of 2016. The City will use its best efforts to obtain and install the new digital water meter by December 31, 2016.

- 6) The City shall completely waive all City building permit fees for this Project.
- 7) FCA agrees to invest at least \$296,000,000 in connection with the Project and shall complete the Project no later than December 31, 2018. FCA also agrees to use its best efforts to meet the employment and investment goals articulated in the Recitals, which are subject to final internal approvals, general market conditions, technological changes, and competitive requirements within the global automotive industry.
- 8) In the event that FCA elects not to complete the Project and investment, or in the event Plant employment levels fall below existing employment levels (as of the date of this Agreement), the City's further obligations under this Agreement shall cease.
- 9) Miscellaneous:
 - a. This Agreement may be modified only by the mutual written consent of the parties.
 - b. With regard to the Project of this Agreement, this Agreement supersedes all prior agreements, negotiations and exhibits and is a full integration of the entire agreement of the parties relating to the Project.
 - c. This Agreement does not create, and shall not be construed to create, a joint venture or partnership between the Parties.
 - d. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 - e. Any section titles or numbers are for convenience purposes only and shall not be considered in any interpretation of this Agreement.
 - f. This Agreement shall be governed by and construed under the laws of the State of Illinois without regard to conflicts of law provisions. Any action brought under, or related to, this Agreement shall be brought in an Illinois Court.
 - g. This Agreement shall terminate on December 31, 2018 unless there is an agreement to extend the Agreement by both Parties.
 - h. Any notice required to be made under the terms of this Agreement shall be deemed made if either party personally delivers or mails such notice by first class mail, postage prepaid, as follows:

If to the City

To: City Clerk
City of Belvidere
401 Whitney Blvd.
Belvidere, Illinois 61008

If to FCA US L.L.C.

To: Christine M. Estreicher
Head of State and Local Government Relations
FCA US LLC
1000 Chrysler Drive
CIMS: 485-13-35
Auburn Hills, Michigan 48326


Or

Misti M. Rice
Senior Manager State Relations
FCA US LLC
1000 Chrysler Drive
CIMS: 485-13-35
Auburn Hills, Michigan 48326


By: The City of Belvidere

By: 
Michael W. Chamberlain

Its: Mayor

Attest: 
Shauna Arco
Clerk

By: FCA US LLC

By: 
Its: VP - MANUFACTURING,
FCA NORTH AMERICA

BELVIDERE PUBLIC WORKS

401 Whitney Boulevard

Belvidere, IL 61008

Phone 815-544-9256

Fax: 815-544-4255

Memo

To: Mayor and City Council
From: Brent Anderson, Director of Public Works
Date: August 1, 2016
Re: Chrysler Water Meter Upgrade

As part of the negotiations to bring the Jeep Cherokee production to the Belvidere assembly plant, Fiat-Chrysler requested that they be able to obtain real time water consumption reporting. In order to provide that information, the following items would need to be updated or installed:

1. Replace the existing 10" Turbo water meter with a new 10" Omni water meter.

\$9,869.00

2. Install a Radio-Read Filter and Ethermeter, including power supply.

\$1,400.00

I would recommend approval of the Chrysler Water Meter Upgrade at an estimated cost of \$11,269.00. This work will be paid for from Line Item 61-5-810-7060.



Bid Proposal for 10" T2 OMNI

CITY OF BELVIDERE
Bid Date: 07/15/2016
HD Supply Bid #: 124840

HD Supply Waterworks
6829 Irene Rd
Belvidere, IL 61008
Phone: 815-544-3458
Fax: 815-544-3474

Seq#	Qty	Description	Units	Price	Ext Price
10	1	10" T2 METER OMNI 41-1/8"LL 10 GAL WVWA	EA	9,000.00	9,000.00
20	2	10X1/8 FLG ACC RR FF ZINC B&NG	EA	25.00	50.00
30	1	10 E-Z FLANGE ADAPTER 1010 WITH MJ GASKET ()	EA	99.00	99.00
40	1	874-56-10027212 10" HYMAX FLG ADPT 10.70-11.37LR,11.33-12.00 HR	EA	720.00	720.00
60		THE MATERIALS QUOTED ARE BASED			
70		ON OUR INTERPRETATION OF THE			
80		PLANS AND SPECIFICATIONS. IT			
90		IS THE BUYER'S RESPONSIBILITY			
100		TO CONFIRM SIZES, QUANTITIES			
110		AND CONFORMANCE TO PROJECT			
120		SPECIFICATIONS.			
130					
140		UNLESS OTHERWISE NOTED, THE			
150		PRICES QUOTED WILL REMAIN FIRM			
160		FOR ORDERS SHIPPED WITHIN 30			
170		DAYS OF QUOTATION DATE.			
180		FOB: SHIPPING POINT, FREIGHT			
190		CHARGES ALLOWED TO:			
200		TERMS: NET 30 DAYS			
210		THANK YOU FOR THE OPPORTUNITY			
220		OF QUOTING. WE LOOK FORWARD			
230		TO SERVING YOU FURTHER IN			
240		REGARD TO THE ABOVE.			
250		RESPECTFULLY,			
260		RICHARD COOPER			
				Sub Total	9,869.00
				Tax	0.00
				Total	9,869.00



6829 Irene Road
Belvidere, IL 61008

t 815.544.3458
f 815.544.3474

Brent Anderson
City of Belvidere
401 Whitney BLVD
Belvidere, IL 61008

Dear Brent,

Enclosed are a couple of options to offer Chrysler/Fiat plant on how to maintain an overview on their water consumption.

Option #1 - Sensus 1100D ACT-PAK. - \$1200.00

This option would allow the company to have a separate device located in the meter building that would show the rate of flow and total for the water registering through the meter. This would also allow for the information to be available and sent via a 4-20MA signal. The device would also be enclosed in a NEMA4 enclosure.

Option #2 – EtherMeter - \$1400

This option would allow the company to have a separate device located in the meter building that would show the rate of flow and total for the water registering through the meter. This option would also allow for the signal to be transmitted via several different protocols that are used in today's automation systems (ie..MODBUS and many others) what is unique about this option is that when used with the Sensus Omni Meter it will allow the utility to maintain its resolution accuracy the best way for its needs and allow the factory to access the information they need without any draw backs.

I hope this information is helpful and please feel free to contact me if there is anything else you need.

Thank you,

A handwritten signature in black ink, appearing to read "Karl Johnson", with a long horizontal flourish extending to the right.

Karl Johnson
HD Waterworks

Radio-Read Filter™

SHARED ACCESS TO WATER METER READINGS



Revenue-Grade Flow Metering Accuracy:
Now Available to the Utility and Commercial
Water Customer Simultaneously...



**AWWA C707-05
COMPLIANT**

**2 YEAR
WARRANTY**

One example is a utility-owned water meter in a high-rise office building. In such a case, the water utility requires the meter readings for billing purposes, whereas the high-rise property manager desires realtime metering data to track usage, pinpoint waste, and detect leaks. To solve this problem in the past, the property manager would have no other choice but to install a second water meter downstream from the utility-owned water meter—expensive!

Today, the Radio-Read Filter — when installed in conjunction with the EtherMeter® — enables the utility and a commercial water customer to read the same meter simultaneously — thereby eliminating the need to install a second meter!

Using the SCADAmetrics solution, the utility continues to collect meter readings using its preferred AMR/MTU device, and the commercial water customer collects realtime meter readings and rate-of-flow using an industry-standard MODBUS® or Rockwell network protocol.

Because this solution leverages absolute encoder technology, the water customer's readings are always an exact match to the utility's readings; and pulse-counting errors and re-synchronization corrections are eliminated.

The effectiveness, simplicity, and reliability of the Radio-Read Filter have led to its wide spread acceptance at many water utilities throughout the United States and Canada.

Radio-Read Filter, Wall-Mount Version

In 2011, SCADAmetrics introduced the Radio-Read Filter — the device that enables two separate systems to read a water meter simultaneously; and it solved the challenging problem posed when both the water seller and buyer are interested in tracking water consumption.

**ETHERMETER® —
TRANSMITS REALTIME METER READING AND
FLOW-RATE TO COMMERCIAL CUSTOMER'S
BAS / ENERGY MGMT / SCADA SYSTEM**



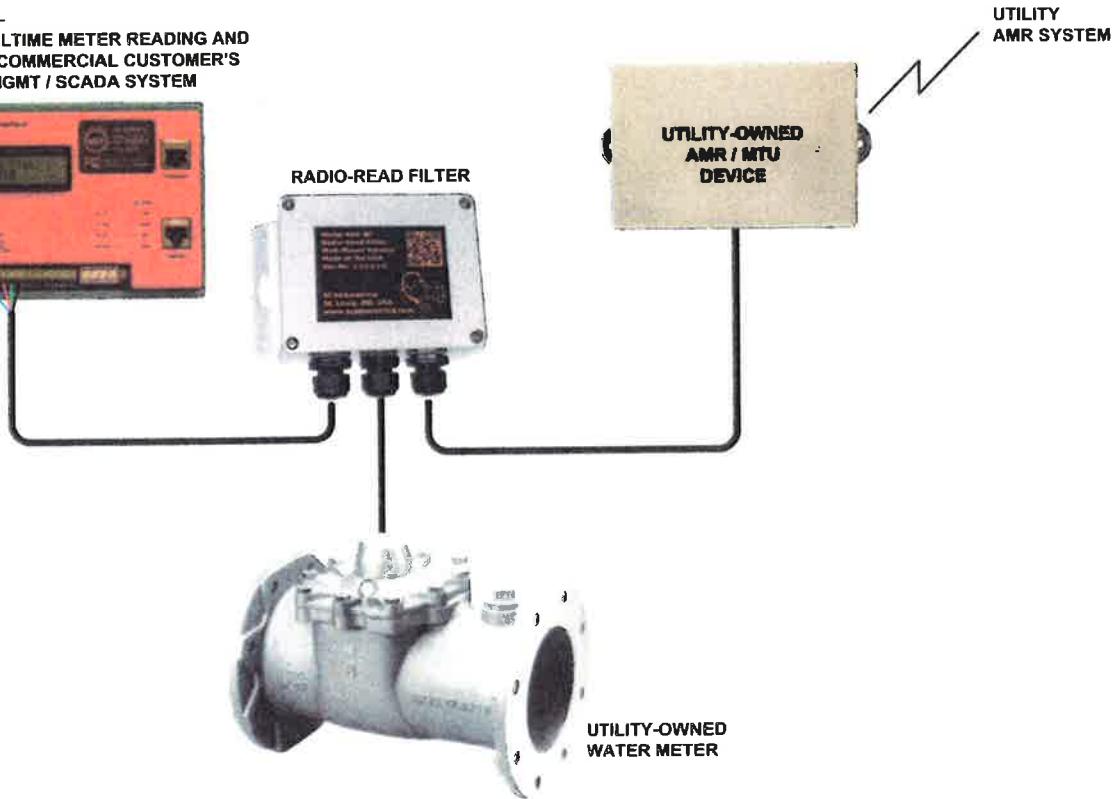
RADIO-READ FILTER



**UTILITY
AMR SYSTEM**



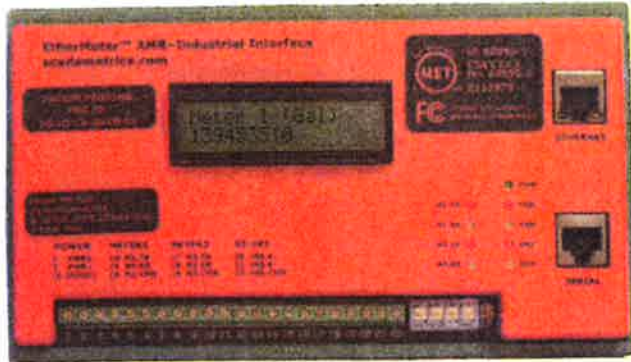
**UTILITY-OWNED
WATER METER**





EtherMeter®

**FLOW METER GATEWAY FOR SCADA,
TELEMETRY & BUILDING AUTOMATION SYSTEMS**
COVERED BY US PATENT NO. 8,219,214



2 YEAR WARRANTY

Revenue-Grade Flow Metering Accuracy... Now Available For Automation Systems...

SCADA, telemetry, and building automation system integrators have struggled for years to eliminate the totalization errors that resulted from using pulse-output flow meters.

With pulse technology, the most common problem is the inevitable discrepancies between the meter readings displayed within the automation system and the readings displayed on the physical meters themselves.

Today, SCADAMetrics has eliminated these errors with the introduction of the **EtherMeter®** – the metering appliance that can ensure absolute agreement between an automation system and its connected meters.

How It Works...

The effectiveness of the EtherMeter is based upon an embrace of the latest AMR (Automatic Meter Reading) technology. Driven by the powerful SCADAMeter® protocol conversion engine, it works by translating totalization and flow rate signals from modern, encoder-based flow meters into industrial protocols such as MODBUS®, Allen Bradley DF1, and EtherNet/IP™.

Additionally, because its internal flow calculation is based upon a delta-Volume/delta-Time algorithm, the EtherMeter can also detect and report both forward and reverse flows.

The SCADA signal connection can be via 10BaseT Ethernet, RS232C serial cable, or RS485 twisted pair; and the Gateway is compatible with most Ethernet switches & routers along with most radio, fiber-optic, satellite, & telephone modems.

Plug & Play Meter Interface...

The EtherMeter features two meter ports, each of which is capable of reading most absolute-encoder and pulse-output flow meters. For encoders, the EtherMeter automatically recognizes the connected meter's communication protocol, so it's truly "plug and play".

Compatible encoder-based flow meters include those produced by Sensus, Neptune, Mueller, Hersey, Siemens, Elster-AMCO, ABB, Badger, Kent, Invensys, Master-Meter, Metron-Farnier, Rockwell, Schlumberger, and others.

Standards-Based SCADA/Meter Gateway...

Due to its incorporation of both MODBUS and Allen-Bradley communication protocol support, the EtherMeter integrates easily into the vast majority of today's modern automation systems.

On the serial port, MODBUS or DF1 can be user-selected as the active industrial protocol. On the Ethernet port, MODBUS and EtherNet/IP are both always available. For added functionality, the EtherMeter features an always-on internal web server that can be used to display meter data on remote web browsers within an intranet or even across the internet.

MODBUS, one of the flagship industrial protocols for the EtherMeter, has become a de facto standard of industrial communication protocols. Gathering momentum and support since 1979 when it was first introduced by Modicon (now a division of Schneider Electric), it is the most common means of connecting industrial electronic devices. It is openly published, royalty-free, and forms a relatively easy-to-deploy industrial network.



20W Single Output Industrial DIN Rail Power Supply

MDR-20 series



Features :

- Universal AC input/Full range
- Protections: Short circuit / Overload / Over voltage
- Cooling by free air convection
- Can be installed on DIN rail TS-35/7.5 or 15
- NEC class 2 / LPS compliant
- Built in DC OK active signal
- LED indicator for power on
- No load power consumption < 0.75W
- 100% full load burn-in test
- 3 years warranty



SPECIFICATION

MODEL	MDR-20-5	MDR-20-12	MDR-20-15	MDR-20-24	
OUTPUT	DC VOLTAGE	5V	12V	15V	24V
	RATED CURRENT	3A	1.67A	1.34A	1A
	CURRENT RANGE	0 ~ 3A	0 ~ 1.67A	0 ~ 1.34A	0 ~ 1A
	RATED POWER	15W	20W	20W	24W
	RIPPLE & NOISE (max.) Note.2	80mVp-p	120mVp-p	120mVp-p	150mVp-p
	VOLTAGE ADJ. RANGE	4.75 ~ 5.5V	10.8 ~ 13.2V	13.5 ~ 16.5V	21.6 ~ 26.4V
	VOLTAGE TOLERANCE Note.3	±2.0%	±1.0%	±1.0%	±1.0%
	LINE REGULATION	±1.0%	±1.0%	±1.0%	±1.0%
	LOAD REGULATION	±1.0%	±1.0%	±1.0%	±1.0%
	SETUP, RISE TIME Note.5	500ms, 30ms/230VAC 1000ms, 30ms/115VAC at full load			
HOLD UP TIME (Typ.)	50ms/230VAC 20ms/115VAC at full load				
INPUT	VOLTAGE RANGE	85 ~ 264VAC 120 ~ 370VDC			
	FREQUENCY RANGE	47 ~ 63Hz			
	EFFICIENCY (Typ.)	76%	80%	81%	84%
	AC CURRENT (Typ.)	0.55A/115VAC 0.35A/230VAC			
	INRUSH CURRENT (Typ.)	COLD START 20A/115VAC 40A/230VAC			
	LEAKAGE CURRENT	<1mA / 240VAC			
PROTECTION	OVERLOAD	105 ~ 160% rated output power Protection type : Constant current limiting, recovers automatically after fault condition is removed			
	OVER VOLTAGE	5.75 ~ 6.75V	13.8 ~ 16.2V	17.25 ~ 20.25V	27.6 ~ 32.4V
		Protection type : Shut down o/p voltage, re-power on to recover			
FUNCTION	DC OK ACTIVE SIGNAL (max.)	3.75 ~ 6V / 50mA	9 ~ 13.5V / 40mA	11.5 ~ 16.5V / 40mA	18 ~ 27V / 20mA
ENVIRONMENT	WORKING TEMP.	-20 ~ +70°C (Refer to output load derating curve)			
	WORKING HUMIDITY	20 ~ 90% RH non-condensing			
	STORAGE TEMP., HUMIDITY	-40 ~ +85°C, 10 ~ 95% RH			
	TEMP. COEFFICIENT	±0.03%/°C (0 ~ 50°C)			
	VIBRATION	Component: 10 ~ 500Hz, 2G 10min./1cycle, 60min. each along X, Y, Z axes; Mounting: Compliance to IEC60068-2-6			
SAFETY & EMC (Note 4)	SAFETY STANDARDS	UL508, TUV EN60950-1 approved, NEC class 2 / LPS compliant			
	WITHSTAND VOLTAGE	I/P-O/P:3KVAC I/P-FG:1.5KVAC O/P-FG:0.5KVAC			
	ISOLATION RESISTANCE	I/P-O/P, I/P-FG, O/P-FG:100M Ohms/500VDC			
	EMI CONDUCTION & RADIATION	Compliance to EN55011, EN55022 (CISPR22), EN61204-3 Class B			
	HARMONIC CURRENT	Compliance to EN61000-3-2,-3			
EMS IMMUNITY	Compliance to EN61000-4-2, 3, 4, 5, 6, 8, 11, ENV50204, EN55024, EN61000-6-1, EN61204-3, light industry level, criteria A				
OTHERS	MTBF	236.9K hrs min. ML-HDBK-217F (25°C)			
	DIMENSION	22.5*90*100mm (W*H*D)			
	PACKING	0.19Kg; 72pcs/14.7Kg/0.91CUFT			
NOTE	<ol style="list-style-type: none"> 1. All parameters NOT specially mentioned are measured at 230VAC input, rated load and 25°C of ambient temperature. 2. Ripple & noise are measured at 20MHz of bandwidth by using a 12" twisted pair-wire terminated with a 0.1uF & 47uF parallel capacitor. 3. Tolerance : includes set up tolerance, line regulation and load regulation. 4. The power supply is considered a component which will be installed into a final equipment. The final equipment must be re-confirmed that it still meets EMC directives. 5. Length of set up time is measured at cold first start. Turning ON/OFF the power supply may lead to increase of the set up time. 				

BELVIDERE PUBLIC WORKS

401 Whitney Boulevard

Belvidere, IL 61008

Phone 815-544-9256

Fax: 815-544-4255

Memo

To: Mayor and City Council
From: Brent Anderson, Director of Public Works
Date: August 1, 2016
Re: Chrysler Street Lighting

As part of the negotiations to bring the Jeep Cherokee production to the Belvidere assembly plant, Fiat-Chrysler requested that the street lighting be improved adjacent to their property. There are 44 streetlights that Chrysler originally installed as part of the plant construction and they are currently powered by a 480 volt Chrysler service. This service is in need of replacement. Instead of upgrading this service, I am recommending that we eliminate the 480 volt system and install a standard 120-277 volt system direct from ComEd. The new service would be safer and eliminate the last 480 volt streetlights in the city. The current cobra heads are 400W high pressure sodium and I am recommending that they be replaced by new LED units that are 165W.

The cost estimate to complete this work is as follows:

- | | |
|--|-------------|
| 1. New electric service and rewire of each pole: | \$ 4,908.00 |
| 2. Directional Drilling 330 LF of conduit: | \$ 2,640.00 |
| 3. LED cobraheads: 44 @ \$470.00/EA = | \$20,680.00 |

I would recommend approval of the Chrysler Streetlight Improvements at an estimated cost of \$28,228.00. This work will be paid for from Public Improvement Funds.

Illinois Energy Now has public sector grants available for LED conversion projects. If approved by Council, I will submit this project for grant consideration. Based on the grant criteria, this project would qualify for approximately \$6,200.00 in incentives.

PAYBACK IN ONE YEAR

WITH **MORE ENERGY SAVINGS**



SL3s LED Street Light



- **Total Lumen Output:** 6459 ~ 25140 lumens
- **Color Rendering Index (CRI):** Minimum of 72
- **Correlated Color Temperature (CCT):** 4000K (+/- 300K) or 5000K (+/- 500K)
- **Input Voltage:** 120 ~ 277 VAC or 347 ~ 480 VAC
- **Ambient Temperature Range:** -40°F ~ +130°F
- **Lifetime of Luminaire:** 100,000 hours
- **MANUFACTURED IN THE U.S.A. and Imported Parts**
- **Certificates:**



◀ **LOW IN COST**

Delivering a **payback in one year**, the new SL3s streetlight has a price comparable to HID fixtures. LED luminaire last longer than traditional HID and HPS (High Pressure Sodium) lamps and requires less maintenance and saves more energy, thus, lowering bills.

◀ **HIGH IN ENERGY SAVINGS**

Available in SMALL, MEDIUM, and LARGE modules with options of **55 W up to 245 W that can replace 150 W to 600 W** traditional High Pressure Sodium (HPS) lamps. With high **efficacy up to 125 lm/W and more than 70% in energy savings.**

◀ **LAST LONGER**

The luminaire is designed and built to **last more than 100,000 hrs (TM21)**. Advance Thermal Technology design using passive heat sink that maximizes power supply performance and energy savings without sacrificing the quality and uniformity of light as shown in the LM80 report.

◀ **MAXIMUM PERFORMANCE**

Advance design with IP66 sealed optics protects its light source from extreme temperatures ranging from -40°F ~ +130°F, dust intrusion, 2G/3G vibration test. With different photometric distributions options available for **better lighting uniformity.**

◀ **SUPERIOR QUALITY**

SL3s streetlight is a **reliable lighting solution with superior quality from inside out**, equipped with high quality power supply, lens, and components, and built with robust die cast aluminum housing with superior quality finish.



www.e-litestar.com

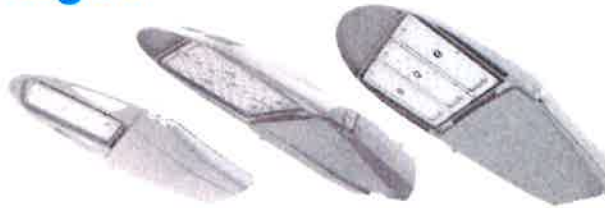
SL3s LED Street Light

- ◀ Delivering payback in one year
- ◀ Up to 125 lm/W with more than 70% in energy savings
- ◀ Maximum Performance with Lower Cost and High in Energy Savings,
- ◀ PRICE is no longer an issue.



Applications

- Area Lighting
- Residential Lighting
- Roadway Lighting
- Parking Lot Lighting



Product Specifications

Housing Characteristics

- Die cast aluminum housing
- Tool-less entry with lineman latch for easy installation and maintenance
- Lightweight
- Quality finish colors available in grey (standard), black, and bronze
- Round pole mount (O.D. 1.6" ~ 2.6")
- Adjustable +/- 5.0 vertical tilt with step arm holder
- Cobra head style

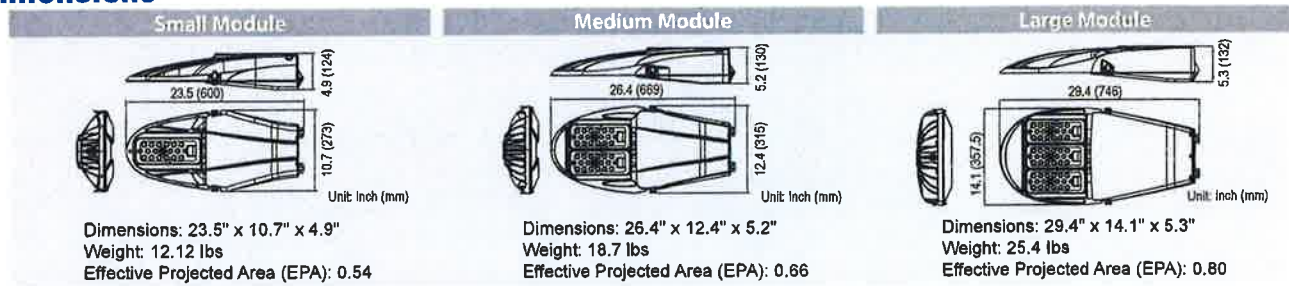
Electrical Characteristics

- 120 ~ 277 VAC (standard) or 347 ~ 480 VAC power supply
- Surge protection 10kV/10kA (standard) and 20kV/20kA (option)
- Quick-connect wirings
- Twist-lock rotatable photocell receptacle
- Designed with 0 ~ 10V and DALI dimming capability
- Available with 5 and 7 prong receptacle (option)
- Available field adjustable dimming device (option)

Optical Characteristics

- High luminance with wide range of area coverage
- Photometric distributions available in Standard Lens and Advance Lens in Type II, III, and V
- No Ultraviolet (UV) or Infrared Radiation (IR)
- Modular lens design
- IP66 on light engine
- 2G/3G Vibration Test with ANSI C136.31
- Dark Sky compliance (3000K only)

Dimensions



Comparison with Traditional Light Sources

Module	e-lite star™ SL3s LED Street Light				High Pressure Sodium Replacement	
	Number of LED	LED Driving Current	Input Wattage	Type II / Flux (lm)	Replacement Wattage	System Wattage
Small	16 LED	1050 mA	55 W	6459	150 W HPS	190 W
		1400 mA	77 W	7957	200 W HPS	240 W
Medium	32 LED	1050 mA	110 W	12500	310 W HPS	360 W
		1500 mA	164 W	16760	400 W HPS	460 W
		1050 mA	151 W	17098	400 W HPS	460 W
Large	44 LED	1500 mA	217 W	21751	600 W HPS	670 W
		1050 mA	165 W	18652	400 W HPS	460 W
		1500 mA	245 W	25140	600 W HPS	670 W

Ordering Information

ESU e-lite star™ LED Street Light	-	E Product Series E - SL3s Series	A01 Input Voltage A01 - 120~277VAC A02 - 347~480VAC (applicable to Small and Medium 1050mA Modules only)	2M Lateral Light Distribution 2M - Type II Medium 3M - Type III Medium 5M - Type V Medium 3P - Type III Wide	016 LED Number 016 - 16 LED 032 - 32 LED 044 - 44 LED 048 - 48 LED	40 Color Temperature 40 - 4000K 50 - 5000K 30 - 3000K	S Luminaire Type S - 1-Module M - 2-Modules L - 3-Modules	700 LED Driving Current 105 - 1050 mA 140 - 1400 mA 150 - 1500 mA
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1663 West 2nd Street, Pomona, CA 91766
 T: 909-784-3333 E: sales@eoius.com
 F: 909-784-3330 W: www.e-litestar.com





ILLINOIS ENERGY NOW

PUBLIC SECTOR ENERGY EFFICIENCY INCENTIVES SUMMARY PROGRAM YEAR 2016-2017

This is a summary of energy efficiency incentives available through the Illinois Department of Commerce and Economic Opportunity's Illinois Energy Now program for June 1, 2016 to May 31, 2017. This page is intended as a quick reference only — please confirm exact values on the incentive forms. All incentive Pre-approval Applications are due by April 3, 2017 and Final Applications (and completed projects) are due by May 8, 2017. Check funding availability at www.ilenergynow.org.

Eligibility is limited to public sector projects physically located in the state of Illinois. Project locations for those requesting incentives for electric measures must receive electric delivery services from Ameren Illinois or ComEd. Project locations for those requesting incentives for natural gas measures must receive natural gas delivery service from Ameren Illinois, Nicor Gas, Peoples Gas, or North Shore Gas. Project locations that receive either electric delivery service or gas delivery service (but not both) from a participating utility are only eligible for electric or gas incentives (but not both), determined by which energy type (electric or gas) is provided by the participating utility.

Incentive application: www.ilenergynow.org

NATURAL GAS INCENTIVES		
HVAC		
Furnace	Furnace, ≥92% AFUE	\$7/1000 BtuH
	Furnace, ≥94% AFUE	\$8/1000 BtuH
	Furnace, ≥96% AFUE	\$10/1000 BtuH
Boilers	<300 kBtuH, Hot Water, AFUE >90%	\$5.5/1000 BtuH
	≥ 300 kBtuH, Hot Water, TE > 0.90	\$7/1000 BtuH
	<300 kBtuH, Steam, AFUE > 85%	\$3.50/1000 BtuH
	≥ 300 kBtuH, Steam, TE > 0.85	\$4.50/1000 BtuH
	Boiler Tune-Up, ≥ 200 kBtuH Once per 36 months.	\$0.50/1000 BtuH (\$1,500max)
	Boiler Reset and Shut-Off Air Dampers	\$0.75/1000 BtuH (\$1,200 max)
	Hot Water Boiler Pipe Insulation	\$8-\$20/lin. ft
	Parallel Positioning Control System	\$2.50/therm saved
Steam	Steam Boiler Pipe Insulation	\$8-\$20/lin. ft
	Steam Trap Repair/Replace	\$200-\$600/trap
	Steam Trap Survey Once per 12 months	\$30/trap (\$5,000 max)
Water Heater	≥ 50 gallon, TE ≥ 0.90	\$600/unit
Misc.	Infrared Heater, Low intensity heater	\$1,500/unit
	Condensing Unit Heater, TE ≥ 90%	\$650/unit
	Demand Control Ventilation	\$140/1,000 ft ²
KITCHEN EQUIPMENT		
Ovens	Convection Oven ENERGY STAR®	\$650/unit
	Combination Oven	\$1,750/unit
	Infrared Rotisserie Oven	\$1,750/unit
	Infrared Upright Broiler	\$3,000/unit
	Infrared Charbroiler	\$1,750/unit
	Conveyer Oven	\$1,250/unit
	Rack Oven, Double Oven	\$3,000/unit
	Infrared Salamander Broiler	\$650/unit
Cookers	Pasta cooker	\$1,250/unit
	Fryer ENERGY STAR®	\$1,000/unit
	Griddle ENERGY STAR®	\$400/unit
	Steam Cooker, ≥ 3 pan, eff ≥ 38%	\$900-\$1,200/unit
Exhaust Hoods	Demand Control Ventilation for Kitchen Exhaust Hoods	\$800/hood
Washing Equipment	Dishwasher	\$475-\$2,200/unit
	Pre-Rinse Spray Valve (Gas DHW)	\$75-\$100/unit
SPECIALTY EQUIPMENT		
Hot Water	Faucet Aerators	\$16/unit
	Low-flow Showerheads	\$12/unit
CUSTOM		
Custom	Custom Natural Gas Incentive	\$2.50/therm

ELECTRIC INCENTIVES

LIGHTING			HVAC		
T12 to T8	Lamp and ballast retrofit (by length) CEE1.org listed	\$7-\$27/fixture	Air Conditioner	Room Air Conditioners	\$35/ton
T8 to RW T8	Lamp and ballast (by length) CEE1.org listed	\$2-\$5/lamp	PTAC/PTHP	PTAC New or Replacement	\$50/ton
New Interior Lighting	T8 or T5. Includes highbay. New fixture & ballast. CRI ≥ 80	\$0.60/W reduced		PTHP New or Replace	\$100/ton
	LED: DLC Certified, Induction	\$0.60/W reduced	V-Belts	Notched V-belts	\$8/HP
Permanent Delamp	With reflector	\$20-\$30/lamp	Chillers	Water-Cooled Chillers	\$30/ton
	No reflector	\$10-\$16/lamp		Air-Cooled Chillers	\$30/ton
LED	LED Lamp, ENERGY STAR	\$5-\$100/lamp	Air Compressors	Air Compressor with Int. VSD ≤ 100hp	\$120/hp
Exit Signs	New or Retrofit LED, T-1, or Electroluminescent Exit Signs	\$30/sign		Comp. Air Low Pressure Drop Filters	\$5/hp
New Exterior Lighting	LED: DLC Certified, Induction	\$0.60/W reduced		Comp. Air No-Loss Condensate Drain	\$250/drain
			HVAC VSD	VSD Retrofit (HVAC VSD only, other types of VSD controls are custom)	\$110/hp
Lighting Controls	Wall, Ceiling or Fixture Occupancy	\$0.16/Watt	DCV	Demand Control Ventilation	\$60/1,000 ft ²
	Vacancy Sensor	\$0.20/Watt	KITCHEN EQUIPMENT		
	Multi-level Switches	\$0.10/Watt	Refrigeration	LED Refrigeration/Freezer Case Lighting	\$8/foot
	Bi-level Occupancy Control Fixture	\$0.25/Watt		Solid or Glass Door Freezer	\$5-\$10/ft ³
Solar Tubes	Solar light tubes. Varies by diameter	\$15-\$60/fixture		EC Motor for Walk-In or Reach-In	\$50/motor
COMPUTER POWER MANAGEMENT				Evaporative Fan Controls	\$90/motor
Computer Software	PC	\$28/unit		Refrigeration Economizer	\$120/comp. hp
	Laptop	\$8/unit		Glass Door Refrigerator	\$4/ft ³
DISHWASHING			Auto Door Closer for Walk-Ins	\$150/door	
Dishwashing and Water Conservation	ENERGY STAR Dishwasher	\$475-\$2,200/unit	Misc.	Steam Cookers, ≥ 3 pan, > 50% eff	\$900-\$1,200/unit
	Low-Flow Pre-Rinse Spray Valve	\$75-\$100/unit		High-Efficiency Ice Maker	\$100-\$300/unit
	Faucet Aerators	\$16/unit		Electric Griddle (width) ENERGY STAR®	\$250/unit
CUSTOM				Hot Food Holding Cabinet	\$350-\$1,000/unit
Custom	Custom Electric Incentives	\$0.12/kWh		Kitchen Exhaust Hood Demand Control Ventilation	\$800/unit
				Vending	Beverage Machine, Snack Controls

WASTE WATER TREATMENT PLANTS

Clean Water Energy Efficiency Initiative	Custom incentives for high efficiency blowers, aeration diffusers, and controls can receive up to 100 percent of the purchased equipment cost, at the rate of \$0.36/kWh. Use application forms found at: http://www.illinois.gov/dceo/whyillinois/KeyIndustries/Energy/Pages/EnergyEfficiencyForms.aspx
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Notes

CEE1.org: Consortium for Energy efficiency Commercial Lighting Systems Qualifying Product List for lamps and ballasts.

[DLC](#) certified: Design Lights Consortium for LED certified fixtures and lamps.

800.214.7954

www.IIenergyNow.org



Illinois
Department of Commerce
 & Economic Opportunity
OFFICE OF ENERGY & RECYCLING
 Bruce Rauner, Governor

Revision Date: 05/25/16

BELVIDERE PUBLIC WORKS

401 Whitney Boulevard

Belvidere, IL 61008

Phone 815-544-9256

Fax: 815-544-4255

Memo

To: Mayor and City Council
From: Brent Anderson, Director of Public Works
Date: August 1, 2016
Re: West Pleasant Street Sewer Extension

514 West Pleasant Street has sanitary sewer service, however they are connected to the neighbors service line at 609 Maple Avenue. 518 West Pleasant Street has a septic system that is no longer operational and has to connect to the city system. In order to provide sanitary service to both properties, a sanitary sewer main extension of 250 lineal feet needs to be constructed. I am recommending that the water and sewer department complete this work.

Prior to construction, plans and specifications for the extension need to be completed and submitted to the IEPA for a permit to construct. I have received the following proposals to complete the required engineering:

RK Johnson & Associates 1515 Windsor Road Loves Park, IL 61111	\$4,000.00
CES, Inc 700 W Locust St Belvidere, IL 61008	\$4,140.00

I would recommend approval of the proposal from RK Johnson, in the amount of \$4,000, to complete the engineering for the West Pleasant Street sewer extension. This work will be paid for from Line Item #61-5-820-6190.

The cost of materials for this project are estimated to be as follows:

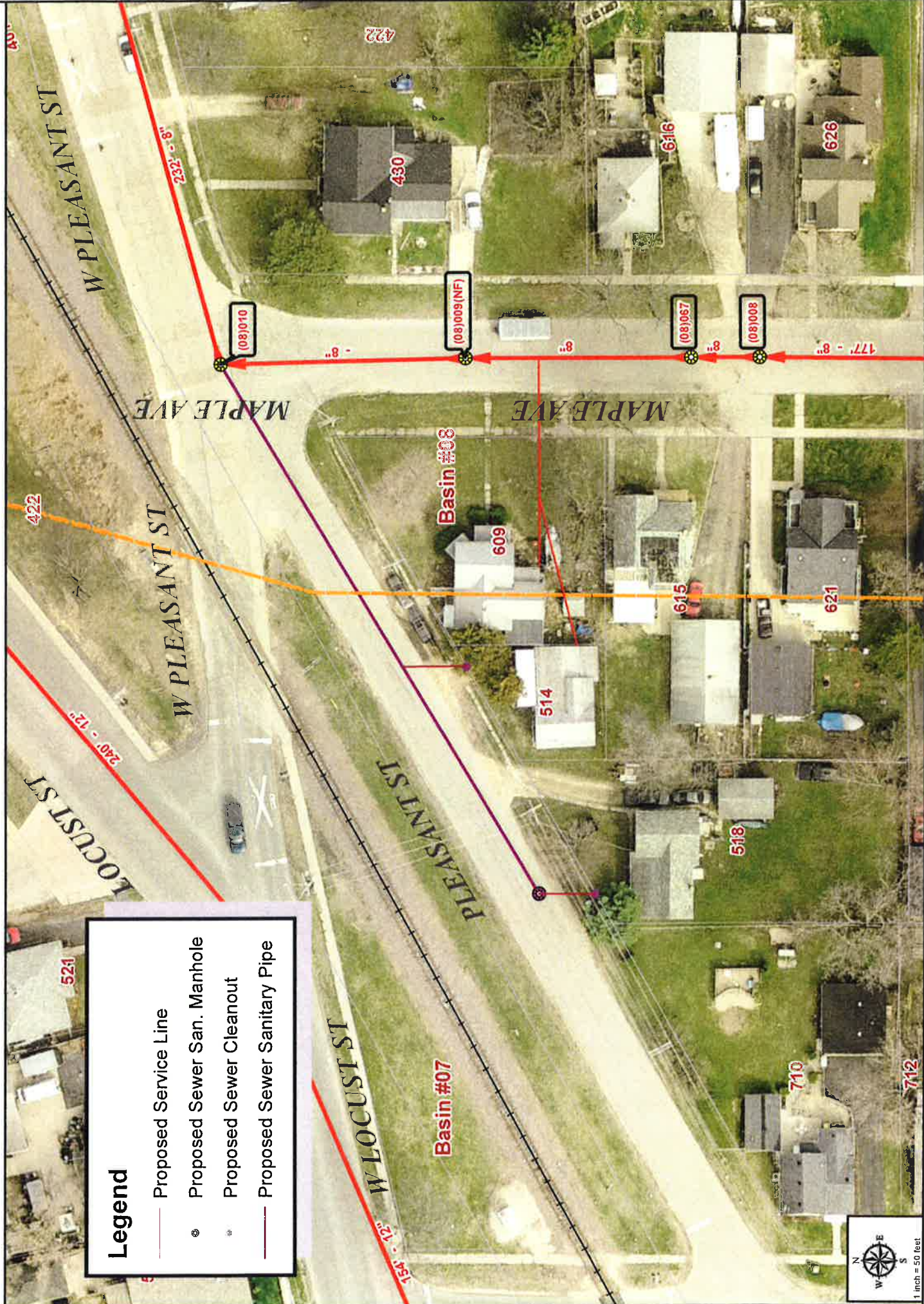
8" sanitary sewer main	250 LF @ \$3.66/LF =	\$ 915.00
4' dia manhole	1 EA @ \$1,350.00 =	\$ 1,350.00
4" service w/cleanout	2 EA @ \$200/EA =	\$ 400.00
Trench Backfill	400 Tons @ \$4.00/T =	\$ 1,600.00
Pavement Repair	20 Tons @ \$62.00/T =	<u>\$ 1,240.00</u>
		\$ 5,505.00

These materials will be paid for from Line Item #61-5-830-6000.

The owners of 518 West Pleasant Street, Mr. & Mrs. Gustavo Mejia, will be required to pay the sanitary sewer connection fee because their property has never been connected to the city system. The connection fee is \$4,410.00 and they have asked if they could make payments over time. The city attorney has drafted a payment agreement which is attached for your reference.

I would recommend approval of the payment agreement with Mr. & Mrs. Mejia for the sanitary sewer connection fee for 518 West Pleasant Street.

W Pleasant St Sanitary Sewer Extension



Legend

- Proposed Service Line
- ⊙ Proposed Sewer San. Manhole
- * Proposed Sewer Cleanout
- Proposed Sewer Sanitary Pipe

North Arrow
1 inch = 50 feet

AGREEMENT BETWEEN THE CITY OF BELVIDERE
AND GUSTAVO MEJIA AND MARGARET MEJIA
FOR THE PAYMENT OF CONNECTION FEES TO
THE CITY'S SEWER SYSTEM FOR THE PROPERTY
LOCATED AT 518 W. PLEASANT STREET, BELVIDERE, ILLINOIS

PIN #05-35-230-016

Prepared by and return to:
Michael S. Drella
City Attorney
City of Belvidere
401 Whitney Boulevard, Suite 100
Belvidere, Illinois 61008

AGREEMENT FOR THE PAYMENT OF CONNECTION FEES

THIS Agreement is entered into by and between the City of Belvidere, Illinois a unit of local government, and Gustavo Mejia and Margaret Mejia (the Owners) of 518 W. Pleasant Street (Pin. 05-35-230-016), Belvidere, Illinois (the Property).

WHEREAS, the City operates a waste water treatment plant and appurtenant sewer lines (hereinafter the Sewer System), adjacent to the Property; and

WHEREAS, the Owners are the fee simple owners of the Property, which is legally described in the attached Exhibit A; and

WHEREAS, the Property is not currently connected to the City's Sewer System; and

WHEREAS, the Owners desire to connect the single-family home on the Property to the City's Sewer System; and

WHEREAS, the City requires the payment of sewer connection fees to connect to the City's Sewer System.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual agreements and covenants set forth in this Agreement, and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

- 1) The foregoing recitals are incorporated herein by this reference.
- 2) The parties agree that it is in the parties' best interest that the Property be connected to the City's Sewer System. The parties further agree that the connection fee required by the City to connect the Property to the City's Sewer system is \$4,410.00 (hereinafter the Connection Fee).
- 3) In consideration of the Owners connecting the Property to the City's Sewer System, the City and Owners agree that the Owners shall pay the Connection Fee in equal installments of \$147.00 with each semi-monthly water bill until the entire sum of \$4,410.00 is paid in full.
- 4) The City is not required to send Owners any additional notice of a payment due date.
- 5) The Owners may prepay amounts due either in full or partially at any time. A partial prepayment shall not relieve the obligation to make further regular payments of \$147.00 as set forth above.
- 6) If any required payment is not received by the City as set forth above, the entire remaining amount due shall accelerate and shall become immediately due and payable.

- 7) The Owners agree and acknowledge that the Connection Fee is both a personal liability incurred by each of them, jointly and severally, and shall also constitute a lien upon the Property. The City may enforce this Agreement individually against the Owners, jointly and severally, and may also seek to foreclose its lien upon the Property under the Foreclosure laws of the State of Illinois. In addition, upon any default in payment, the City may disconnect all water and or sewer service to the Property without further notice
- 8) Prior to commencing any foreclosure action, the City shall provide the Owners a Notice of Default by first class mail, postage prepaid, addressed to the Owners of the Property, at least 15 days prior to commencing any action to foreclose the City's lien.
- 9) The Owners agree to pay the City's costs of enforcing this Agreement or foreclosing its lien, including but not limited to, court costs and attorney's fees.
- 10) Miscellaneous:
 - a) This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, personal representatives, successors, grantees and assigns.
 - b) This Agreement shall not be merged into any escrow agreement.
 - c) This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same Agreement.
 - d) This Agreement embodies the entire agreement between the parties with respect to the Property. No extension or amendment of this Agreement shall be made or claimed by any party to have any force or affect whatsoever, unless such extension or amendment shall be set forth in writing and signed by all of the parties hereto. Time is of the essence of all provisions hereof.
 - e) The headings contained in this Agreement are for reference purposes only, and shall not in any way affect the meaning or interpretation of this Agreement.
 - f) Each individual signing this Agreement hereby represents and warrants to the other party that he or she is fully authorized and empowered to sign this Agreement on behalf of the party for whom he or she is signing, and that this Agreement will be fully binding on such party.
 - g) This Agreement shall be governed by, and construed in accordance with the internal laws of the State of Illinois, without regard to conflicts of law rules. Any action to enforce this Agreement shall be brought in the 17th Judicial Circuit, Boone County, Illinois, and the parties hereby consent to the jurisdiction of and venue in that Court.
 - h) The City may record a copy of this Agreement, or a notice of lien, which copy shall constitute a lien on the Property.
- 11) Upon payment in full of the Connection Fee, the City shall execute a release of lien and shall mail the release of lien to the Property by first class mail. It shall be the Owners' responsibility to record the release of lien.

Dated: _____

By: The City of Belvidere

By: _____
Mayor

Attest: _____
Clerk

Dated: _____

By: _____
Gustavo Mejia

By: _____
Margaret Mejia

SUBSCRIBED and SWORN to before me this
day of _____, 2016.

Notary Public

EXHIBIT A

518 W. Pleasant St.

Pin: 05-35-230-016

West 1/3 of Lot 2 and West 1/3 (except the North 18 feet) of Lot 1, Block 3 of Matilda Whitman's 3rd Addition to the City of Belvidere.

BELVIDERE PUBLIC WORKS

401 Whitney Boulevard

Belvidere, IL 61008

Phone 815-544-9256

Fax: 815-544-4255

Memo

To: Mayor and City Council
From: Brent Anderson, Director of Public Works
Date: August 2, 2016
Re: Sewer Use and Pretreatment Ordinance Revision

At the November 17, 2014 City Council meeting, the draft Sewer Use and Pretreatment Ordinance revisions were approved and submitted to USEPA for their final review. They have completed their review and the public comment period has expired with no additional revisions required.

I would recommend that the City Attorney draft an ordinance adopting the sewer use and pretreatment provisions as revised and approved by the USEPA.

A copy of the revised provisions is attached for your reference.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 1. GENERALLY

Table of Contents

SECTION 114-280. GENERAL PROVISIONS AND RELATIONS.....	2
114-281. Enactment.....	2
114-282. Purpose and Policy.....	2
114-283. Administration.....	3
114-284. Jurisdiction.....	3
114-285. Relationship to other Divisions in Article V.....	3
114-286 -- 114-289. Reserved.....	3

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 1. GENERALLY

SECTION 114-280. GENERAL PROVISIONS AND RELATIONS.

114-281. Enactment.

Pursuant to the requirements of the Federal Clean Water Act, 33 U.S.C. § 1251, *et seq.*, and regulations promulgated thereunder; the (Illinois) Environmental Protection Act, 415 ILCS 5/1, *et seq.*; the Illinois Municipal Code, 65 ILCS 5/1-1 *et seq.* and Section 6 of Article 7 of the Constitution of the State of Illinois (1970), this Article is hereby passed and approved by the Mayor and City Council of the City of Belvidere, Illinois, and duly published in accordance with law, and shall be known and may be cited as the *SEWER USE AND PRETREATMENT RULES AND REGULATIONS*.

114-282. Purpose and Policy.

This Chapter sets forth uniform requirements for Users of the POTW for the City. This Article provides for the use of Private and Public Sewers and drains, private sewage disposal, and authorizes the installation and continuing of connections into the sewage works of the City upon certain conditions, including permission thereof; providing for the installation and maintenance of such connections and enforcements thereto; regulating the use of municipal and Private Sewers and drains; individual Wastewater disposal, the installation, connection and disconnection of Building Sewers, the Discharge of water and waste in the Public Sewer system providing for penalties for violation therefore; and providing for penalties for violation thereof; and providing for termination of permits issued by the City pursuant to the provisions hereof.

This Article enables the City to comply with all applicable State and Federal laws, including the Clean Water Act. Additional objectives of this Article are:

- A. To prevent the introduction of Pollutants into the POTW that will Interfere with its operation;
- B. To prevent the introduction of Pollutants into the POTW that will Pass Through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- C. To protect both POTW personnel who may be affected by air, Wastewater and Sludge in the course of their employment and the general public;
- D. To promote reuse and recycling of Industrial Wastewater and Sludge from the POTW;
- E. To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, Sludge Use and Disposal Requirements, and any other Federal or State laws to which the POTW is subject;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 1. GENERALLY

- F To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW.
- G. To provide uniform requirements for Food Service Establishments for the control of grease Discharge to the Sanitary Sewer System; and
- H. To regulate private Wastewater disposal systems.

This Article shall apply to all Users of the POTW and provides for the enforcement of general requirements for Users. The Article authorizes the issuance of Wastewater connection and Discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein.

114-283. Administration.

Except as otherwise provided herein, the Pretreatment Coordinator and/or Duly Authorized Agent(s) shall administer, implement, and enforce the provisions of this Article. Any powers granted to or duties imposed upon the Pretreatment Coordinator and/or Duly Authorized Agent(s) may be delegated by the City or Pretreatment Coordinator to other City personnel or other Duly Authorized Agent(s) of the City.

It shall be the duty of all employees to give vigilant aid to the Department of Public Works in the enforcement of this Article and to this end they shall report all violations thereof, which come to their knowledge, to the Director of Public Works.

114-284. Jurisdiction.

This Article shall apply to all Users of the City and to Persons outside the City who are, by contract or agreement with the City, Users of the City POTW.

114-285. Relationship to other Divisions in Article V.

All references to the sections refer to sections of Divisions in this Article unless otherwise specified. The definitions and abbreviations in Division 2 of Article V, shall apply to all Divisions of this Article. User Charge provisions for Wastewater are in Division 5. Provisions for surcharge fees are identified in Division 6 while the actual fee can be found in Appendix A. Local Limits referenced in this Article are identified in Division 7. Enforcement options for the provisions of the above articles are found in Division 9.

114-286 -- 114-289. Reserved.

Baxter & Woodman, Inc.: pfb, jrs

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

Table of Contents

SECTION 114-290. RULES AND DEFINITIONS.....	2
114-291. Rules and Definitions.....	2
114-292 – 114-299. Reserved.	18

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

SECTION 114-290. RULES AND DEFINITIONS.

114-291. Rules and Definitions.

A. Rules of Word Construction: The language set forth in the text of this Article shall be interpreted in accordance with the following rules of construction:

1. The singular number includes the plural number and the plural the singular.
2. The word "shall" is mandatory; the word "may" is permissive.
3. The masculine gender includes the feminine and neuter.

B. Definitions: Whenever in Article V the following words, terms and phases have been used, they shall, for the purposes of that Article, have the meanings respectively ascribed to them in this subsection or Division, except when the context otherwise indicates:

“ACT” or “THE ACT” or “CLEAN WATER ACT” or “FEDERAL ACT” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251, *et seq.*

“AGENCY” means the Illinois Environmental Protection Agency.

“APPROVAL AUTHORITY” means Region V of EPA, until such time that the State of Illinois has an EPA-approved Pretreatment program.

“AUTHORIZED REPRESENTATIVE OF THE USER” means

1. If the User is a corporation:
 - a. By a responsible corporate officer, such as the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operation facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual Wastewater permit (or general permit) requirements; and where authority to sign documents has been assigned or delegated in accordance with corporate procedures.
2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
3. If the User is a limited liability company (LLC): any member of the company.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

4. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
5. The individuals described in paragraphs 1 through 4, above, may designate a Duly Authorized Representative, if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the Discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City of Belvidere.
6. If an authorization under Paragraph 5 of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall environmental matters for the company, a new authorization satisfying the requirements of Paragraph 5 must be submitted to the City of Belvidere. If an authorization under Paragraph 5 of this section is no longer accurate because the individual described in Paragraphs 1 through 4 above has changed, a new authorization satisfying the requirements of Paragraph 5 must be submitted to the City of Belvidere.

“AVERAGE STRENGTH WASTE” OR “AVERAGE STRENGTH WASTEWATER” means Sewage with characteristics not exceeding any of the following: a five (5)-day, twenty-degrees-centigrade (20°C) Biochemical Oxygen Demand (BOD) of two hundred Milligrams Per Liter (200 mg/l) and a Total Suspended Solids (TSS) content of two hundred sixty Milligrams Per Liter (260 mg/l) based on one hundred (100) gpcpd.

“BASELINE REPORT” means that report required by 40 CFR 403.12(b)(1-7), and submitted to the Pretreatment Coordinator.

“BEST MANAGEMENT PRACTICE (BMP)” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 114-322 of this code [40 CFR 403.5(a)(1) and (b)] and/or prevent or reduce the pollution conveyed to the POTW Works. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, Sludge or waste disposal, or drainage from raw materials storage.

“BIOCHEMICAL OXYGEN DEMAND (BOD) or (BOD5)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures approved in 40 CFR 136 for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

“BIO-SOLIDS” refers to the aerobically digested and stabilized organic solids removed from the Wastewater Treatment Works and disposed of on agricultural land or at a landfill.

“BUILDING CODE” means the *BUILDING CODE OF THE CITY OF BELVIDERE*, (Chapter 22, *et seq.* of the City Code).

“BUILDING DRAIN” means that part of the lowest horizontal piping of a drainage system which receives the Discharge from waste, and other drainage pipes inside the walls of the building and

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

conveys it to the Building Sewer or other approved point of Discharge, beginning five feet [5' (1.5 meters)] outside the inner face of the building wall.

“BUILDING DRAINAGE SEWER” means a sewer which carries storm drainage, surface water, foundation drainage and roof drainage, but excludes Sewage and Industrial Wastes from the building plumbing to a Public Storm Sewer or Natural Outlet.

“BUILDING OFFICIAL” means the Director of Buildings of the City of Belvidere and/or his authorized agents or representatives.

“BUILDING SEWER” means the lateral extension or line from the Building Drain to the Public Sanitary Sewer or other place of disposal.

“BYPASS” means the intentional diversion of waste streams from any portion of a User’s treatment or Pretreatment facility.

“CATEGORICAL INDUSTRIAL USER (CIU)” means an Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard. A CIU is considered to be a Significant Industrial User.

“CATEGORICAL PRETREATMENT STANDARD” or “CATEGORICAL STANDARD” means any regulation containing Pollutant Discharge limits promulgated by USEPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

“CHEMICAL OXYGEN DEMAND (COD)” means the quantity of oxygen utilized in the chemical oxidation of all compounds, both organic and inorganic in water, under standard laboratory procedures as described in 40 CFR 136 usually expressed as a concentration (e.g., mg/l).

“CITY” means the City of Belvidere, Boone County, Illinois.

“CITY BUSINESS DAY” means any full day that the City administrative offices are open.

“CITY CLERK” means the City Clerk of the City of Belvidere.

“CITY CODE” means the Municipal Code of the City of Belvidere of 1982, as amended.

“CITY COUNCIL” means the City Council of the City of Belvidere.

“CITY ENGINEER” means the City Engineer of the City of Belvidere or the Director of Public Works or his designee.

“CITY FINANCE MANAGER” means the City department head charged with oversight of City finances and development of the City budget of the City of Belvidere.

“CITY TREASURER” means the City Treasurer of the City of Belvidere.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“COLLECTOR” means a trunk line which receives Sewage from any number of Lateral Lines and conveys such Sewage either to an Interceptor or to a Treatment Works.

“COMBINED SEWER” means a pipe or conduit that is designed and constructed to carry Wastewater, Stormwater, surface water and ground water drainage. Combined Sewers are not allowed in the City of Belvidere.

“COMBINED WASTE STREAM FORMULA” means the formula set forth in 40 CFR Section 403.6(e).

“COMMERCIAL USER” means any User engaged in selling merchandise or rendering services including, but not limited to, transit lodging, retail and wholesale establishments or places.

“COMMON INTERCEPTOR” means one or more Interceptors receiving FOG laden Wastewater from more than one establishment. Common Interceptors may be located at shopping centers, malls, entertainment complexes, sporting arenas, hotels, multi-tenant “flex” spaces, mixed use spaces, and other sites where multiple establishments are connected to a single or series of Grease Interceptors. The Owner of the property on which the common Grease Interceptor is located shall be primarily responsible for the maintenance, upkeep and repair of the Common Interceptor.

“COMPATIBLE POLLUTANT” means Biochemical Oxygen Demand, Total Suspended Solids, pH and fecal coliform bacteria, plus additional Pollutants identified in the NPDES permit.

“COMPOSITE SAMPLE” means a sample of Wastewater composed of two or more discrete samples collected, based on a flow-proportional or time-proportional method.

“CONTROL AUTHORITY” means the City of Belvidere.

“CONSUMER” means any Person Receiving Service of water from the Waterworks System; “Consumer” includes, but is not limited to, an Owner or any other Person using such water.

“CONSUMPTION” means water usage as measured by a water meter.

“COOLING WATER” means the water Discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

“Cyanide-T” means Cyanide TOTAL.

“DAILY MAXIMUM” means the arithmetic average of all effluent samples for a Pollutant collected during a calendar day.

“DAILY MAXIMUM LIMIT” means the maximum allowable Discharge limit of a Pollutant during a calendar day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily Discharge is the arithmetic average measurement of the Pollutant concentration derived from all measurements taken that day. Where Daily Maximum Limits are expressed in units of mass, the daily Discharge is the total mass Discharged over the course of a day.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“DEBT SERVICE CHARGE” means the amount to be paid each billing period for payment of interest and principal of City revenue bonds outstanding and shall be allocated to the various waste characteristics such as volume, BOD, Total Suspended Solids and ammonia nitrogen.

“DEPARTMENT OF PUBLIC WORKS” means the Belvidere Water Department and the Belvidere Sewer Department and the Belvidere Street Department. The operation of the WWTP is included in the Sewer Department.

“DIRECTOR OF PUBLIC WORKS” or “DIRECTOR” means the Director of the Department of Public Works of the City of Belvidere, or his Duly Authorized Agent.

“DISCHARGER” means any Person, firm, establishment or institution that Discharges Wastewater, excluding Inflow and Infiltration, into the POTW Works from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act and 35 Ill Adm. Code (IAC) 307. DISCHARGER is used interchangeably with “USER.”

“DISCHARGE PERMIT” means an individual or general permit issued to a User which specifies the requirements for Discharge of Wastewater or the requirements for zero process Wastewater Discharge as appropriate.

“DULY AUTHORIZED AGENT” means the Mayor and City Council of Belvidere and designated employees, agents and representatives of the City.

“DWELLING” means a place or unit designed for occupancy by one family as defined in the Zoning Ordinance. It may be a house designed for the exclusive use of one family or it may be a portion of a building designed and intended to be used by one family.

“EASEMENT” means an acquired legal right for the specific use of land owned by others.

“EFFLUENT CRITERIA” means those criteria defined in any applicable “NPDES” Permit.

“ENVIRONMENTAL PROTECTION AGENCY” OR “EPA” means the U.S. Environmental Protection Agency (USEPA) or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said Agency.

“EXISTING SOURCE” means any source of Discharge that is not a “New Source.”

“FATS, OIL, AND GREASE (FOG)” is used interchangeably with “OILS AND GREASE.”

“FEDERAL GRANT” means the United States government participation in the financing of the construction of Treatment Works as provided by Title II—Grants for Construction of Treatment Works of the Act and implementing regulations.

“FLOATABLE OIL” means oil, fat or grease in a physical state such that it will separate by gravity from Wastewater by treatment in an approved Pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the Wastewater does not interfere with the collection system.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“FLOW” means volume of Wastewater per unit of time.

“FOOD SERVICE ESTABLISHMENT (FSE)” means any User engaged in the activities of preparing, serving or otherwise making available for consumption foodstuffs that use one or more of the following preparation activities: blending, cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching and infrared heating, searing, barbecuing and any other food preparation or servicing activity that produces a consumable food product in or on a receptacle requiring washing to be reused. A Limited Food Preparation Establishment is not considered to be a FSE when only engaged in reheating, hot holding or assembly of ready-to-eat food products and as a result, there is no Wastewater Discharge containing significant amounts of FOG.

“GARBAGE” means solid wastes from domestic and commercial preparation, cooking, and dispensing of food, and from the commercial handling, storage, and sale of produce or food.

“GRAB SAMPLE” means a sample which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

“GREASE INTERCEPTOR (GI) or GREASE TRAP (GT)” means a device for separating waterborne greases and grease complexes from Wastewater and retaining such grease and grease complexes prior to the Wastewater exiting the Trap or Interceptor and entering the Sanitary Sewer collection and treatment system. Grease Interceptors (GI) and Traps (GT) also serve to collect solids that settle generated by and from activities that subject Users to this requirement, prior to the water exiting the site and entering the Sanitary Sewer collection and treatment system or POTW works.

“GREASE INTERCEPTIVE DEVICE” (GID) means a Grease Interceptor (“GI”) and/or a Grease Trap (“GT”).

“GREASE MITIGATION FEE” means a fee charged to an Owner/operator of a Food Service Establishment when there are physical limitations to the property that make the installation of the usual and customary Grease Interceptor or grease control device for the FSE under consideration, impossible or impracticable. The Grease Mitigation Fee is intended to cover the costs of the increased maintenance of the sewer system for inspection and cleaning of FOG and other viscous or solidifying agents that a properly employed grease control device would otherwise prevent from entering the sewer system.

“HAULED WASTE” means sanitary or process Wastewater transported as a commercial venture.

“HOT SPOT” means an area in the Sanitary Sewer System that has experienced Sanitary Sewer overflows or that must be cleaned and maintained frequently to avoid blockages of the Sanitary Sewer System.

“INCOMPATIBLE POLLUTANT” means all pollutants other than compatible pollutants as defined in this section.

“INDIRECT DISCHARGE” or “DISCHARGE” means the introduction of Pollutants into POTW Works from any Non-Residential Source under Section 307(b), (c), or (d) of the Act.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“INDUSTRIAL USER (IU)” or “USER” means a source of Indirect Discharge from a Non-Residential Source.

“INDUSTRIAL WASTE” means a combination of solid, liquid, or gaseous substances in water carried wastes Discharged, permitted to flow or escaping from any Non-Residential Source, including the Wastewater from Pretreatment facilities and polluted Cooling Water. (“INDUSTRIAL WASTE” does not include “SANITARY SEWAGE.”)

“INFILTRATION” means the water entering a Sanitary Sewer System, including water from Building Drains and Sewers, and groundwater runoff entering through such means as, but not limited to, defective pipes, pipe joints, connections and/or manhole walls. (“Infiltration” does not include, and is distinguished from, “Inflow.”)

“INFILTRATION/INFLOW” means the total quantity of water from both Infiltration and Inflow without distinguishing the source.

“INFLOW” means the water Discharged into a Sanitary Sewer System, including Building Drains and Building Sewers, from sources such as (but not limited to): roof leaders; cellar, yard and area drains; Building Drainage Sewers; foundation drains; Unpolluted Water Discharges; drains from springs and swampy areas; and manhole covers, cross-connections from Storm Sewers and Combined Sewers, catch basins, Stormwater, surface runoff and Street wash washers or drainage. (“INFLOW” does not include “INFILTRATION.”)

“INSPECTOR” means any employee or Duly Authorized Agent of the City authorized to make inspections.

“INSTANTANEOUS LIMIT” means the maximum concentration of a Pollutant allowed to be Discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial Flow rate and the duration of the sampling event.

“INSTITUTIONAL/GOVERNMENTAL USER” means any User associated with Federal, State and/or local government but including schools, churches and penal institutions.

“INTERCEPTOR” means a trunk line not less than eight inches (8”) in diameter which receives Sewage from a number of collectors and conveys such Sewage to a Treatment Works.

“INTERFERENCE” or “INTERFERE” means a Discharge which, alone or in conjunction with a Discharge or Discharges by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its Sludge processes, use of disposal and therefore, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of Wastewater or Sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State Sludge management plan prepared pursuant to subtitle D of the SWDA) the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“LATERAL LINE” or “BUILDING SEWER” means the extension from the Building Drain to the Sanitary Sewer.

“LIMITED FOOD PREPARATION ESTABLISHMENT” means a User that only engages in reheating, hot holding or assembly of ready to eat food products and as a result produces a consumable food product that is not in or on a receptacle requiring washing to be reused and does not have a Wastewater Discharge containing significant amounts of FOG.

“LOCAL LIMIT” means specific Discharge limits developed and enforced by the City upon Non-Residential Users or facilities to implement the general and specific Discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b) and Section 114-322 of this code.

“LOT” means any parcel of land as defined in the Zoning Ordinance.

“MEDICAL WASTES” means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

“MILLIGRAMS PER LITER” means a unit of the concentration of water or Wastewater constituent representing 0.001 g of the constituent in 1,000 ml of water. (It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and Wastewater analysis.)

“MONTHLY AVERAGE” means the sum of all “DAILY DISCHARGES” measured during a calendar month divided by the number of “DAILY DISCHARGES” measured during that month.

“MONTHLY AVERAGE LIMIT” means the highest allowable average of “DAILY DISCHARGES” over a calendar month, calculated as a sum of all the “DAILY DISCHARGES” measured during a calendar month divided by the number of “DAILY DISCHARGES” measured during that month.

“NATIONAL CATEGORICAL PRETREATMENT STANDARD,” “CATEGORICAL PRETREATMENT STANDARD,” or “CATEGORICAL STANDARD” means any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

“NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM” or “NPDES” means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits from point sources to waters of the United States, and imposing and enforcing Pretreatment Requirements, under section 403.3(n) of the Federal Act.

“NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT” or “NPDES PERMIT” means a permit issued pursuant to Section 402 of the CWA, or Section 12(f) of the Act.

“NATURAL OUTLET” means any outlet into a Watercourse, pond, ditch, lake or other body of surface or groundwater.

“NEW SOURCE” means:

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

1. Any building, structure, facility, or installation from which there is (or may be) a Discharge of Pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that one of the following is true:
 - a) The building, structure, facility, or installation is constructed at a site on which no other source is located;
 - b) The building, structure, facility or installation totally replaces the process or production equipment that causes the Discharge of Pollutants at an Existing Source; or
 - c) The production or Wastewater generating processes of the building, structure, facility or installations are substantially independent of an Existing Source at the site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section 1.b. or c. above but otherwise alters, replaces, or adds to existing process or production equipment.
3. Construction of a New Source as defined under this paragraph has commenced if the Owner or operator has done one of the following:
 - a) Begun, or caused one of the following to begin as part of a continuous onsite construction program:
 - 1) Any placement, assembly, or installation of facilities or equipment; or
 - 2) Significant site preparation work including, clearing, excavation or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
 - b) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this paragraph.
4. New Sources shall install and have in operating condition and shall “start-up” all pollution control equipment required to meet applicable Pretreatment Standards before beginning to Discharge. Within the shortest feasible time (not to exceed 90 calendar days), New Sources shall meet all applicable standards.

“NON-CONTACT COOLING WATER” means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“NON-RESIDENTIAL USER” and “NON-RESIDENTIAL SOURCE” means all Users and sources not defined as “RESIDENTIAL USERS.”

“NON-SIGNIFICANT REGULATED USER” means a Non-Residential User that meets the criteria outlined in Section 114-802.C.5 of this code.

“OILS AND GREASE” means any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that are extracted by a solvent in a method approved in 40 CFR 136.

“OVERHEAD SEWER” means a sewer that does not Discharge to a public or private sewer main through the use of gravity. Overhead Sewers utilize a pump to lift the Sewage to an elevation where gravity can then carry away the Wastewater. Non-Residential Wastes Discharged from Overhead Sewers are subject to all the same limits and requirements of Sanitary Sewers.

“OPERATION AND MAINTENANCE COSTS” means all costs, direct and indirect (other than debt service charges), necessary to ensure adequate Wastewater treatment on a continuing basis, conforming with related Federal, State, County and City requirements and assuring optimal long-term facility management, which costs include an annual charge for Replacement of equipment computed on the basis of the cost of equipment Replacement divided by its Useful Life.

“OWNER” means any Person having any legal title or other interest in or to the building and/or Lot, tract and/or parcel of land (or any part thereof), whether such interest is fee simple or beneficial ownership, or that of an occupancy or leasehold interest.

“PASS THROUGH” means the Discharge of Pollutants that exit the POTW into waters of the United States in quantities or concentrations, which alone or in conjunction with Discharge or Discharges from other sources, is a cause of a violation of any requirement of the City’s NPDES permit, including an increase in the magnitude or duration of a violation.

“PERMITTED WASTEWATER HAULER VEHICLE” means a vehicle used for hauling Wastewater, which has been granted a permit under the requirements of this Code.

“PERSON” means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State and local governmental entities.

“pH” means a measure of the acidity or alkalinity of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration, expressed in standard units.

“PLUMBING CODE” means Chapter 22, Article IV, ‘Plumbing Code,’ *et seq.*, of the City Code and as it may be amended in the future.

“POPULATION EQUIVALENT” means a term used to evaluate the impact of industrial or other waste on a Treatment Works or stream. One Population Equivalent is 100 gallons (380 liters) of Sewage per day, containing 0.17 pounds (77 g) of BOD5 (five-day Biochemical Oxygen Demand)

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

and 0.20 pounds (91 g) of Total Suspended Solids (TSS). The impact on a Treatment Works is evaluated or defined as the highest Population Equivalent of the three parameters. (IEPA 301.345)

“POLLUTANT” means any dredged spoil, solid waste, incinerator residue, filter backwash, Sewage, Garbage, Wastewater Sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or Discharged equipment, rock, sand, cellar dirt or industrial, municipal, agricultural and Industrial Wastes and certain characteristics of Wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

“PPM” means parts per million.

“PRETREATMENT” means the reduction of the amount of Pollutants, the elimination of Pollutants or the alteration of the nature of Pollutant properties in Wastewater prior to, or in lieu of, Discharging or otherwise introducing such Pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes; by process changes; or by other means, except by diluting the concentrations of the Pollutants unless allowed by an applicable Pretreatment Standard.

“PRETREATMENT COORDINATOR” means the WWTP Lead Operator of the Department of Public Works Department of the City of Belvidere and/or his authorized agents or representatives.

“PRETREATMENT REQUIREMENTS” means any substantive or procedural requirement related to Pretreatment imposed on a User, other than a Pretreatment Standard.

“PRETREATMENT STANDARDS” or “STANDARDS” means any specified Pollutant, City prohibitive Discharge standards as set forth in Section 114-322 of this code, City specific limitations on Discharge as set forth in Section 114-412 of this code, State of Illinois Pretreatment Standards in Ill. Adm. Code Section 307, or the National Categorical Pretreatment Standards, whichever standard is most stringent.

“PRIVATE SEWER FACILITIES” means all Sanitary Sewer facilities owned by one Receiving Service to the Sanitary Sewer Connection.

“PROHIBITED DISCHARGE STANDARDS” or “PROHIBITED DISCHARGES” means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 114-322 of this code.

“PROPERLY SHREDDED GARBAGE” means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the Flow conditions normally prevailing in Public Sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

“PUBLIC SEWER” or “PUBLIC SANITARY SEWER” means a Sanitary Sewer provided by or subject to the jurisdiction of the City. It shall also include Sewers within or outside the City boundaries that serve one or more Persons and, ultimately Discharge into the City Sanitary Sewer, even though those Sewers may not have been constructed with City funds.

“PUBLICLY OWNED TREATMENT WORKS (POTW)” means a treatment works, as defined by Section 212 of the Act, (33 U.S.C. section 1292) which is owned by the City. This definition

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

includes any devices and systems used in the collection, storage, treatment, recycling, and reclamation of Sewage or Industrial Wastes of a liquid nature and any conveyances that are connected to the City Wastewater Treatment Plant regardless of ownership, but does not include Sewers, pipes and other conveyances not connected to the City Wastewater Treatment Plant.

“RECEIVING SERVICE” means an Owner or occupant of any land or building who has their Building Drains or Sewer Service Lines from such land or building connected to a Sanitary Sewer.

“REGIONAL ADMINISTRATOR” means the Regional Administrator for the USEPA for Region V.

“RESIDENTIAL SOURCE” or “RESIDENTIAL USER” means any single family or multi-family Dwelling unit designed primarily as a place of human habitation which Discharges only domestic Wastewater to the City’s system.

“REPAIR AND OPERATION” means the maintenance of Private Sewer Facilities by one Receiving Service by keeping the Sanitary Sewer Connection, Lateral Lines, Building Drains and other Private Sewer Facilities in satisfactory working condition and in good state of repair. This includes, but is not limited to, preventing any obstruction or extraneous material or flows from entering said Sanitary Sewer System, thereby protecting said private and public facilities from any damage and keeping same free from defects or malfunctions and making necessary provisions and taking necessary precautions to assure that said Private Sewer Facilities are at all times capable of satisfactorily performing the services and adequately Discharging the functions and producing the final results and purposes while protecting the Sanitary Sewer System.

“REPLACEMENT” means expenditures for obtaining and installing all or a portion of the Sanitary Sewer System equipment, accessories or appurtenances which are necessary during the Useful Life of the Treatment Works to maintain the capacity and performance for which such Treatment Works were designed and constructed.

“SAMPLING MANHOLE” means a structure located at, on or near a site from which Non-Residential wastes are Discharged which provides access for an Inspector to sample and/or measure Discharges and constructed, whenever feasible, with an interior drop.

“SANITARY SEWER” means a pipe or conduit designed and/or intended to carry Wastewater from residences, commercial buildings, industrial plants and institutions to the POTW, and to which storm, surface, and groundwater and unpolluted Non-contact Cooling Waters are not intentionally admitted.

“SANITARY SEWAGE” or “SANITARY WASTEWATER,” *see* “Wastewater.”

“SANITARY SEWER CONNECTION” means the method and/or point of connecting a Lateral Line to a trunk line.

“SANITARY SEWER SYSTEM” means the entire system operated by the City for the collection, transportation, pumping and treatment of Industrial Waste and Sanitary Sewage consisting of Interceptor Sewers, trunk lines, the Treatment Works and their appurtenances.

“SENIOR CITIZEN” means any natural Person sixty-two (62) years of age or older.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“SEPTIC TANK WASTE” means any Sewage from holding tanks such as vessels, chemical toilets, campers, trailers and septic tanks.

“SERVICE” means any Sanitary Sewer or Sanitary Sewer service, as the case may be.

“SEWAGE” means human excrement and gray water (household showers, dishwashing operations, etc.) *See* “Wastewater.”

“SEWER SERVICE LINE” means a Lateral Line.

“SEWER” means a pipe or conduit for conveying Sewage, Industrial Wastes or Stormwater.

“SEWERAGE” means the system of Sewers and appurtenances for the collection, transportation and pumping of Sewage and Industrial Wastes.

“SIGNIFICANT INDUSTRIAL USER” means a User of the POTW (except as provided by paragraphs (3) and (4)) who is:

1. A User subject to any National Categorical Pretreatment Standards; or
2. A User that:
 - a) Has an average process Wastewater Discharge Flow of twenty-five thousand (25,000) gallons or more of process Wastewater to the POTW per work day (excluding sanitary, non-contact cooling and boiler blow-down Wastewater); or
 - b) Has a Discharge Flow of process Wastewater that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW’s operation or for violating any Pretreatment Standard or Requirement.
3. The City may determine that a User subject to Categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the User never Discharges more than 100 gallons per day (gpd) of total categorical Wastewater (excluding sanitary, non-contact cooling and boiler blow-down Wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - a) The User, prior to the City’s finding, has consistently complied with all applicable Categorical Pretreatment Standards and Requirements;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

- b) The User annually submits the certification statement required in Section 114-452.C of this code [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
 - c) The User never Discharges any untreated concentrated Wastewater.
4. Upon a finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from a User, and in accordance with 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

“SLUDGE,” *see* “BIO-SOLIDS.”

“SLUG” or “SLUG LOAD” means any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference of Pass Through, or in any other way violate the POTW's regulations or Local Limits that could cause a violation of the Prohibited Discharge Standards in Section 114-322 of this code.

“STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE” means a classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget. The SIC Code is being replaced by the NAICS but may be referenced in EPA regulations.

“STATE” means the State of Illinois.

“STATE ACT” means the (Illinois) Anti-Pollution Bond Act, 30 ILCS 405/1, *et seq.*

“STATE GRANT” means the State of Illinois' participation in the financing of the construction of Treatment Works as provided by the (Illinois) Anti-Pollution Bond Act and for making such grants as filed with the Secretary of the State of Illinois.

“STORM SEWER” means a Sewer that carries rain water, snow melt and surface drainage but excludes Sewage and Industrial Wastes other than unpolluted Non-contact Cooling Water.

“STORM SEWER SYSTEM” means the system of Storm Sewers owned and maintained by the City.

“STORMWATER” means any Flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

“STORMWATER RUNOFF” means that portion of the rainfall that is drained into Storm Sewers.

“SUMP PUMP” means any electrical and/or mechanical device designed to raise water from a lower level to a higher level and is designed to remove collected Stormwater from a pit to a Storm Sewer or other approved point of Discharge.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“SURCHARGE” means the assessment in addition to the basic User Charge and debt service charge which is levied on those Users whose wastes are greater in strength than the concentration values established in Average Strength Wastewater.

“TOTAL METALS” means the sum of the concentration of chromium, copper, nickel and zinc.

“TOTAL SUSPENDED SOLIDS (TSS)” means total suspended matter, expressed in Milligrams Per Liter, that either floats on the surface of, or is in suspension in water, Wastewater or other liquids and is removable by laboratory filtration, under standard laboratory procedures approved in 40 CFR 136.

“TOTAL TOXIC ORGANICS” means the summation of all quantifiable values greater than 0.01 Milligrams Per Liter for the toxic organics specified in the applicable categorical regulation, using USEPA-approved analytical procedures identified in 40 CFR 136.

“UNPOLLUTED WATER” means water quality equal to or better than the Effluent Criteria in effect or water that would not cause violation of State of Illinois’ receiving Water Quality Standards and would not be benefited by Discharge to the Sanitary Sewers and Wastewater Treatment Works provided.

“UPSET” means an exceptional incident in which there is unintentional and temporary noncompliance with Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

“USEFUL LIFE” means the estimated period during which the Treatment Works will be operated.

“USER” means any Person or source that contributes, causes or permits the source of Indirect Discharge into the POTW works. It may also include such Persons or sources that are prohibited from Discharging specific Pollutants or waste streams to the POTW works.

“USER CHARGE” means a charge established for Users of the treatment facilities in the proportionate share to each User of the Operation and Maintenance Costs including (with respect to charges made to any Non-Residential User) any Surcharges.

“USER CLASS” means the type of User: "Residential User", "Institutional/Governmental User", "Commercial User" or "Industrial User" as defined herein.

“WASTEWATER” means the combination of the liquid and water carried wastes and Sewage from residential Dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

1. “SANITARY WASTEWATER” means the combination of liquid and water carried wastes Discharged from toilets and other sanitary plumbing facilities.
2. “INDUSTRIAL WASTEWATER” means a combination of liquid and water carried wastes Discharged from any Industrial User, including the Wastewater from Pretreatment facilities and polluted Non-Contact Cooling Water.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

“WASTEWATER AND SERVICE CHARGE” means the User Charge per monthly period established for all Users.

“WASTEWATER DISCHARGE PERMIT” means the document or documents issued to a User by the City pursuant to Section 114-440 of this code.

“WASTEWATER HAULER” means any Person, partnership or corporation engaged in transporting Sanitary Wastewater as a commercial venture.

“WASTEWATER TREATMENT PLANT” means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

“WATERCOURSE” means a channel in which a Flow of water occurs either continuously or intermittently.

“WATER AND SEWER FUND” means the principal accounting designation for all revenues received and expenses incurred by the City in the operation of the waterworks and Sanitary Sewer System. (These revenues and expenses shall be segregated so that water system revenues and expenses shall be recorded in the waterworks account of the Waterworks and Sewage Fund and revenues and expenses of the Sanitary Sewage system shall be recorded in the Sewage account of the Waterworks and Sewage Fund.)

“WATERS OF THE STATE” include:

1. Both surfaces and underground waters within the boundaries of this State subject to its jurisdiction, including all ponds, lakes, rivers, streams, public ditches, tax ditches, and public drainage systems within this State, other than those designed and used to collect, convey, or dispose of Sanitary Sewage; and
2. The floodplain free-flowing waters determined by the Department of Natural Resources on the basis of 100-year flood frequency, and
3. Any other waters specified by State law.

“WITHIN THE CITY” means all territory within the corporate limits of the City of Belvidere, an Illinois Municipal corporation, as well as all territory outside the corporate limits of the City but subject to its jurisdiction and ordinances.

“WORK DAY” means a day on which work or service is performed by an industry.

“ZONING ORDINANCE” means the Zoning Ordinance of the City as set forth in Chapter 150 of this Code.

- C. Abbreviations: Whenever the following abbreviations for the words, terms, and phrases defined in Section 114-291.B appear in this Article, they shall have the same meaning as the indicated words, terms, or phrases:

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS AND SEWAGE DISPOSAL
DIVISION 2. RULES AND DEFINITIONS

BOD	-	Biochemical Oxygen Demand
BMP	-	Best Management Practices
BMR	-	Baseline Monitoring Report
CE	-	City Engineer of the City of Belvidere
CFR	-	Code of Federal Regulations
CIU	-	Categorical Industrial User
COD	-	Chemical Oxygen Demand
DPW	-	Director of Public Works of the City of Belvidere
EPA	-	U.S. Environmental Protection Agency
FOG	-	Fats, Oils and Grease, interchangeable with Oil and Grease
FSE	-	Food Service Establishment
GI	-	Grease Interceptor
GID	-	Grease Interceptor Device
GT	-	Grease Trap
gpd	-	Gallons per day
IAC	-	Illinois Administrative Code
IEPA	-	Illinois Environmental Protection Agency
IU	-	Industrial User
mg/l	-	Milligrams Per Liter
NCPS	-	National Categorical Pretreatment Standard
NPDES	-	National Pollutant Discharge Elimination System
NSCIU	-	Non-Significant Categorical Industrial User
NSRU	-	Non-Significant Regulated User
POTW	-	Publicly Owned Treatment Works
ppm	-	Part per million
PSES	-	Pretreatment Standards for Existing Sources
PSNS	-	Pretreatment Standards for New Sources
RCRA	-	Resource Conservation and Recovery Act
SDWA	-	Safe Drinking Water Act
SIC	-	Standard Industrial Classification.
SIU	-	Significant Industrial User
SNC	-	Significant Non-Compliance
SSO	-	Sewer System Overflows
SWDA	-	Solid Waste Disposal Act
TDS	-	Total Dissolved Solids
TSS	-	Total Suspended Solids
TTO	-	Total Toxic Organics
U.S.C.	-	United States Code
USEPA	-	U.S. Environmental Protection Agency
WWTP	-	Wastewater Treatment Plant

114-292 – 114-299. Reserved.

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CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

Table of Contents

SUBDIVISION I. SEWER CONNECTION PROCEDURES.....	2
SECTION 114-300. CONNECTIONS.....	2
114-301. USE OF PUBLIC SEWERS REQUIRED.....	2
114-302. PRIVATE SEWAGE DISPOSAL.....	4
114-303. BUILDING SEWER AND CONNECTIONS.....	5
114-304. FEES.....	10
114-305. MONITORING FACILITIES.....	12
114-306. ADDITIONAL STRUCTURES REQUIRED FOR THE USE OF THE PUBLIC SEWERS.....	15
114-307--114-309. RESERVED.....	16
SUBDIVISION II. SURVEY INFORMATION.....	17
SECTION 114-310. INFORMATION REQUIRED OF NON-RESIDENTIAL USERS.....	17
114-311. INITIAL SURVEY (QUESTIONNAIRE).....	17
114-312. AFFIRMATION TO INITIAL SURVEY.....	17
114-313. REPORTS OF CHANGED CONDITIONS.....	18
114-314. ADDITIONAL SURVEY INFORMATION.....	18
114-315 -- 114-319. RESERVED.....	19

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

SUBDIVISION I. SEWER CONNECTION PROCEDURES

SECTION 114-300. CONNECTIONS.

114-301. Use of Public Sewers Required.

- A. It shall be unlawful for any Person to place, deposit or allow to be deposited any human or animal excrement, Garbage or other objectionable waste in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City.
- B. It shall be unlawful to Discharge to any Natural Outlet within the City, or in any area under the jurisdiction of said City without the expressed approval from the Director of Public Works (DPW) that all Slug Load and federal effluent limitations have been met and there are no reasonable alternative methods of disposal.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the private disposal of Sewage.
- D. The Owner of any house, building, or property used for human occupancy, employment, recreation or other purpose situated within the City and abutting on any Street, alley or right-of-way in which there is now located or may in the future be located any Public Sanitary Sewer of the City, is hereby required at his expense to install suitable facilities therein; including toilets, urinals, lavatory sinks and kitchen sinks; and to connect such facilities directly with the proper Public Sanitary Sewer in accordance with the provisions of this Division, when the City Building Department and/or County Health Department has determined a major repair to the existing private Sewage disposal system is required , provided that said Public Sanitary Sewer is within two hundred feet (200' or 61 meters) of the property line. If such Public Sanitary Sewer benefits other properties, the City shall enact a recapture article and make best efforts to collect and return to the Owner amounts received from the benefited properties.
- E. It shall be unlawful to Discharge or cause to be Discharged to any facility served by the City, without having first complied with the terms of this Division. At minimum, all Non-Residential Users are subject to the Prohibited Discharge Standards in Section 114-322 in this code, Change Notification in Section 114-455 in this code and Hazardous Waste Notification in Section 114-458 in this code, if applicable. Spill Prevention/Slug Control Planning may also be necessary for some Non-Residential Users as identified in Section 114-345 in this code.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

- F. Storm Sewers; Storm and Surface Water Runoff:
1. It shall be unlawful for any Person to connect or cause to be connected any Building Drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool or Industrial Waste or any fixture or device discharging Wastewater to any Stormwater drain or Storm Sewer.
 2. It shall be unlawful for any Person to make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to an Interference or Building Drain which in turn is connected directly or indirectly to the Sanitary Sewer System.
 3. It shall be unlawful for any Person to discharge or cause to be discharged into the Sanitary Sewer System any Stormwater, surface water, roof runoff water, subsurface drainage, runoff water from ground or paved areas, cistern overflow or industrial cooling operations.
 4. All downspouts or roof drains shall discharge onto the ground. Footing drains shall be connected to Sump Pumps and discharge shall be made into drainage ditches or the Storm Sewer system. Sump Pumps installed to receive and discharge ground waters shall be connected to the Storm Sewer or discharged on the ground or into a drainage ditch or drainage system. All downspouts and Sump Pump discharge lines shall not be directed to public rights of way in a manner which would cause a flooding hazard or accumulation of water or ice in the winter months or to adjacent properties.
 5. Sump Pumps installed to receive and discharge floor drain Flow, laundry tubs or other sanitary Sewage shall be connected to the Sanitary Sewer System pursuant to the Building Code of the City.
 6. Any given Sump Pump shall be used for one function only, either the discharge of Stormwater or the discharge of Sanitary Sewage.
 7. Any violation of this Section after Article adoption shall subject the violator to fines as designated per Division 9 of this code. Each successive calendar day (24-hour period) shall be considered a separate violation.
- G. Inspection required upon transfer of property. Upon transfer of title to, or transfer or assignment of Beneficial Interest in, real property located in the City, the City may inspect such property to verify compliance with Section 114-300 in this code.
- H. Damages. The City of Belvidere and specifically, the Public Works Department, shall not be held responsible for damages to personal property caused by the construction or repair to the City Sewers, by water and Sewage seepage, or for any other reason.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

114-302. Private Sewage Disposal.

No Person shall construct a Wastewater treatment facility within the corporate limits of the City or in the City's facility planning area not under the corporate limits of the City for the purpose of treating Wastewater and Discharging to a Watercourse unless the following provisions are met.

- A. For the purpose of treating Non-Residential Source wastes, the DPW determines that the Wastewater treatment works have inadequate capacity. No Building Department permit shall become effective until:
1. The DPW has approved the plans and specifications in writing,
 2. Approval has been obtained from the Boone County Department of Health, as appropriate,
 3. An IEPA permit issued to construct the facility has been received,
 4. An IEPA NPDES permit to operate the facility has been issued and received,
 5. The installation is completed to the satisfaction of the DPW, and
 6. The final inspection has been completed.

Persons operating a Wastewater treatment facility shall file copies of all operating reports sent to the USEPA and IEPA with the City and such other reports as the DPW deems necessary.

- B. Where a Public Sanitary Sewer is not available under the provisions of Section 114-301 of this Division, and the Wastewater source to be treated is domestic in nature, the Building Sewer shall be connected to a private Sewage disposal system employing subsurface absorption facilities. The private Sewage disposal system shall comply with the Building Department and plumbing codes.
- C. Other provisions.
1. The Owner shall operate and maintain the private Sewage disposal facilities in a sanitary manner at all times, and at no expense to the City.
 2. As provided in Section 114-302.B of this Division, at such time as a Public Sewer becomes available to a property served by a private Sewage disposal system, a direct connection shall be made to the Public Sanitary Sewer when the City Building Department and/or County Health Department determines that a major repair to the private Sewage disposal system is required in compliance with Article V. Any septic tanks, cesspools and similar private Sewage disposal facilities shall be cleaned of Sludge filled with suitable

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

material such as clean bank-run gravel or dirt compacted and thereafter maintained in a safe condition.

3. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Boone County Health Department as appropriate.

114-303. *Building Sewer and Connections.*

A. Permit Requirements

No Person shall construct a new Wastewater source or alter, repair or reconstruct an Existing Source and connect same to the Wastewater facilities of the City without first making application for the privilege of making said connection to the City.

1. No unauthorized Person shall uncover, make any connections with, or opening into; use, alter, or disturb any Public Sewer or appurtenance thereof without first obtaining a written permit from the Public Works Department of the City, with sign-off by the DPW and receipt of an IEPA permit when required under 35 IAC 309.
2. No addition to or alteration of any Building Sewer shall be made or caused to be made by any Person without a permit from the Building Department and then only through a sewer contractor. A sign-off from the DPW is required prior to the issuance of the permit. No permit shall authorize anything not explicitly stated in the application.
3. The Sanitary sewer connection permit is included with the building permit. A User will secure a building permit if the waste source is for new equipment to be installed in an existing with an existing Sewer connection. The Owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Building Official and the DPW. A sign-off from the DPW is required for all sewer connections. A permit and inspection fee as defined in Division 5 of Article V shall be paid to the City at the time the application is filed.
4. All disposal by any Person into the Sanitary Sewer System is unlawful except those Discharges in compliance with federal standards promulgated pursuant to the Federal Act, the Illinois Environmental Protection Act and regulations promulgated thereto, and the City Code.
5. Persons desiring to construct a new waste source and connect it to the Wastewater facilities of the City shall state the quantity, quality and rate of Discharge into the Public Sewer or Treatment Works. A Non-Residential

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

User, as a condition of permit authorization, must provide information describing its Wastewater constituents, characteristics and type of activity per Section 114-311 of this Division. In the case of any fraudulent representation upon the part of the User, the permit fees will be forfeited and the use of the Sewer stopped.

6. A Building Sewer permit will only be issued and a Sanitary Sewer connection shall only be allowed if it can be demonstrated that the downstream Sewage facilities, including Sewers, pump stations and Wastewater Treatment Works, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load based on the Population Equivalent.
7. A User will also secure a building permit if the waste source is for new equipment to be installed in an existing building with an existing Sewer connection.
8. Each excavation for any of the purposes set out in this subsection shall require a separate permit, pursuant to the Building Code.
9. All costs and expenses incident to the installation and connection of the Building Sewer shall be borne by the applicant. The Person installing the Building Sewer for the Owner shall be a licensed plumber or sewer contractor and he shall indemnify and hold harmless and defend the City from loss or damage that may directly or indirectly occasioned by said installation. Before a Building Sewer permit is issued, the plumber or sewer contractor shall file with the DPW a right-of-way bond and an indemnity bond with corporate surety licensed to do business in the State of Illinois, on bond forms supplied by the City. In addition, thereto, the plumber or sewer contractor shall file with the DPW a certificate of insurance covering public liability for bodily injury and property damage naming the City as an additional insured.
10. The Building Sewer Connection Permit will be issued for a period of 24 months consistent with the IEPA permits.
11. Any permit issued in this Section may be revoked in accordance with Division 9 of Article V.

B. Building Sewer Connections (Lateral Line Connections)

1. A separate and independent Building Sewer or Lateral Line shall be provided for every building, except that where one building stands at the rear of another on an interior Lot and no private Sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the Building Sewer from the front building may be extended to the rear building and the whole considered as one Building Sewer and may be

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

done only with the explicit approval of the Building Official. In no case shall any Owner be permitted to maintain, without the consent of the Building Official, any connection of a Building Drain to a Building Sewer located across or under the property of another.

2. An existing Building Sewer may be used in connection with new buildings only when it is found, on examination and test by the Building Official or Pretreatment Coordinator or his designee, to meet all requirements of this Division. All costs for this examination shall be borne by the applicant.
3. The size, slope, alignment, materials of construction of a Building Sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, *Water Pollution Control Federation Manual of Practice No. 9*, and *Standard Specifications for Water and Sewer Main Construction in Illinois* shall apply. If any connection violates the rules and specifications, the City may, in addition to any other penalty or remedy available, refuse to issue, revoke or cancel any permit, including but not limited to building permits and certificates of occupancy. Additionally, in the event that an existing connection is found to violate the rules and specifications the City may disconnect said connection and assess the cost thereof to the property Owner.
4. When authorized by the DPW, low pressure systems (LPS) may be used for discharge of domestic wastes from the Building to drain to the Public Sewer. All pump stations used to discharge Domestic Wastes will be furnished complete and factory built. Stations will consist of a semi-positive displacement grinder pump(s) suitably mounted in a basin constructed of high density polyethylene (HDPE), pump removal system, shut-off valve, anti-siphon valve, check valve assembled within the basin and all necessary internal wiring and controls. For ease of service, all pump-motor/grinder units shall be of like type and horsepower.
5. No Sanitary Sewer shall exceed 12 feet in depth below grade without the prior written approval from the DPW. The DPW shall not approve any sanitary sewer at a depth greater than 12 feet unless, after a review of all plans and engineering, he is satisfied that the proposed depth will not be detrimental to the Sanitary Sewer and water system, will not place an additional burden upon the City for maintenance of the system and that the increased depth of the system is in the best interests of the City and the surrounding property Owners.

C. Building Sewer Construction Requirements

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

Construction of a Building Sewer may not be started until fees are paid consistent with Section 114-304 of this Division and a written permit is issued by the City after issuance and receipt of an IEPA permit for the project when applicable. It shall be unlawful to extend any sewer main to be so connected in order to serve additional buildings without payment to the City of an additional sewer connection fee for each such additional building or unit within said building. The following conditions are also required:

1. The applicant shall secure a permit from the Building Official when appropriate in conformance with the provisions of the Building Code.
2. All excavations for Building Sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. Failure to properly barricade will be cause for the job site to be shut down and a fee as provided in Division 5 of Article V must be paid before any further work can commence.
3. The applicant for the Building Sewer permit shall notify the Building Official two (2) City Business Days prior to the start of any underground piping installation and when the Building Sewer is ready for inspection and connection to the Public Sewer. The connection shall be made under the supervision of a qualified Duly Authorized Agent of the City during regular City working hours.
4. Sewer Service Lines shall not be connected to manholes for Residential Users. All Sanitary Sewer Service Lines serving single-family residences shall have “blind” connections to the Sewer main (as stated in par. C sec. 8). Only exceptions are when homes are located in a cul-de-sac and the connection to the Sewer main would be impractical. This exception must be approved by the DPW.
5. Whenever possible, the Lateral Line shall be brought to the building at an elevation below the basement floor. In all buildings in which any Building Drain is either too low to permit gravity Flow to the sewer main or lower than one foot (1') above the crown of the adjacent Street, Sanitary Sewage carried by such Building Drain shall be lifted by an approved means and Discharged to the Interference in order to there from permit gravity Flow to the Sanitary Sewer System.
6. All low pressure systems will have a minimum one and one-fourth-inch diameter discharge pipe. All services will be installed complete including a combination curb stop/check valve assembly with curb box, marked sewer on the cap, located five feet outside the property line in the public right-of-way. All fittings and valves shall be rated at 150 psi working pressure. All LPS

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

piping shall be buried a minimum of 54 inches below the finished ground surface.

D. Sanitary Sewer Uses Outside of the Corporate Limits of the City

There are existing agreements for Sanitary Sewer uses outside the corporate limits of the City. No new permit shall be issued for the tapping into or use of Sanitary Sewer facility under the jurisdiction of the City for any location outside of the corporate limits of the City unless approved by the City Council. Costs and expenses to retain independent review by a consulting engineer for issues arising from potential connections shall be at the expense of the property Owner.

E. Sewer Installation Acceptance

1. At a minimum, a one (1) year warranty will be submitted to the City by the contractor doing the Sewer installation against all defects including poor workmanship, improper installation, restoration items (turf, sidewalk, pavement, etc.) or material failure. The warranty will require the contractor to correct any problems with the installation discovered during that one-year period.
2. The applicant for the permit shall notify the DPW and Building Department two (2) City Business Days in advance when the Lateral Line is ready for inspection and connection to the sewer main. The DPW inspects the portion of the Lateral Line located within the public right-of-way and the Building Department inspects the portion located on private property.
3. Each and every part of a sewer connection shall be inspected and approved by the DPW and Building Department before being concealed or backfilled.

It shall be unlawful to fill an excavation without having first received the written approval of the DPW and Building Department as provided in this Division, and any Person violating this provision shall (in addition to suffering upon conviction the fine herein imposed) expose the Sewer for inspection by the DPW and Building Department at no cost to the City.

4. In any case, where the DPW and/or Building Department finds the work on any Sewer not accomplished as herein provided, he shall serve written notice on the person to whom the permit is issued, stating wherein such work is deficient and ordering said Person to remedy such defect within twenty-four (24) hours.

In the event such Person fails to comply therewith, the Inspector shall cause such defect to be corrected at the expense of the Person to whom the permit was issued.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

5. An inspection fee as identified in Division 5 of Article V, shall be paid to the City as a fee for each inspection made by the DPW and/or Building Department.

F. Maintenance and Repair

The Owner of the premises served by the Sanitary Sewer System shall properly maintain the operation and repair the Building Sewer or Lateral Line located on private property shall be the responsibility of the. The City owns and maintains the portion of the Building Sewer or Lateral Line located in the public right-of-way.

114-304. Fees.

The following types of fees shall be charged when permitting and constructing a new Wastewater source and connecting it the Wastewater facilities of the City. All review, inspection and connection fees shall be based upon current fees identified in Division 5 of Article V and shall be reviewed and updated annually.

- A. A review and connection fee for sewer permit shall be paid to the City at the time the residential application is filed. Non-Residential fees will be based on an individual case basis measured by the impact of the application on the current POTW capacity. A minimum Sanitary Sewer Connection fee shall be established for any Non-Residential Users at 4 Population Equivalents (PE). The first inspection that is required for a Service is separate from the review fee. Additional inspection fees shall be paid for additional inspections where a Building Official finds that the work on any Sewer Connection is deficient.
- B. An inspection fee shall be paid for any additional inspections. This includes but is not limited to inspections of Sampling Manhole, Common Interceptors, Flow metering or sampling equipment, Garbage grinders, Grease, Oil and sand Interceptors, and Grease Traps. A separate review fee may be charged based on the cost and expense to review equalization and/or Pretreatment facilities required at a Non-Residential User.
- C. A review fee shall be paid for review of any waiver requests allowed under Section 114-343.F in this code.
- D. Connection Permit Fees

The fee for each Sewer Connection Permit shall be in the amount set forth in Appendix A. Such permit shall not be issued until the payment has been made to the City for the fees outlined in each subsection for each building to be served by means of such connection, and it shall be unlawful to extend any sewer main to be so connected in order to serve additional buildings without payment to the

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

City of an additional sewer connection fee for each such building or unit within said building.

E. Connection Fees Involving Non-residential Strength Wastewater

1. PE Determination:

- a) The Pretreatment Coordinator may require Non-Residential Users to report the concentrations and Flow rates of Wastewater Discharged to the City Sanitary Sewer System. Flow rate averages will be calculated based on the number of actual days Discharged. For Wastewater the strength of which exceeds normal Residential Wastewater as defined as Population Equivalent in Section 114-291 in this code in any constituent, the fees shall be based as follows:
 - 1) A PE connection fee shall be calculated on the basis of the impact on the Wastewater Treatment Works as the equivalent of the highest PE of the three (3) parameters: Flow, BOD or TSS.
 - 2) In the event that the Wastewater exhibits a ratio of COD to BOD that is greater than 3.0, the BOD PE will be calculated on the basis of 0.33 of the COD value.
 - 3) The difference between the connection fee based on water meter size and the Wastewater connection fee based on PE shall be identified as the strength connection. In the event that the PE connection fee is larger than the water meter size based connection fee, the strength connection fee will be added to the water meter size connection fee.
- b) When the volume and strength of the Wastewater to be Discharged to the Public Sanitary Sewers is not known at the time of the connection, the fee shall be estimated and adjusted to reflect actual conditions during the billing period after a full year of operation of all equipment.
- c) The volume and strength of the Wastewater for fee purposes shall be based on the maximum actual daily Discharge of constituents.
- d) When a connection is made based on the applicant's statement that the strength of the Wastewater does not exceed Residential Wastewater in any constituent, and normally at the end of the billing period after a full year of operation of all equipment, it is determined that the Wastewater does exceed Residential Wastewater in strength, the Pretreatment Coordinator and DPW may accept or reject the Wastewater and back-charge the applicant for fees plus applicable penalties for the Non-Residential Wastewater or have the Service disconnected and the premises closed.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

- e) The Pretreatment Coordinator may review Non-Residential Users Flow and loadings on an intermittent frequency, normally every two years, to identify increases to the baseline PE. The Pretreatment Coordinator and Building Official may bill the Non-Residential User, for increases to the baseline, a connection fee as defined in Division 5 of Article V. On payment of the fee, the property baseline shall be adjusted to the newly established PE.

F. Properties Outside Corporate Limits

The connection fee calculated for any User not located within the corporate limits of the City is listed in Appendix A. On payment of the fee, the property baseline shall be adjusted to the newly established PE.

- G. All review inspection and connection fees are set forth in Appendix A and may be reviewed from time to time.

114-305. Monitoring Facilities.

A. Sampling Manhole Applicability.

- 1. All Non-Residential Users are required to install a Sampling Manhole for each separate Discharge in the Building Sewer in accordance with the plans and specifications approved by the City and Section 114-305 of this code.

When required by the City, a Significant Industrial User (SIU) or Non-Significant Regulated User (NSRU), that does not have a unique sampling chamber at end-of-pipe, shall install a Sampling Manhole or sampling chamber for use as the regulation location of Local Limits in the Building Sewer in accordance with plans and specifications approved by the City. This sampling chamber may be required to be installed within the building.

- 2. When required by the City, a Categorical Industrial User shall install a Sampling Manhole or sampling chamber for use as the regulation location of the categorically regulated Discharge in the Building Sewer in accordance with plans and specifications approved by the City. This sampling chamber may be required to be installed within the building and may be in addition to an end-of-pipe Sampling Manhole.
- 3. In the event that a suitable sampling facility does not exist, the “Sampling Manhole” shall be considered to be either the nearest downstream manhole in the Public Sewer to the point at which the Building Sewer is connected or the point of process Wastewater Discharge if accessible by the City.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

B. An inspection fee as provided in Appendix A shall be paid to the City prior to issuance of the permit should it be determined that the User is required to install any of the following structures:

1. Sampling Manhole Requirements. All Users located in areas zoned industrial park and such other Users as required by the Pretreatment Coordinator, except Residential Users, are required to install a Sampling Manhole for each separate Discharge in the Building Sewer in accordance with the plans and specifications approved by the Building Official. Each manhole shall be situated on the User's premises in an Easement dedicated to the City.

The Sampling Manhole shall be located on the Sewer connection pipe at a point where there are no changes in grade or alignment for at least five (5) feet upstream and downstream from the manhole. The grade (slope) of the pipe shall not exceed 1% (1 foot per 100 feet) through the manhole and for a distance of five (5) feet upstream and downstream from the manhole.

There shall be ample room in or near such Sampling Manhole to allow accurate sampling and preparation of samples for analysis. The manhole shall be installed and maintained by the Owner/User at his or her sole expense so as to be safe and accessible to the City at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its Discharge.

- a) Where such a Sampling Manhole location would be impractical or cause extreme hardship on the User, the Pretreatment Coordinator may concur with the manhole being constructed in the public right-of-way provided that the manhole is located so that it shall not be obstructed by landscaping or parked vehicles. If a Sampling Manhole is located in a parking lot, a permanent barricade, such as a vertical pipe shall be placed around the manhole to prevent vehicles from driving or parking over the Sampling Manhole cover.
- b) The Pretreatment Coordinator and Building Official may postpone the installation of the Sampling Manhole when specific circumstances (e.g., weather) prevent the installation of a manhole.
- c) When a postponement for a Sampling Manhole installation is granted by the City, a bond shall be posted and an affidavit will be signed by the property Owner to install the Sampling Manhole at a later date should business practices change at the location where the manhole installation was postponed.
- d) The Pretreatment Coordinator may determine sub-classes of business that do not require the installation of Sampling Manholes and will advise the

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

Building Official of such sub-classes. Sampling Manholes will always be required in zoned industrial parks.

2. Liquid Quantity Measurements. All Significant Industrial Users may be required to install an open channel Flow measuring device in said Sampling Manhole. When required, the sampling chamber shall contain a Palmer-Bowlus or Parshall flume or equivalent, unless a weir or similar device is approved by the City.

The City may, at its option, based on the water usage and/or waste loadings, require the User to install a device with a recording and totalizing register for measurement of the liquid quantity. The device shall include a circular chart recorder, suitable to record seven (7) calendar days of Flow or provide a computerized chart that is acceptable to the City. The equipment required to indicate, record and totalize the Flow shall be located in a warm dry location and be accessible to the City for reading. This equipment shall be installed and maintained by the User at his sole expense. Should the requirement be made, the User shall complete installation of the flume and secondary Flow measuring device based on the installation schedule approved for such device by the City.

The User shall be required to calibrate and maintain the Flow metering equipment in accordance with the manufacturer's recommended procedures and frequencies. Users who operate Flow measuring devices will submit the procedure for operation and maintenance (O & M) to the City. The User shall further document O & M in a log which shall be available for inspection by City personnel. At minimum, the User shall submit a semi-annual calibration report performed by an outside representative by the deadline defined in the User's Discharge Permit. The User may be required to submit Flow records to the Pretreatment Coordinator monthly.

3. Sampling Equipment. The City may, at its option, based on water usage and/or waste loadings or when the waste loads cannot be accurately evaluated by time Composite Samples, require the User to install sampling equipment. This equipment shall be installed and maintained by the User at his sole expense.

Users shall submit the procedure for O & M to the City. The User shall further document O & M in a log which shall be available for inspection by City personnel. At minimum, the User shall submit an annual report confirming the accurate operation of the equipment performed by an outside representative by the deadline defined in the User's Discharge Permit.

- C. Wastewater Monitoring and/or Flow Measurement Facility Operation and Maintenance

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

1. Such facilities will be installed and maintained at all times at the User's expense. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that the sample results are unrepresentative of its Discharge. Installation will be consistent with the requirements of this section.
2. The Sampling Manhole located on a Building Sewer Discharge located in dedicated Easements shall be easily accessible to representatives of the City twenty-four (24) hours per day, seven (7) days per week.
3. The Sampling Manhole at a Discharge location within the building shall be accessible to representatives of the City.
4. Metered water supply may be used to determine Wastewater Flow if it is substantiated to the City that the metered water supply and Wastewater quantities are approximately the same, or where an adjustment agreed to by the City is made in the metered water supply to determine Wastewater Flow which is documented through the use of sub-meters and/or production records. In the event that the Wastewater Flow cannot be substantiated at any regulated location to the satisfaction of the Pretreatment Coordinator, the User will be required to install Flow monitoring consistent with this section.
5. The Sampling Manhole, Flow metering device, sampling equipment and documentation of the frequency of sampling, sampling methods and analysis of samples shall be subject, at any reasonable time, to inspection by the City.

114-306. Additional Structures Required for the Use of the Public Sewers.

- A. An inspection fee as provided in Appendix A shall be paid to the City prior to issuance of the permit should it be determined that the User is required to install any of the following structures:
 1. Garbage Grinders. Garbage is required to be properly shredded in order to be approved to be Discharged to the Public Sewer. Wastes classified as Properly Shredded Garbage contain all particles being carried freely under the flow conditions normally prevailing in Public Sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension. The installation and operation of any Garbage grinder equipped, with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to review and approval of the City. The Discharge of grinders is prohibited to be connected to a Grease Interceptor.
 2. Grease, Oil, and Sand Interceptors. Interceptors shall be provided in Services connected to the City where it is determined that they are necessary for the proper handling of the Wastewater containing excessive amounts of Grease, Oil, and sand except that such Interceptors shall not be required for

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

private living quarters or Dwelling units. All interception units shall be of type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers that when bolted in place shall be gastight and watertight. Oil and sand Interceptors used for petroleum, Grease and Oils may be located inside the building. Such Interceptors shall be inspected, cleaned and repaired regularly, as needed, by the Owner at his expense.

3. Laboratory and facilities commonly using acid or alkaline chemicals or compounds shall install a neutralizing basin. All basins shall be of type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection.

Equipment and devices installed under this section shall not be considered to provide Pretreatment to Wastewater. Any User operating devices installed in this section shall submit operating data as may be required by the City.

- B. If the City requires the equalization or Pretreatment of waste Flows, the design and installation of the plants and equipment shall be subject to the review and approval of the City, and, subject to the requirements of all applicable codes, regulations, ordinances and laws. Said facilities shall also be subject to approval by IEPA consistent with IEPA regulations.

Where Flow-equalizing or Pretreatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.

114-307--114-309. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

Subdivision II. SURVEY INFORMATION

SECTION 114-310. INFORMATION REQUIRED OF NON-RESIDENTIAL USERS.

114-311. Initial Survey (Questionnaire).

- A. The Initial Survey shall be completed in order to ensure that said Non-Residential Users of the Wastewater Treatment Works of the City adhere to and comply with the restrictions and prohibitions pertaining to Pretreatment Standards of wastes Discharged into the Wastewater Treatment Works of the City set forth in Section 114-320 in this code, spill control of raw materials, intermediates and waste as set forth in Section 114-325 in this code, and to facilitate the City's investigation of apparent or suspected violations thereof. The requirements are as follows:
1. All existing or new Non-Residential Users, or in areas receiving Sewer Service from the City, shall complete and submit an Initial Survey on a form provided by the City when requested by the City.
 2. All Users defined in Section 114-311.A.1 of this Division seeking to establish a new account for Sanitary Sewer Service from the City or to establish a new connection to the Wastewater Treatment Works of the City shall file a completed Initial Survey with the City as a condition to the establishment of such new Sanitary Sewer Service account or connection to the Wastewater Treatment Works of the City.
 3. The Initial Survey shall contain a statement affirming the truth, completeness and correctness of information submitted signed by an Authorized Representative of the User as defined in Section 114-291 in this code.
 4. All Users defined above that fail to complete and submit to the City an Initial Survey shall be in violation of the provisions of this division and shall be subject to all of the applicable penalties thereof, including but expressly not limited to the revocation of all permits and approvals previously granted to the Commercial or Industrial User in question for the Discharge of Sewage or Wastewater into the Wastewater Treatment Works of the City.

114-312. Affirmation to Initial Survey.

- A. The City shall determine based on building, zoning and occupant usage whether the Non-Residential User shall be required to file an Affirmation of Survey every

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

fifth year. The Users status will be defined by the City after review of the Initial Survey submitted as required in Section 114-311 of this Division.

- B. Any Non-Residential User, defined in Section 114-311 of this Division, having filed an Initial Survey where the information remains true, complete and correct in all respects shall be required to submit a statement that the information remains current.
1. The statement is required to be signed by an Authorized Representative of the firm.
 2. The statement will be due normally not later than January 31st of each year required for all Non-Residential Users.
 3. All Users defined above that fail to file an Affirmation with the City shall be in violation of the provisions of this Division and shall be subject to all of the applicable penalties thereof, including but expressly not limited to the revocation of all permits and approvals previously granted to the commercial or Industrial User in question for the Discharge of Sewage or Wastewater into the Wastewater Treatment Works of the City.

114-313. Reports of Changed Conditions.

- A. All Non-Residential Users that makes any changes determined to be substantial shall report said changes as required in Section 114-455 in this code. Reports of changed conditions are required to be made prior to the change. The User may be required to file an updated survey as a result of changed conditions.

114-314. Additional Survey Information.

- A. After review of the Initial Survey completed per Section 114-311 of this Division, all Non-Residential Users that the City has defined to have the potential to be defined a Significant Industrial User (SIU) or a Non-Significant Regulated User (NSRU) shall be required to complete and file a more detailed Wastewater Survey on a form provided by the City. At a minimum, a description of processes, water usage and Wastewater characteristics for the facility will be required to be submitted. This information will be evaluated by the City for determination of the requirement to issue an Individual Wastewater Discharge Permit per Section 114-430 in this code and Section 114-440 in this code or a General Wastewater Discharge Permit.
- B. Periodic Updates of Wastewater Survey Information. The information provided in the Wastewater Surveys in Section 114-311 of this Division may be required to be revised and/or updated for the following conditions:

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 3. SEWER CONNECTION PROCEDURES.

1. A Report of Changed Conditions is filed as required in Section 114-455 in this code,
 2. An application for a Wastewater Discharge Permit is required to be filed per Section 114-430 in this code and Section 114-440 in this code,
 3. A report of Wastewater Discharge Permit Transfer is filed as required in Section 114-445 in this code; or
 4. A re-issuance of a Wastewater Discharge Permit occurs per Section 114-447 in this code.
- C. In addition to the Wastewater Survey defined in Sections 114-311 and 114-314 of this Division, Categorical Industrial Users may be required to complete a category specific survey that identifies sub-processes and processes performed at the site in order to define which sub-processes and processes are regulated by an USEPA Effluent Guideline category.

114-315 -- 114-319. Reserved.

Baxter & Woodman, Inc.: pfb, jrs

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CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

Table of Contents

SUBDIVISION I. SEWER USE.....	2
SECTION 114-320. GENERAL DISCHARGE REQUIREMENTS.....	2
114-321. Applicability.....	2
114-322. Prohibited Discharge Standards.....	2
114-323. National Categorical Pretreatment Standards.....	7
114-324. State Limits.....	10
114-325. Local Limits.....	12
114-326. Right of Revision.....	12
114-327. Monitoring Facilities and Requirements.....	12
114-328. Analytical Requirements.....	14
114-329. Protection of City Sampling and Flow Metering Equipment From Damage.....	14
114-330 -- 114-339. Reserved.....	14
SUBDIVISION II. GENERAL DISCHARGE COMPLIANCE.....	15
SECTION 114-340. GENERAL DISCHARGE COMPLIANCE.....	15
114-341. Applicability.....	15
114-342. Pretreatment Facilities.....	15
114-343. Additional Pretreatment Measures.....	15
114-344. Best Management Practices (BMP) Plan.....	16
114-345. Spill Prevention / Slug Control Plan.....	17
114-346. Closure Plan.....	19
114-347 – 114-349. Reserved.....	19

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

SUBDIVISION I. SEWER USE.

SECTION 114-320. GENERAL DISCHARGE REQUIREMENTS.

114-321. Applicability.

- A. It shall be unlawful to Discharge or cause to be Discharged to any facility served by the City, without having first complied with the terms of this Division.
- B. Users must meet the most stringent applicable requirements and limitations at all times either as set forth in this Division, or in individual Wastewater Discharge Permits, Federal Pretreatment Standards as established by 40 CFR 403, or State of Illinois standards as codified in 35 IAC 307. Said Users shall provide the necessary Wastewater treatment to achieve compliance with all National Categorical Pretreatment Standards and requirements within the time limitations as specified by the Federal Pretreatment Regulations, and with any other Pretreatment Standards including Local Limits and requirements, by applicable deadlines.

114-322. Prohibited Discharge Standards.

These general prohibitions apply to all Users of a POTW whether or not they are subject to a Categorical Pretreatment Standard or any other National, State or local Pretreatment Standard.

- A. No User shall contribute or cause to be contributed, directly or indirectly to the City Sewage works, any Pollutant or Wastewater contaminant which will cause Pass Through, cause Interference with, inhibition of, or Upset to the operation of the POTW;
- B. No User shall increase the use of potable or process water in any way to attempt to dilute a Discharge as a partial or complete substitute for adequate treatment in order to achieve compliance with a Pretreatment Standard or requirement except where expressly authorized to do so by an applicable Categorical Pretreatment Standard and in a Wastewater Discharge Permit; and
- C. No User shall introduce, or cause to be introduced, either directly or indirectly, any of the following described Pollutants, substances or Wastewater into the POTW works:
 - 1. Any Unpolluted Water including, but not limited to, uncontaminated Non-contact Cooling Water, Stormwater, surface and groundwater, subsurface drainage, roof run-off, spill contaminant area run-off, footing drains or construction drainage except as specifically permitted by the Pretreatment Coordinator;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

2. Any pollutants which by reason of their nature or quantity, are or may be sufficient, either alone or by interaction, to cause safety hazards, fire or explosion or be injurious in any other way to the facilities or personnel of the City, or to the operation of City POTW. Materials considered in this regard are those with a closed cup flashpoint of less than 140° F. or 60° C. using the test methods specified in 40 CFR 261.21;
3. Any solid, solid waste or viscous substance which shall or may cause obstruction to the Flow in a Sewer, or other Interference to the operation of the Wastewater system. Prohibited materials include but are not limited to: waste cooking Oil, Grease, Grease Interceptor wastes, Garbage with particles greater than one-half (1/2-inch) in any direction, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains or hops, paper, wood, plastics, residues from gas, tar or asphalt, residues from refining or processing of fuel or lubricating oils, mud or glass grinding or polishing waste, fatty acids or esters of fatty acids, or any material which can be disposed of as trash;
4. Any Wastewater containing noxious or malodorous solids, liquids, or gases, which either singly or by their interaction are capable of creating a public nuisance or hazard to life, or to Interfere with, inhibit or Upset any operation of POTW Works, including but not limited to, prevention of entry into Sewers for their maintenance and repair;
5. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems or which necessitates the City taking special measures to counteract and/or alleviate the impact of the Pollutant(s);
6. Any Wastewater containing substances in sufficient quantity to Interfere with the POTW;
7. Any Wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction, to injure, Interfere with or Upset any Wastewater treatment processes or facilities, constitute a hazard to humans or animals, or to exceed limitation as set forth in the existing Act, or the Act as it may be amended;
8. Any Wastewater having a temperature which shall inhibit biological activity in the City's POTW facilities, but in no case heat in such a quantity that the influent temperature at the Sewage treatment plant to which the User Discharges will exceed 40° C. (104° F.);
9. Any Wastewater having a pH less than 5.0 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel in the system. The pH limits are Instantaneous Limits that shall be met at all times, and are not subject to averaging;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

10. Any Pollutant, including oxygen demanding Pollutants, released in a Discharge at a Flow rate and/or concentration (including any Slug Load), either singly or by interaction with other Pollutants which may Interfere with, inhibit, or Upset the POTW;
11. Ammonia nitrogen in amounts that would cause a violation of the water quality standards of the receiving waters of the POTW;
12. Any wastes containing detergents, surface active agents, aqueous firefighting foam or other substances which may cause excessive foaming in the collection system or the treatment process that result in POTW Interferences and/or Pass Through and/or is shown to inhibit the nitrification process. Wastes prohibited in this section shall not be processed or stored in such a manner that they could be Discharged to the POTW;
13. Additives for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to Interceptor maintenance that have a content of enzymes, surfactants, or solvents that is greater than 10% of the volume without the written consent of the Pretreatment Coordinator;
14. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass-Through;
15. Any Wastewater containing any organism, including viruses, considered pathogenic and/or detrimental to process organisms other than by direct excrement and any other wastes defined as Medical Wastes;
16. Any Wastewater containing any radioactive wastes or isotopes, except in accordance with City, State and Federal rules governing such Discharges;
17. Wastewater or wastes containing iron pickling wastes or concentrated plating solutions whether neutralized or not;
18. Any leachate or remediation Wastewater, except at Discharge points designated by the POTW;
19. All trucked or Hauled Wastes except at Discharge points designated by the Pretreatment Coordinator by haulers who have a permit with the City;
20. Any Sludge, screenings or other residues from the Pretreatment of Non-Residential wastes;
21. Any solid, solid waste or viscous substances that have caused an obstruction to the Flow in a Sewer that is eliminated by a professional service or contractor;
22. Unusual concentrations or solutions of inert suspended solids (such as, but not limited to Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulfate);

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

23. Any substance with objectionable color which is not removed in the treatment processes, such as, but not limited to: dye waste, ink waste and vegetable tanning solutions;
 24. Any substances that inhibit the use of UV for disinfection purposes;
 25. Wastewater or wastes containing substances which are not amenable to treatment or reduction by the Sewage treatment processes employed, or are amenable to treatment only to such degree that the Sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over Discharge to the receiving waters;
 26. Any substance or combination of substances which shall cause the City facilities to be in violation of its NPDES permit(s), or to cause the City's POTW to violate receiving stream water quality and/or general effluent Discharge standards;
 27. Any Wastewater causing the POTW effluent to fail a toxicity test; or
 28. Any substance which may cause the City's POTW effluents or Sludge, to be unsuitable for reclamation and re-use, or interfere with the reclamation processes. In no case shall a substance Discharged to the City's POTW cause the City to be in noncompliance with any Sludge use or disposal regulations developed under Section 405 of the Act; or any regulations affecting Sludge use or disposal developed pursuant to the Resource Conservation and Recovery Act, Solids Waste Disposal Act, Toxic Substance Control Act, or any State or local standards applicable to any Sludge management methods either being used, or considered by the City.
- D. Wastes prohibited in this section shall not be processed or stored in such manner that they could be Discharged or introduced to the POTW Treatment Works. All Users with prohibited wastes described in this Section or those that have Hazardous Wastes as defined in Section 114-458 in this code shall develop and implement a Spill Prevention/Slug Control Plan consistent with the requirements in Section 114-345 of this Division. The Pretreatment Coordinator may also determine Spill Prevention/Slug Control is required of liquids and solids not previously described on either list based on an evaluation of a site potential to cause spills or Slug Loads to be introduced to the POTW Works. Notice Requirements shall be permanently posted as provided in Sections 114-345 of this Division and 114-456 of in this code. Note that spill planning applies to all Users, not just those classified as SIU or NSRU.
- E. Requirements of Polluted Discharges - Discharge Locations:
1. Discharge of Polluting Substances From Fixtures into Storm Sewers Prohibited. It shall be unlawful for any Person or User to connect or cause to be connected, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, Industrial Waste, or any fixture or device discharging polluting substances, to any Storm Sewer or Stormwater drainage system within the corporate limits of the City.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

2. Discharge of Sanitary and Industrial Waste into Storm Drainage Systems Prohibited, Nuisance Declared. For reasons of the protection of the health, safety and welfare of the inhabitants of the City, it is the declared policy of the City to prohibit sanitary and Industrial Waste from entering into the Stormwater drainage system, and any such connection to the Stormwater drainage system is determined to be injurious to the public health and welfare and is hereby declared a public nuisance.
3. Prohibited Discharges into Natural Outlets. It shall be unlawful to discharge into any Natural Outlet within the City or in any area under the jurisdiction of the City, any Sanitary Sewage, Industrial Wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article.

F. Requirements of Unpolluted Discharges

1. Discharge of Sump Pumps. A Sump Pump or Sump Pumps must discharge into a Storm Sewer system; or with the prior written permission of the Director of Public Works (DPW) or other Public Works department employee may discharge outside a building in an area first approved by the DPW. A shut-off valve or similar device which can divert the unpolluted Discharge from the Sump Pump into the Sanitary Sewer System, rather than into the Storm Sewer System, or vice versa, shall not be constructed or installed, and any construction or installation of same shall be deemed a violation of this Article. It shall be prima facie evidence of a violation of this Article if any Person or User has on his premises or under his control a Sump Pump, or any other pump, fixture, or gravity drain connected to the Sanitary Sewer System which would allow the Flow of Unpolluted Water into the Sanitary Sewer System.
2. Discharge of Unpolluted Drainage into Storm Sewers or Natural Outlets. Stormwater and all other unpolluted drainage shall be discharged to such Sewers as are specifically designated as Storm Sewers, or to a Natural Outlet approved by the DPW. Industrial cooling waters or unpolluted process waters may be discharged, upon approval by the Pretreatment Coordinator and the IEPA if appropriate, to a Storm Sewer or Natural Outlet.
3. Discharge of Unpolluted Discharges Upon Adjacent Property or Public Streets or Ways Prohibited. It shall be unlawful for any Person or User to discharge any Stormwater, surface water, ground water, roof runoff, or subsurface drainage, including the use of a Sump Pump for such purpose in such manner as to cause waters to overflow onto adjacent property or to be discharged upon any public Street or public way.

- G. Storm Sewers; Storm and Surface Water Runoff as outlined in Section 114-301.F of this code.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

114-323. National Categorical Pretreatment Standards.

The Pretreatment requirement shall apply to all Non-Residential Users subject to National Categorical Pretreatment Standards, promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act, currently Discharging or scheduled to Discharge to the City. The National Categorical Pretreatment Standards, found in 40 CFR Chapter 1, Subchapter N, Parts 405 – 471 are hereby incorporated into this Division.

Limits in Categorical Pretreatment Standards shall apply to the Discharge from the process regulated by the standard or as otherwise specified by the standard. Compliance with National Categorical Pretreatment Standards is mandatory. The National Categorical Standards may be contained in the IEPA Operating Permit.

- A. Where a Categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a Pollutant in Wastewater, the Pretreatment Coordinator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c) unless specifically restricted by the Categorical Pretreatment Standard. These equivalent limitations calculated in accordance with the following requirements are deemed Pretreatment Standards. Users shall be required to comply with the equivalent limitations instead of the promulgated Categorical Standards from which the equivalent limitations were derived. An alternative Pretreatment limit shall not be used if the alternative limit is below the analytical detection limit for any of the regulated Pollutants.
- B. When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of Pollutant per unit production, the City may convert the limits to equivalent limitations expressed either as mass of Pollutant Discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Users.

The City calculating equivalent mass-per-day limitations shall calculate such limitations by multiplying the limits in the standard by the User's average rate of production. This average rate of production shall be based not upon the designed production capacity, but rather upon a reasonable measure of the User's actual long-term daily production during a representative year. For New Sources, actual production shall be estimated using projected production.

The City calculating equivalent concentration limitations shall calculate such limitations by dividing the mass limitations by the average daily Flow rate of the User's regulated process Wastewater. This average daily Flow rate must be based upon a reasonable measure of the User's actual long-term average Flow rate, such as the average daily Flow rate during the representative year.

- C. When Wastewater subject to a Categorical Pretreatment Standard is mixed with Wastewater not regulated by the same standard, the Pretreatment Coordinator shall

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

impose an alternate limit using the Combined Waste Stream Formula in 40 CFR 403.6(e) provided that the regulation allows the Wastewaters to be mixed and the User can supply the information necessary to allow issuance of an alternative limit.

- D. A User may request a variance from USEPA based on fundamentally different factors. The request must comply with the procedural and substantive provisions in 40 CFR 403.13.
- E. A User may request a net gross adjustment to a Categorical Pretreatment Standard in accordance with 40 CFR 403.15.
- F. When a Categorical Pretreatment Standard is expressed only in terms of Pollutant concentrations, a User may request that the City convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Pretreatment Coordinator. The City may establish equivalent mass limits only if the User meets all the conditions set forth in Sections 1(a) through 1(e) below.
 - 1. To be eligible for equivalent mass limits, the User must:
 - a) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water during the term of its individual Wastewater Discharge Permit;
 - b) Currently use control and treatment technologies adequate to achieve compliance with the applicable Categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;
 - c) Provide sufficient information to establish the facility's actual average daily Flow rate for all waste streams, based on data from a continuous effluent Flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily Flow rate and the long-term average production rate must be representative of current operating conditions;
 - d) Not have daily Flow rates, production levels, or Pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and
 - e) Have consistently complied with all applicable Categorical Pretreatment Standards during the period prior to the User's request for equivalent mass limits.
 - 2. A User subject to equivalent mass limits must:
 - a) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

- b) Continue to record the facility's Flow rates through the use of a continuous effluent Flow monitoring device;
 - c) Continue to record the facility's production rates and notify the Pretreatment Coordinator whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph 1(c) of this Section. Upon notification of a revised production rate, the Pretreatment Coordinator will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
 - d) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph 1(a) of this Section so long as it Discharges under an equivalent mass limit.
3. When developing equivalent mass limits, the Pretreatment Coordinator:
- a) Will calculate the equivalent mass limit by multiplying the actual average daily Flow rate of the regulated process(es) of the User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable Categorical Pretreatment Standard and the appropriate unit conversion factor;
 - b) Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit necessary to reflect changed conditions at the facility; and
 - c) May retain the same equivalent mass limit in subsequent individual Wastewater Discharge Permit terms if the User's actual average daily Flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily Flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 114-322.B in this code.
- G. The Pretreatment Coordinator may convert the mass limits of the Categorical Pretreatment Standards of 40 CFR Parts 414, 419 and 455 to concentration limits for purposes of calculating limitations applicable to individual Users. The conversion is at the discretion of the Pretreatment Coordinator.
- H. Once included in its Wastewater Discharge Permit, the User must comply with the equivalent limitations developed in this Section in lieu of the promulgated Categorical Pretreatment Standards from which the equivalent limitations were derived.
- I. Many Categorical Pretreatment Standards specify one limit for calculating Maximum Daily Discharge limitations and a second limit for calculating Maximum Monthly Average, or 4-day Average, limitations. Where such Standards are being applied, the same production or Flow figure shall be used in calculating both the average and the maximum equivalent limitations.

CITY OF BELVIDERE
 Chapter 114 – UTILITIES
 ARTICLE V. SEWERS & SEWAGE DISPOSAL.
 DIVISION 4. SEWER USE.

- J. Any User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the Pretreatment Coordinator within two (2) City Business Days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the Pretreatment Coordinator of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.

All Users that are subject to National Categorical Pretreatment Standards are required to file reports as required in this Division, signed by an Authorized Representative per Sections 114-452 and 114-453 of this code. These reports shall include all information that the City deems necessary to make compliance determinations.

114-324. State Limits

- A. All Users are subject to State Standards and requirements as defined in 35 Ill Adm. Code (IAC) 307. Specifically, the standards for Discharge of mercury and cyanide are as follows:

1. Mercury (35 IAC 307.1102)

- a) Except as provided below, no Person shall cause or allow the concentration of mercury in any Discharge to a publicly owned or publicly regulated Sanitary Sewer System to exceed the following level, subject to the averaging rule contained in 35 IAC 304.104(a):

CONSTITUENT	STORET NUMBER	CONCENTRATION mg/l
Mercury	71900	0.0005

- b) It shall be an exception to subsection a) if the Discharge is to a publicly owned or publicly regulated Sanitary Sewer System which is required to meet a limitation less stringent than the 0.0005 mg/l mercury concentration in which case the Discharge limitation shall be the same as that applicable to the publicly owned or regulated Sewer System to which it Discharges.
- c) It shall be an exception to subsection a) if all the following conditions are met:
- 1) The Discharger does not use mercury; or, the Discharger uses mercury and this use cannot be eliminated; or, the Discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of Wastewater; and,
 - 2) The Discharge mercury concentration is less than 0.003 mg/l, as determined by application of the averaging rules of 35 IAC 304.104(a); and,

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

- 3) The Discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness and sound engineering judgment. This may include no treatment for mercury; and,
 - 4) The Discharger has an inspection and maintenance program likely to reduce or to prevent an increase in the level of mercury Discharges.
- d) The Discharge of wastes from medicinal or therapeutic use of mercury, exclusive of laboratory use, shall be exempt from the limitations of subsection a) if all the following conditions are met:
- 1) The total Discharge is less than 227 g (one half pound) as mercury (Hg) in any year;
 - 2) This Discharge is to a Public Sewer System; and
 - 3) The Discharge does not, alone or in conjunction with other sources, causes the effluent from the Sewer System or treatment plant to exceed 0.0005 mg/l of mercury.
- e) No Person shall cause or allow any Discharge of mercury to a publicly owned or publicly regulated Sewer System which, alone or in combination with other sources, causes a violation by the Sewer treatment plant discharge of the water quality standard of 35 IAC 302 for mercury applicable in the receiving stream.
- f) For purposes of permit issuance, the IEPA may consider application of the exception of subsection (b) or (c) to determine compliance with this Section. The IEPA may impose permit conditions necessary or required to assure continued application of the exception. When subsection (b) or (c) applies, the IEPA may impose an effluent limitation in the permit which allows the Discharge of a concentration of mercury greater than 0.0005 mg/l but not more than 0.003 mg/l.
2. Cyanide Section (35 IAC 307.1103)
- a) No waste to any Public Sewer system shall contain more than 10 mg/l total cyanide (STORET number 00720) provided any sample tested shall not release more than 2 mg/l of cyanide when tested at a pH of 4.5 and at a temperature of 66 degrees C (150 degrees F) for a period of 30 minutes, except as permitted by subsection (b) below.
 - b) Upon application by a county, municipality, sanitary district or public utility and approval by the IEPA, based upon determination by the IEPA that no violation of the effluent standards of 35 IAC 304 will result and that no hazard to workers in such Sewage works will result, limited additional amounts of cyanide exceeding the standards in subsection (a) above may be Discharged to the Sewage works of such county, sanitary district, municipality or public utility.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

- c) Nothing in this Section shall be construed as limiting the authority of any county, municipality, sanitary district or public utility to impose any more stringent standards or limitations on cyanide Discharges to its Sewage works.
- d) Any actions undertaken pursuant to subsection (b) above shall be subject to the limitations of 35 IAC 307.2400(b)(7).

114-325. Local Limits.

The Local Limits are outlined in Division 7.

114-326. Right of Revision.

- A. The City reserves the right to establish, by Article or in Wastewater Discharge Permits or General Permits, more stringent limitations or requirements on Discharges to the POTW consistent with the purpose of this Division. The specific limitations on Discharge listed in Section 114-325 of this Division are derived from the Maximum Allowable Industrial Loading (MAIL) calculation. The MAILs are allocated only to those IUs, at the City's discretion, that contribute the regulated Pollutant and all remaining IUs are held to either the background concentration or slightly higher than background but lower than the specific Discharge limit. In no case shall the total of all allocations exceed the MAIL.
- B. The City will maintain a reserve of the maximum allowable headworks Pollutant loading for each Pollutant for new industries or increase with existing industries. The City will recalculate the maximum concentrations from time to time using site specific data taking into consideration revisions to State and Federal regulations that may impact the calculations.

114-327. Monitoring Facilities and Requirements.

- A. Monitoring Facilities

Monitoring facility requirements are outlined in Section 114-305 of this code.

- B. Applicability

At minimum, all SIUs including Categorical Industrial Users as well as NSRUs are required to sample based on the City Monitoring Frequency as stated in the Wastewater Discharge Permit. Other Users are required to sample upon the request of the City. The Users shall pay the costs of sampling of its Discharge and the costs of analyses of its samples, whether or not the sampling and analyses are done by the User or by the POTW.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

C. Frequency

1. All SIUs including Categorical Industrial Users with Wastewater Discharge Permits must sample their effluent consistent with the permit requirements and report the results to the POTW at least twice yearly for those parameters specified in the User's Permit. The reporting requirement may be increased as defined in the permit for those parameters which have more frequent monitoring requirements.
2. Any NSRUs with an individual or general Wastewater Discharge Permit shall sample their effluent and report the results to the POTW consistent with the requirements of the Wastewater Discharge Permit and the City Monitoring Frequency.
3. The City shall have the right to perform its own sampling at any time at any location that has been issued a permit.
4. The City may initiate sampling and analyses at a higher frequency than in a wastewater discharge permit as a result of a violation of any Discharge Permit limit including cases where Hot Spot maintenance issues or blockage to the Sanitary Sewer System has occurred.
5. Cost of additional sampling and analyses for any monitoring will be invoiced to the applicable User.

D. Sample Collection

1. Samples collected to satisfy reporting requirements must be based on representative conditions throughout the sampling and reporting period. The sampling data must be obtained using appropriate sampling and analysis criteria as defined in the Wastewater Discharge Permit.
2. Except as indicated in Subsection D.3 below, the User must collect Wastewater samples using Flow proportional composite collection techniques.
3. In the event Flow proportional sampling is infeasible, the Pretreatment Coordinator may authorize the use of time proportional sampling at minimum collecting samples every 15 minutes during a 24-hour workday; or a minimum of four (4) Grab Samples. A single grab sample may be taken where the User demonstrates that this will provide a representative sample of the effluent being Discharged and the Pretreatment Coordinator approves this sample technique. A proportional number of samples shall be collected for Wastewater Discharges less than 24 hours.
4. Single Grab Samples may be required in the event of an infrequent batch Discharge or to show compliance with instantaneous Discharge limits.
5. Samples for Fats, Oil and Grease, temperature, pH, cyanide, hexavalent chromium, phenols, sulfides, and volatile organic compounds must be obtained using the number

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

of Grab Samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements. Multiple Grab Samples that are individually preserved as specified in 40 CFR 136 and appropriate USEPA guidance that are collected during a 24-hour period may be composited prior to the analysis, as follows:

- a) For, cyanide, hexavalent chromium, phenols, and sulfides: multiple Grab Samples may be composited in the laboratory or in the field;
 - b) For volatile organics and Oil and Grease: multiple Grab Samples may only be composited in the laboratory.
6. Composite Samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate.

114-328. Analytical Requirements.

All Pollutant analyses, including sampling techniques, to be submitted as part of a Wastewater Discharge Permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the USEPA determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses must be performed using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Pretreatment Coordinator or other parties approved by USEPA.

114-329. Protection of City Sampling and Flow Metering Equipment From Damage.

No unauthorized Person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is owned or contracted by the City. Any Person violating this provision May be subject to immediate arrest under criminal damage to property (720 ILCS 5/21-1).

114-330 – 114-339. Reserved.

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CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

SUBDIVISION II. GENERAL DISCHARGE COMPLIANCE

SECTION 114-340. GENERAL DISCHARGE COMPLIANCE.

114-341. Applicability.

Each User that Discharges Non-Residential Source waste shall provide Wastewater treatment and Best Management Practices as necessary to comply with this Division and shall achieve compliance with all Categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 114-320 of this Division within the time limitations specified by USEPA, the State, or the Pretreatment Coordinator, whichever is more stringent.

114-342. Pretreatment Facilities.

Any Pretreatment facilities, Grease Interceptors, and Grease Traps necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Pretreatment Coordinator for review, and shall be acceptable to the Pretreatment Coordinator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a Discharge acceptable to the City under the provisions of this Division.

All Users are required to comply with IEPA permitting requirements. Users shall obtain all necessary construction-operating permits from the IEPA prior to the City connection and/or Discharge Permit(s) being issued. IEPA will make the determination of actual permitting requirements based on changes in the Wastewater volume or characteristics generated at the User site. The City will track and parallel this IEPA permitting process. No sources of Non-Residential Wastewater will be allowed to Discharge to City POTW until all permitting requirements have been satisfied. Such Pretreatment facilities shall be under the control and direction of an IEPA-certified Wastewater operator.

Any subsequent changes in the Pretreatment facilities or method of operation shall be reported to the City and IEPA prior to the User's initiation of the changes. Users shall obtain all additional construction-operating permits from IEPA and the City for the changes prior to Discharge.

114-343. Additional Pretreatment Measures.

At minimum, the City may require the additional Pretreatment measures defined below. The City may make unannounced inspections of any additional Pretreatment measures during normal business hours whether the User has been issued an individual or general Wastewater Discharge Permit or not.

- A. Whenever deemed necessary, the Pretreatment Coordinator may require Users to restrict their Discharge during peak Flow periods, designate that certain Wastewater be

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

discharged only into specific Sewers, relocate and/or consolidate points of Discharge, separate Sewage waste streams from Industrial Waste streams, and such other conditions as may be necessary to protect the POTW Works and determine the User's compliance with the requirements of this Division.

- B. The Pretreatment Coordinator may require any Person or User discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and Flow-control facility to ensure equalization of Flow. The City may issue an individual or general Wastewater Discharge Permit solely for Flow equalization.
- C. Users with the potential to Discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

114-344. Best Management Practices (BMP) Plan.

- A. The City may require the submittal of BMP Plans and operating procedures. Review of such plans and operating procedures by the City shall not relieve the User from the responsibility to modify the User's facility or BMP Plan as necessary to meet all requirements of this Division. Review by the City does not constitute an approval of a BMP plan and the City and its designee(s) are not to be construed as responsible for the actions of the User and any impacts the User may cause as a result of a spill or Slug Discharge.
- B. The User is to provide ready documentation that the provisions of the BMP Plan are being implemented.
 - 1. Specifics of documentation:
 - a) Site diagram showing location of all containers holding liquids;
 - b) Procedures to prevent adverse impact from any accidental Discharge to Storm or Sanitary Sewers. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment;
 - c) Location of Notice/Signs posted in conspicuous places advising employees in English and the language of common use whom to call in the event of a spill, accidental Discharge of prohibited materials, Slug Discharge or a Bypass of any part of a Pretreatment system; and
 - d) Emergency telephone number (24-hour) off-site and backup telephone number.
 - 2. Notification Procedure. The BMP Plan shall contain procedures for immediately notifying the Pretreatment Coordinator of any accidental or Slug Discharge of any

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

raw materials or recycled oil to either the Sanitary or Storm Sewer consistent with the requirements in Section 114-456 of this code.

114-345. Spill Prevention / Slug Control Plan.

- A. Any Non-Residential User is required to develop, implement and maintain Best Management Practices in the form of a Spill Prevention / Slug Control Plan hereafter referred to as SPSC Plan, should that User have:
1. Chemicals (raw materials, chemical intermediates, wastes to be recycled, final products, or utility chemicals) that total or exceed 250 gallons at or on its site;
 2. Prohibited Discharge Materials as defined in Section 114-322 of this Division at or on its site; or
 3. Hazardous Waste as defined in Section 114-458 of this code at or on its site; or
 4. Been defined by the Pretreatment Coordinator to have a need to control Slug Discharges.

All Non-Residential Users that meet the above criteria are required to develop and implement a SPSC Plan regardless whether that User is regulated by a Discharge Permit or not.

- B. The SPSC Plan which is required to be submitted to the City if the User's Discharge is regulated shall address, at a minimum, the following:
1. Specifics of SPSC Plan:
 - a) Description of Discharge practices, including non-routine batch Discharges;
 - b) Description of stored chemicals, including quantity of chemicals and type and number of storage containers;
 - c) Site diagram showing location of all tanks holding greater than or equal to 250 gallons or areas containing 8 drums or more of raw materials, prohibited wastes, wastes to be recycled, hazardous wastes or final product. Identification and location of all liquid materials is mandatory;
 - d) Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic Pollutants, including solvents, and/or measures and equipment for emergency response.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

Building containment structures or production equipment changes are considered procedures to prevent adverse spills. If containment structures are connected to the Sanitary Sewer, a valve normally left in a closed position is required;

- e) Location of Notice/Signs posted in conspicuous places advising employees in English and the language of common use whom to call in the event of a spill, accidental Discharge of prohibited materials, Slug Discharge or a Bypass of any part of a Pretreatment system; and
 - f) Emergency telephone number (24-hour) off-site and backup telephone number. If the SPSC Plan has been submitted, any change in the telephone numbers should be submitted within five Work Day when revised.
2. Notification Procedure. The SPSC Plan shall contain procedures for immediately notifying the Pretreatment Coordinator of any accidental or Slug Discharge, as required by Section 114-456 of this code;
3. Documentation. The SPSC Plan shall contain a sample of the documentation maintained at the site that:
- a) Ensures that all employees who are in a position to cause, discover, or observe such Discharge are advised of the emergency notification procedures; and
 - b) A notice in English and the language of common use shall be permanently posted on the User's bulletin board or other prominent place advising all employees to call (815) 544-2072 Monday – Friday 6:00 am to 3:30 pm, (815) 494-8279 Saturday and Sunday and Monday – Friday after 3:30 pm, in the event of a Discharge of dangerous or prohibited material;
 - b) Such logs to verify inspection and maintenance procedures to prevent adverse impacts and confirm that said procedures are being performed on a regular basis. At a minimum, logs are required to verify valves in containment structures, if present, are closed.
- C. Review of such plans and operating procedures by the City shall not relieve the User from the responsibility to modify the User's facility or SPSC Plan as necessary to meet all requirements of this Division. Review by the City does not constitute an approval of a SPSC plan and the City and its designee(s) are not to be construed as responsible for the actions of the User and any impacts the User may cause as a result of a spill or Slug Load.
- D. At least once every two (2) years the Pretreatment Coordinator shall evaluate whether each SIU needs a revision to its SPSC Plan. The Pretreatment Coordinator may require any User to submit at a frequency less than two (2) years such Spill Plan or require modification of an existing SPSC Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW Treatment Works.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 4. SEWER USE.

In alternate years, the Pretreatment Coordinator shall evaluate whether each NSRU is required to file a revision to its SPSC Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW Works.

114-346. Closure Plan.

- A. Any Non-Residential User meeting the requirements of Section 114-432.A of this code including but not limited to those with Wastewater Discharge Permits that determines it will cease operations permanently, or if some of the processes that classify the User as significant are closed, the User shall file a written closure plan with the City. The closure plan shall be submitted 10 Work Days prior to the initiation of the plan and shall contain, at a minimum, the following:
1. A description of each Wastewater generating process that will be closed;
 2. A description of how the facility will be closed and the extent of operations during the closure period;
 3. An inventory and estimate of the volume of all process Wastewater, chemicals, and hazardous waste on site. A description of the methods for disposal, including procedures for removing, transporting, treating, storing, or disposing of all waste and identifying all off-site waste management facilities to be used;
 4. A schedule of the closure activities indicating the time required to complete each closure step; and
 5. Additional monitoring scheduled that will identify compliance with Pretreatment standards during the closure operations.

114-347 – 114-349. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 5. USER CHARGES

Table of Contents

114-350. USER CHARGES.....	2
SEC. 114-351. BASIS FOR SERVICE CHARGE.....	2
SEC. 114-352. MEASUREMENT OF FLOW.....	2
SEC. 114-353. COMPUTATION OF SERVICE CHARGE.....	3
SEC. 114-354. RATES.....	3
SEC. 114-355. DIRECTOR MAY ESTIMATE VOLUME.....	4
SEC. 114-356. BILLING.....	4
SEC. 114-357. LATE PAYMENT PENALTY.....	4
SEC. 114-358. REVENUES.....	4
SEC. 114-359. ACCOUNTS.....	4
SEC. 114-360 – 114-369. RESERVED.....	5

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 5. USER CHARGES

114-350. USER CHARGES.

Sec. 114-351. Basis for service charge.

- A. The service charge for the use of and for service supplied by the wastewater facilities of the City shall consist of a fixed charge for accounting, billing and auditing, a basic service charge indebtedness, Operation and Maintenance, plus equipment replacements, and buildings and structure depreciation.
- B. The basic service charge shall be based on water usage, excluding usage metered by a sprinkler meter, as recorded by water meters and Sewage meters for Wastes having the following average domestic waste characteristics:
 - 1. A five-day, 20 degrees Celsius BOD of 200 mg/l.
 - 2. A Total Suspended Solids content of 260 mg/l.
- C. It shall consist of Operation and Maintenance Costs plus replacement and shall be computed as follows:
 - 1. Estimate the projected annual revenue required to operate and maintain the Wastewater facilities, including an equipment replacement fund and building depreciation fund for the year, for all works categories.
 - 2. Proportion the estimated costs for Wastewater facility categories by volume, Total Suspended Solids and BOD.
 - 3. Compute costs per 100 cubic feet of domestic waste.
- D. The adequacy of the service charge shall be reviewed annually by the certified public accountants for the City in their annual audit report. The service charge shall be revised periodically to reflect a change in the number of Users and in Operation and Maintenance Costs, including depreciation and equipment replacement cost.

Sec. 114-352. Measurement of flow.

The volume of Flow used for computing basic service charges shall be the metered water consumption, excluding usage metered by a sprinkler meter.

- A. If Persons or other Dischargers (industrial or commercial) discharging wastes into the Public Sewers procure any part or all of their water from sources other than the public waterworks system, all or a part of which is discharged into the Public Sewers, the Dischargers shall, if directed by the City, install and maintain, at their expense, water meters of a type approved by the Department of Public Works for the purpose of determining the volume of water obtained from these other sources.

CITY OF BELVIDERE
 Chapter 114 – UTILITIES
 ARTICLE V. SEWERS & SEWAGE DISPOSAL.
 DIVISION 5. USER CHARGES

- B. Dischargers manufacturing products that utilize water that does not reach the Sewer System will be allowed a reduction in their water consumption reading if they can demonstrate (by meter reading or calculations) the volume not discharged to the Sewer System.

Sec. 114-353. Computation of service charge.

The service charge shall be computed by the following formula:

$$CW = CM + (VU) CU$$

Where:

CW	=	Amount of Wastewater service charge (\$) per billing period.
CM	=	Minimum charge for auditing, billing, and accounting (Section 114-354 of this Division)
VU	=	Metered water consumption for the billing period.
CU	=	Basic service rate for operation, maintenance and replacement, indebtedness, building and structure replacement plus revenue bond rate plus solids handling equipment rate.

Sec. 114-354. Rates.

- A. *Establishment of rates.* The following rates are established as Sanitary Sewer service charges to be charged to each User. Each User shall be charged in accordance with the sum of the charges based on each line item or items applicable to that User.
- B. *Service charge for domestic Wastewater discharges.* These three items comprise the basic service charge. Fees for these items are provided in Appendix A of this Code.
1. *Basic user charge.* A basic User charge per billing shall be applied to each single metered or multiple unit served. The basic user charge may be referred to as a billing charge (based on the cost of billing). This charge shall apply to all Users, whether located inside or outside the City limits, and whether or not contiguous to the City limits. In addition, each User with a Sewer meter shall pay an annual sewer meter maintenance charge, which is based upon the cost of meter maintenance and calibration. The Sewer meter maintenance fee shall be billed in either the February or March billing for the relevant User.
 2. *Basic user rate plus debt service.* A basic user rate shall be applied to each User based upon metered water consumption to pay the cost of operation maintenance, and replacement of the system and debt service.
 3. *Surcharge.* All Commercial, Industrial, and Institutional/Governmental Users shall pay a Surcharge in addition to the above charges whose discharges exceed the average concentrations for BOD₅ and/or Total Suspended Solids as provided in Section 114-351.B of this Division. In addition, surcharge will be assessed for Total Dissolved Solids greater than 260 mg/l and polar FOG greater than 900 mg/l. See Appendix A for fees and charges. Wastes containing levels in excess of the maximum concentration may be rejected or

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 5. USER CHARGES

Pretreatment may be required in Section 114-301.E. of this code.

Sec. 114-355. Director may estimate volume.

Whenever the volume of use, whether industrial or domestic or both, of the Sanitary Sewer service by a particular user cannot be determined by reference to an accurate meter reading, the Director of Public Works, or a person designated by him, shall estimate the volume of use, of either or both classifications of use, according to the best information available to him.

Sec. 114-356. Billing.

- A. Charges shall be billed bi-monthly, except that the Director of Public Works shall have the authority to change the billing to a monthly basis upon the user's request or when deemed necessary by the Director of Public Works. The User of the service shall be liable to pay for the service to the premises, and the service is furnished to the premises by the City only upon the condition that the user of the services is liable therefore to the City. Bills for Sewer service shall be sent out by the Department of Public Works on the first day of the period succeeding the month for which the service is billed.
- B. All Sewer bills are due and payable the 20th day of each month.

Sec. 114-357. Late payment penalty.

If any bill for sanitary sewer service is not paid by day 20 following the date of the billing there shall be added charge to the sum as provided in Appendix A.

Sec. 114-358. Revenues.

- A. All revenues and moneys derived from the operation of the Sewerage system shall be deposited in the sewerage account of the sewerage fund. All the revenues and moneys shall be held by the treasurer separate and apart from his private funds and separate and apart from all other funds of the City; and all of the sum, without any deductions whatever, shall be delivered to the treasurer not more than ten days after receipt of the same, or at more frequent intervals as may be directed by the Mayor and City Council.
- B. The treasurer shall receive all revenues from the Sewerage system and all other funds and moneys incident to the operation of the system as the same may be delivered to him and deposit the same in the account of the fund designated as the sewer fund operation and maintenance account. The treasurer shall administer the fund in every respect in the manner provided by statute.

Sec. 114-359. Accounts.

- A. The treasurer shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all intervals. He shall cause

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 5. USER CHARGES

to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the Sewerage System.

- B. In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the Wastewater facilities, including replacement costs, to indicate that sewer service charges under the industrial waste cost recovery system do in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:
1. Flow data showing total gallons received at the Wastewater Plant for the current fiscal year.
 2. Billing data to show total number of cubic feet billed.
 3. Number of Users connected to the system.
 4. Number of non-metered Users.
 5. A list of Users discharging nondomestic Wastes (Industrial Users) and volume and strength of Waste discharged and revenues received. Based on the annual audit provisions, the unit cost of Wastewater Treatment shall be increased as necessary to ensure that the IWCRS continues to generate sufficient revenue from class D industry commensurate with cost of service.

Sec. 114-360 – 114-369. Reserved.

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CITY OF BELVIDERE
 Chapter 114 – UTILITIES
 ARTICLE V. SEWERS & SEWAGE DISPOSAL.
 DIVISION 6. SURCHARGES & OTHER COST RECOVERY

Table of Contents

SUBDIVISION I. SURCHARGE 2

114-370. SURCHARGE..... 2

 Sec. 114-371. Cost Recovery Required..... 2

 Sec. 114-372. Basis for Cost Recovery Charges..... 2

 Sec. 114-373. Unit Cost..... 2

 Sec. 114-374. Cost for Industrial User..... 3

 Sec. 114-375. Charge for Cost Recovery..... 4

 Sec. 114-376. Payments and Billing..... 4

 Sec. 114-377. Delinquency and Termination of Service..... 4

 Sec. 114-378. Time of First Payment..... 4

 Sec. 114-379. Adjustment of Charge..... 4

 Sec. 114-380. Commitment for Increased Use..... 5

 Sec. 114-381. Responsibility of Director..... 5

 Sec. 114-382. Responsibility of City..... 5

 Sec. 114-383. Monitoring..... 5

 Sec. 114-384. Measurement of Industrial Waste Flow and Strength..... 5

 Sec. 114-385. Access to Records..... 6

 Sec. 114-386. Accounts..... 6

 Secs. 114-387—114-389. Reserved..... 6

SUBDIVISION II 7

SECTION 114-390. MISCELLANEOUS FEES..... 7

 114-391. Pretreatment Program Funding..... 7

 114-392. Pretreatment Charges and Fees..... 7

 114-393. Additional Remedies..... 8

 114-394 – 114-399. Reserved..... 8

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

SUBDIVISION I. SURCHARGE

114-370. SURCHARGE.

Sec. 114-371. Cost Recovery Required.

Each Industrial User Shall pay that portion of the City's indebtedness and the Operation, Maintenance, equipment and depreciation costs for financing the annual costs of the Wastewater Treatment Works. The User's share Shall not include an interest component.

Sec. 114-372. Basis for Cost Recovery Charges.

An Industrial User's portion of cost recovery charges Shall be based on the volume and strength of Wastewater Discharged to the Wastewater Treatment Works of the City less domestic Waste Discharges. This Shall be determined based on the following parameters:

- A. *Volume.* This value equals the average daily rate of water consumption as determined by the consumption records of the past year minus 25 gallons per employee per eight-hour shift for domestic Waste or, where water consumption does not reflect the actual quantity of Wastewater tributary to the Treatment Works from the User, the average daily flow as recorded in the control manhole required by Section 114-384 of this Division minus 25 gallons per employee per eight-hour shift for domestic Waste.
- B. *BOD.* This value equals the average daily pounds of billable BOD in the Wastewater as determined in Section 114-384 of this Division minus 0.0425 pound of BOD per employee per eight-hour shift for domestic Waste.
- C. *Total Suspended Solids.* This value equals the average daily pounds of Total Suspended Solids in the Wastewater from the User as determined in Section 114-384 of this Division minus 0.055 pound of Total Suspended Solids per employee per eight-hour shift for domestic Waste.
- D. *Total Dissolved Solids or Polar FOG.* This value equals the average daily pounds of Total Dissolved Solids or polar FOG in the Wastewater from the User as determined in Section 114-384 of this Division.
- E. *Flat rate.* A flat rate charge per bill based on the supervisory, audit, billing and collecting costs and the number of bills issued per year.

Sec. 114-373. Unit Cost.

The dollar unit cost Shall be determined as follows:

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

- A. *Volume.*
 - 1. Annual cost proportioned to industrial volume Discharged to the plant divided by metered water consumption by User multiplied by 100 cubic feet. Refer to Appendix A for unit cost.
 - 2. Except that all industrial weak strength Wastes Shall be charged the domestic wastewater Discharge rate in Section 114-354.B of this code. Surcharges for BOD, Total Suspended Solids or Total Dissolved Solids, and polar FOG Shall be charged to industrial Discharges for waste strengths in excess of domestic Waste.
- B. *BOD.* Annual cost proportioned to BOD divided by pounds of BOD per year multiplied by 100 pounds. Refer to Appendix A for unit cost.
- C. *Total Suspended Solids.* Annual cost proportioned to Total Suspended Solids divided by pounds of Total Suspended Solids per year multiplied by pounds of Total Suspended Solids. Refer to Appendix A for unit cost.
- D. *Total Dissolved Solids or Polar FOG.* Refer to Appendix A for unit cost.
- E. *Annual cost.* Annual cost for supervisory, audit, billing and collecting services is equal to the number of bills issues per year. Refer to Appendix A for annual cost.
- F. *Annual fixed cost.* Annual fixed cost, proportioned to property divided by assessed value of the real estate in the city multiplied by \$1,000.00 assessed value. Refer to Appendix A for annual fixed cost.
- G. *CU.* Basic service rate for domestic waste Discharge in Section 114-354.B of this code.

Sec. 114-374. Cost for Industrial User.

The cost to be recovered from an Industrial User (CI) Shall be determined as follows:

- A. CI is equal to volume multiplied by CU plus BOD plus Total Suspended Solids plus Total Dissolved Solids plus polar FOG plus Z.
- B. CU is equal to basic service rate.
- C. Volume is equal to cubic feet of waste Discharged to plant per year.
- D. BOD and Total Suspended Solids is equal to BOD and Total Suspended Solids in excess of domestic waste strength as outlined in Section 114-351.B of this code.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

- E. Total Dissolved Solids and polar FOG in excess of levels outlined in Section 114-354.B.3 of this code.
- F. Z is equal to flat rate billing charge.

Sec. 114-375. Charge for Cost Recovery.

Each year each Industrial User of the Treatment Works Shall pay the cost recovery amount determined by Section 114-374 of this Division. Where an industry is connected to a Public Sewer after the startup of the facilities constructed under a state or federal grant, the industry Shall only pay its portion of the Industrial Waste cost recovery amount for each quarter during the use of the project. The industry will not be required to pay for those quarters prior to connection to a Public Sewer.

Sec. 114-376. Payments and Billing.

Payments and billing periods for Industrial Waste cost recovery Shall be as set forth in Sections 114-354 through 114-359 of this code.

Sec. 114-377. Delinquency and Termination of Service.

In the event the charges for Industrial Waste cost recovery are not paid within 30 days after the rendition of that bill, then service charges Shall be deemed and are declared to be delinquent, and thereafter the delinquent charge Shall constitute a lien on the real estate for which the sewer services were supplied. The City May file sworn statements showing the delinquencies in the office of the county recorder of deeds, and the filing of the statements Shall be deemed notice of a lien for the payment of the charges for sewer service. If the delinquency in the payment of the recovery cost continues for a period of more than 20 days, the sewer service Shall be discontinued.

Sec. 114-378. Time of First Payment.

The initial payment made by an Industrial User that is connected to a Public Sewer after the startup of the Treatment Works constructed with a state grant Shall be made by the next scheduled due date as defined in Sections 114-354 through 114-359 of this code and Shall be equal to the proportional share (based on days of service) of one billing period.

Sec. 114-379. Adjustment of Charge.

If there is a change in the strength or volume introduced into the Treatment Works by an Industrial User as determined by the previous year records, the City will adjust the Industrial Waste cost recovery charge.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

Sec. 114-380. Commitment for Increased Use.

An Industrial User's portion of any Industrial Waste cost recovery system Shall include allowance for the cost of any firm commitment to the City for any increased use by the User.

Sec. 114-381. Responsibility of Director.

The DPW Shall maintain the necessary records for determination of User share of the cost and Shall provide the billing and collection services as required by this Article.

Sec. 114-382. Responsibility of City.

The City Shall be responsible for the investment and expenditure of all moneys collected for Industrial Waste cost recovery.

Sec. 114-383. Monitoring.

The Pretreatment Coordinator Shall maintain a program of monitoring Industrial User Discharges as the Director of Public Works deems necessary, provided that any major contributing industry Shall be monitored no less than 12 times annually. All other Industrial Users Shall be monitored at the frequency as deemed necessary by the Director of Public Works for determination of the Industrial Waste cost recovery charge for that Industrial User.

Sec. 114-384. Measurement of Industrial Waste Flow and Strength.

- A. The City Shall reserve the right to sample and test all Discharges at any time and bill the Dischargers for all involved costs. The City Shall establish Discharge loads and Industrial Waste cost recovery charges based on either or both tests and this Shall be binding as a basis for Industrial Waste cost recovery charges.
- B. Industrial Waste Dischargers, within 90 days of the date of notification to be included in the Surcharge Program by the City, Shall, subject to City control and direction, install and maintain at their expense acceptable water meters or flow metering devices and samplers and manholes as required to determine Waste characteristics Discharged to the Public Sewers.
 1. Flow metering devices, installed in monitoring manholes on service lines, will be required for measurement of the volume of Waste Discharged to the Sewers when volumes cannot otherwise be determined from metered water consumption records. This determination Shall be made by the City.
 2. The industry Shall install and maintain Waste samplers and hire an approved laboratory to complete waste testing when directed by the City. Waste sampling and testing Shall be completed by the Discharger as often

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

as May be deemed necessary by the City and all certified test results Shall be forwarded to the City.

Sec. 114-385. Access to Records.

The Illinois Environmental Protection Agency, the United States Environmental Protection Agency, or its authorized representative Shall have access to any books, documents, papers and records of the City which are applicable to the City's system of User charges for the purpose of making audit, examination, excerpts and transcriptions.

Sec. 114-386. Accounts.

- A. The City Shall establish a proper system of accounts and Shall keep proper books, records and accounts in which complete and correct entries Shall be made of all transactions relative to the sewerage system, and at regular annual intervals he Shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.
- B. In addition to the customary operating statements, the annual audit report Shall also reflect the revenues and operating expenses of the Wastewater facilities, including replacement costs, to indicate that sewer service charges under the Industrial Waste cost recovery system do in fact meet these regulations. In this regard, the financial information to be shown in the audit report Shall include the following:
 - 1. Flow data showing total gallons received at the Wastewater Plant for the current fiscal year.
 - 2. Billing data to show total number of cubic feet billed.
 - 3. Number of Users connected to the system.
 - 4. Number of non-metered Users.
 - 5. A list of Users discharging nondomestic Wastes (Industrial Users) and volume and strength of Waste Discharged and revenues received.

Secs. 114-387—114-389. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

SUBDIVISION II

SECTION 114-390. MISCELLANEOUS FEES.

114-391. Pretreatment Program Funding.

It is the intent of the City to pass all general costs of the Pretreatment program to all Non-Residential Users and the costs of the FSE program to all FSE Users. The fees Shall apply to those Users subject to the Pretreatment or FSE programs are based on water usage.

- A. The charges that Shall apply to those Users subject to the Pretreatment program are based on classification and are established in the Division 5 of Article V and Appendix A.
- B. Billing Shall be based on the billing cycle for water and sewer and Shall be added on to the water and sewer bill. The rates or charges for Pretreatment service Shall be payable monthly. The owner of the premises, the occupant thereof, and the User of the service Shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by the City only upon the condition that the owner of the premises, occupant and User of the service Shall be jointly and severally liable therefore to the City.

114-392. Pretreatment Charges and Fees

The City May adopt reasonable fees for reimbursement of costs of setting up and operating the City's Pretreatment Program unique to a specific User found in Division 5 of Article V and Appendix A which May include:

- A. Categorical Pretreatment Standard determination, establishment and documentation for Wastewater Discharge Permit;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's Discharge, and reviewing monitoring reports submitted by Users;
- C. Fees for establishing and reviewing Best Management Practices Plans and requirements;
- D. Fees for reviewing plans or construction relating to Spill Prevention / Slug Load Plans as defined in Section 114-345 in this code or Closure Plans per Section 114-346 in this code;
- E. Fees for responding to Report of Potential Problems as defined in Section 114-456 in this code;
- F. Fees for filing appeals;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 6. SURCHARGES & OTHER COST RECOVERY

- G. Fees to recover administrative and legal costs (not included in Section 114-530 in this code) associated with the enforcement activity taken by the Pretreatment Coordinator to address User noncompliance; and
- H. Other fees as the City May deem necessary to carry out the requirements of Article V, related solely to the matters covered by Article V. These fees are separate from all other fees, fines, and penalties chargeable by the City.

114-393. Additional Remedies.

- A. In addition to remedies available to the City set forth elsewhere in this Division, if the POTW is fined by the state or USEPA for violation of the POTW NPDES permit or violation of water quality standards as the result of Discharge of Pollutants by a User or group of Users, then the fine, including all legal (including, but not limited to attorney's fees), sampling, analytical testing costs and any other related costs incurred by the City Shall be charges to the responsible User or group of Users. Such charges Shall be in addition to, and not in lieu of, any other remedies the City May have under this Division, statutes, regulations, at law or in equity.
- B. If the Discharge from any non-residential User causes a deposit, obstruction or damage to any portion of the POTW Works, the POTW Shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including evaluation, materials, labor, supervision and legal costs (including but not limited to attorney's fees), Shall be borne by the person(s) or Non-Residential User(s) causing such deposit, obstruction, or damage.

114-394 – 114-399. Reserved.

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CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 7. LOCAL LIMITS

Table of Contents

SUBDIVISION I.....	2
114-400. GENERAL PROVISIONS.....	2
114-401. ENACTMENT.....	2
SUBDIVISION II.....	3
114-410. LOCAL LIMITS.....	3
114-411. NON-TOXIC POLLUTANTS	3
114-412. TOXIC POLLUTANTS – LOCAL LIMITS.....	3
114-413. OTHER LOCAL LIMIT REQUIREMENTS.....	4
SUBDIVISION III.....	6
114-420. ORDINANCE VALIDITY.....	6
114-421. SEVERABILITY.....	6
114-422. CONFLICT.....	6

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 7. LOCAL LIMITS

SUBDIVISION I.

114-400. GENERAL PROVISIONS.

114-401. Enactment.

Pursuant to the requirements of the Federal Clean Water Act and regulations promulgated thereunder; the Illinois Environmental Protection Act of 1970, as amended, 415 ILCS 5/1 *et seq.*, and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, this code provides the Local Limits for the Sewer Use and Pretreatment Code (“Limits Code”) as cited in Division 4 of Article V, is hereby enacted by the City Council of the City of Belvidere. The following Pollutant limits are established to carry out the purposes and policies established in Article V.

114-402 – 114-409. Reserved.

CITY OF BELVIDERE
 Chapter 114 – UTILITIES
 ARTICLE V. SEWERS & SEWAGE DISPOSAL.
 DIVISION 7. LOCAL LIMITS

SUBDIVISION II.

114-410. LOCAL LIMITS.

114-411. Non-Toxic Pollutants

No user Shall Discharge any Wastewater containing concentrations greater than the Local Limits as set forth below into any sewers that connect either directly or indirectly to the POTW Works.

<u>Pollutant (Total unless otherwise listed)</u>	<u>Concentration</u>
Oil and Grease – Non-Polar	100 mg/l

114-712412. Toxic Pollutants – Local Limits.

The following are the Local Limits established by the City Council. No User Shall Discharge any Wastewater containing concentrations greater than the Daily Maximum or Instantaneous Local Limits as set forth below into any Sewers that connect either directly or indirectly to the POTW Works. Multiple Industrial Discharges from a permitted facility May be combined with the following limitations upon approval by the POTW.

<u>POLLUTANT (total unless otherwise listed)</u>	<u>CONCENTRATION (mg/l)</u>	
	Daily Maximum	Instantaneous
Arsenic	1.1	
Cadmium	0.2	
Chromium	10.0	
Chromium (hexavalent)		3.0
Copper	1.15	
Cyanide		0.4
Lead	0.4	
Mercury (see Section 324 of this code)	0.0005	
Nickel	1.0	
Silver	1.2	
Zinc	3.8	

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 7. LOCAL LIMITS

Individual Wastewater Discharge Permits identify requirements for testing of these Pollutants.

114-413. Other Local Limit Requirements.

- A. The City will normally apply the Local Limits found in Sections 114-411 and 114-412 of this Division at the end-of-pipe point where the Non-Residential Wastewater is Discharged to Public Sewer system. The City reserves the right to apply said Local Limits at an end-of process Discharge location that connects to the Public Sewer system in the event that a unique Sampling Manhole at end-of-pipe is not available.
- B. The City May also establish, by code or in a Wastewater Discharge Permit or General Permit, control over the quantities and rates of Discharge.
- C. The City May also establish, by code or in a Wastewater Discharge Permit, mass limitations rather than concentration limitations on Discharges, particularly in cases when Users are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases when the imposition of mass limitations is appropriate.
- D. The City May also establish site-specific conventional and toxic limits for any applicable Pollutant on a case-by-case basis. These limits Shall be set forth in a Wastewater Discharge Permit per Section 114-442 in this code.
- E. The City May also require development and implementation of Best Management Practices (BMPs), by code or in individual Wastewater Discharge Permits or General Permits, to implement Local Limits and the requirements of Section 114-322 in this code and categorical limits in Section 114-323 in this code.
- F. Any User, discharging Pollutants to the City's facilities, where the City determines it is more effective that the City pretreat but causes the City to alter its method of Wastewater treatment or Sludge disposal to a more costly method, Shall be assessed the differential cost between the more costly method of treatment and the less costly method of treatment. Such costs Shall only be assessed upon approval of the City Council.
- G. The City reserves the right to set specific limits for those Pollutants not identified in Sections 114-411 or 114-412 in this code on a case by case basis for impacts caused to the treatment works including but not limited to Interference, Upset, Pass Through and prevention of beneficial sludge re-use. Those limits shall be set forth in a Wastewater Discharge Permit per Section 114-442 in this code.
 - 1. Local Limits for additional Pollutants not identified in Sections 114-411 or 114-412 in this Division will be noticed to the permit holder a minimum of 30 days prior to the effective date of the Wastewater Discharge Permit. In the event that the City receives written comment on said limit during the comment period, the limit will take effect within 60 days

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 7. LOCAL LIMITS

of the public notice date to allow review and comment by the City.

2. The City may alter the implementation date of a new site specific limit to another date as a provision of an implementation schedule that is included as an attachment to the Wastewater Discharge Permit as a result of Pretreatment construction provided the waste does not exceed Prohibitive Discharge Limitations in Section 114-322 in this code and the City can meet its limitations for water and Bio-Solids in the interim.
3. In the event that the City can mitigate the impact for an interim period by using additional treatment alternatives, the user will be required to pay those additional costs as a result of the mitigation.

114-414 -- 114-419. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 7. LOCAL LIMITS

SUBDIVISION III.

114-420. ORDINANCE VALIDITY.

114-421. Severability.

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

114-422. Conflict.

All other rules and regulations and parts of other rules and regulations directly inconsistent or directly conflicts with any part of this code are hereby repealed to the extent of such inconsistency or conflict.

114-423 – 114-429. Reserved

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CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

Table of Contents

SUBDIVISION I.....3

SECTION 114-430. WASTEWATER DISCHARGE PERMIT REQUIREMENTS AND APPLICATION.....3

114-431. WASTEWATER INFORMATION AND ANALYSIS.....3

114-432. WASTEWATER DISCHARGE PERMIT AUTHORITY AND REQUIREMENTS.....3

114-433. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMITTING: EXISTING CONNECTIONS.....5

114-434. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMITTING: NEW CONNECTIONS.....5

114-435. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT APPLICATION CONTENTS.....6

114-436. INDIVIDUAL AND GENERAL APPLICATION SIGNATORIES AND CERTIFICATION.....8

114-437. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT DECISIONS.....8

114-438. WASTEWATER HAULERS.....9

114-439. RESERVED.....9

SUBDIVISION II.....10

SECTION 114-440. WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS.....10

114-441. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT DURATION.....10

114-442. WASTEWATER DISCHARGE PERMIT CONTENTS.....10

114-443. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT APPEALS.....12

114-444. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT MODIFICATION.....13

114-445. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT TRANSFER.....14

114-446. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT REVOCATION.....14

114-447. INDIVIDUAL AND GENERAL WASTEWATER DISCHARGE PERMIT RE-ISSUANCE.....15

114-448. REGULATION OF WASTE RECEIVED FROM OTHER JURISDICTIONS.....15

114-449. RESERVED.....16

SUBDIVISION III.....17

SECTION 114-450. REPORTING REQUIREMENTS.....17

114-451. PRETREATMENT REQUIREMENTS FOR NON-CATEGORICAL USERS.....17

114-452. PRETREATMENT REQUIREMENTS FOR CATEGORICAL INDUSTRIAL USERS.....18

114-453. PERIODIC COMPLIANCE REPORTS / SELF-MONITORING REPORTS.....21

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

114-454. AUTHORIZED REPRESENTATIVE CHANGE NOTIFICATION.....	24
114-455. REPORTS OF CHANGED CONDITIONS.....	24
114-456. REPORTS OF POTENTIAL PROBLEMS.....	25
114-457. NOTICE OF VIOLATION/REPEAT SAMPLING AND REPORTING.....	26
114-458. NOTIFICATION OF THE DISCHARGE OF HAZARDOUS WASTE.....	26
114-459. REPORT SUBMITTAL DUE DATES.....	27
114-460 -- 114-469. RESERVED.....	27
SUBDIVISION IV.....	28
SECTION 114-470. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS.....	28
114-471. UPSET.....	28
114-472. BYPASS.....	29
114-473 – 114-479. RESERVED.....	30

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

SUBDIVISION I.

**SECTION 114-430. WASTEWATER DISCHARGE PERMIT
REQUIREMENTS AND APPLICATION.**

114-431. Wastewater Information and Analysis.

When requested by the Pretreatment Coordinator, a User must submit information on the nature and characteristics of its Wastewater within thirty (30) calendar days of the request. The Pretreatment Coordinator is authorized to prepare a form for this purpose and may periodically require Users to update this information. The Pretreatment Coordinator may also prepare specialized forms for various business types and functions. Information that may be required will be consistent with that identified in Section 114-310 in this code and Section 114-435 of this Division.

114-432. Wastewater Discharge Permit Authority and Requirements.

- A. Individual Wastewater Discharge Permit issued to Significant Industrial Users (SIUs) which includes Categorical Industrial Users (CIUs): No SIU, including any CIU, shall Discharge Wastewater into the POTW without first obtaining an individual Wastewater Discharge Permit from the Pretreatment Coordinator except that a SIU, including any CIU, that has filed a timely application pursuant to this Division may continue to Discharge for the time period specified therein. The City may issue general Wastewater Discharge Permits to SIU or CIU if the conditions in Section B below are met.

- B. General Wastewater Discharge Permit issued to SIU and CIU: At the discretion of the Pretreatment Coordinator, the City may use general permits to control Discharges to the POTW if the following conditions are met:
 - 1. Involve the same or substantially similar types of operations;
 - 2. Discharge the same types of waste;
 - 3. Require the same effluent limitations or Best Management Practices;
 - 4. Require the same or similar monitoring and/or reporting requirements; and
 - 5. In the opinion of the Pretreatment Coordinator, are more appropriately controlled under a general permit than under individual Wastewater Discharge Permits.

- C. Other Wastewater Discharge Permits. The Pretreatment Coordinator may require other Non-Residential Users to obtain either individual or general Wastewater Discharge Permits as necessary to carry out the purposes of this Division. The Wastewater Discharge Permit will define that holders of permits issued under this section shall not be classified as Significant

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

Industrial Users. Non-Residential Users with Wastewater Discharge Permits in this class may include but are not limited to:

1. Any User that has been determined to be a Non-Significant Categorical Industrial User as defined in Section 114-291 in this code;
2. Any User that has been determined not to be a SIU as defined in Section 114-291 in this code that the Pretreatment Coordinator requires to be regulated by Wastewater Discharge Permit;
3. Any User subject to National Categorical Pretreatment Standards that opts not to Discharge said regulated waste shall obtain a Zero Process Wastewater Discharge Permit;
4. Any User that is a non-Categorical Zero Process Wastewater Discharger that the Pretreatment Coordinator determines shall be permitted;
5. Non-Significant Regulated Users (NSRU) as defined below. In the event that the City operates more than one Wastewater Treatment Works, the percentage shall be determined based on the plant to which the User Discharges rather than the total capacity of all of the City plants:
 - a) NSRU that Discharge a process Wastewater Flow greater than or equal to one half (0.5) percent of the POTW's design dry-weather hydraulic capacity, or five thousand (5,000) gallons per day, whichever is smaller;
 - b) NSRU that Discharge more than or equal to one half (0.5) percent of the design dry-weather organic treatment capacity of the POTW;
 - c) NSRU that Discharge one half (0.5) percent of the maximum allowable headworks loading for any Pollutant regulated by a Local Limit developed in accordance with Division 7 of Article V; or
 - d) NSRU that intermittently Discharge any individual batch or batches that would meet the criteria in a), b), or c) above when discharged or otherwise have the potential to discharge a Slug Load to the Wastewater Treatment Works;
6. Non-Residential Users that have devices installed to remove Oils, Grease and/or sand;
7. Non-Residential Users required to eliminate or control specified Pollutants from their wastestream through the development and implementation of a Best Management Practice (BMP) Plan.
8. Non-residential Users who are approved by the Pretreatment Coordinator to discharge hauled waste.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- D. Any violation of the terms and conditions of an individual or general Wastewater Discharge Permit shall be deemed a violation of this Division and subject the Wastewater Discharge permittee to the sanctions set out in Subdivisions III through VII in Division 9 of Article V of this code. Obtaining an individual or general Wastewater Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law. All FSE Discharge Permits are general permits and any general permit terms, conditions or requirements in this Division apply to FSE permits unless separate requirements have been identified for a FSE.

114-433. Individual and General Wastewater Discharge Permitting: Existing Connections.

- A. Any SIU or CIU required to obtain an individual or general Wastewater Discharge Permit who was discharging Wastewater into the POTW prior to the effective date of this Division and who wishes to continue such Discharges in the future, shall, within ninety (90) calendar days after said date, apply to the Pretreatment Coordinator for the appropriate Wastewater Discharge Permit in accordance with Section 114-435 of this Division, and shall not cause or allow Discharges to the POTW to continue after 180 calendar days of the effective date of this Division except in accordance with a Wastewater Discharge Permit issued by the Pretreatment Coordinator.
- B. Any non-SIU or non-CIU that is required to obtain individual or general Wastewater Discharge Permits shall file an application within the number of City Business Days required in a notification sent by the Pretreatment Coordinator.

114-434. Individual and General Wastewater Discharge Permitting: New Connections.

- A. Any CIU who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such Discharge. An application for this individual or general Wastewater Discharge Permit, in accordance with Section 114-435 of this Division, must be filed at least ninety (90) calendar days prior to the date upon which any Discharge will begin or recommence pending review by the Pretreatment Coordinator.
- B. Any non-CIU who proposed to begin or recommence discharging into the POTW that is required to obtain an individual or general Wastewater Discharge Permit must obtain such permit prior to the beginning or recommencing of such Discharge or operations in the case of a zero process Sampling Manhole, in accordance with Section 114-435 of this Division. An application for this individual or general Wastewater Discharge Permit must be filed at least thirty (30) calendar days prior to the date upon which any Discharge or operations will begin or recommence pending review and approval by the Pretreatment Coordinator.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

114-435. Individual and General Wastewater Discharge Permit Application Contents.

- A. Individual Application Requirement. All Users that are required to obtain an Individual Wastewater Discharge Permit or Zero Process Wastewater Discharge Permit must submit a permit application. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

- B. Individual Application Contents. The Pretreatment Coordinator may require all Users to submit as part of an application all or some of the following information:
 - 1. All information required by Sections 114-311, 114-313 and 114-314 in this code.
 - 2. Identifying Information for the site including name and address of the facility, including the name of the operator and Owner and Authorized Representative.
 - 3. Description of Operations.
 - a) A brief description of the nature of the activities, services, production, and plant processes on the premises. Include each product produced by type, amount, process or processes, and a general rate of production.
 - b) Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - c) Type and amount of raw materials processed (average and maximum per day) including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - 4. Time and duration of Discharges with an estimate of the average daily and maximum Flow;
 - 5. Waste Characteristics. Information showing the nature and concentration of the discharge in relation to applicable Pretreatment Standards and Local Limits;
 - 6. Requests for a monitoring waiver for a Pollutant regulated as a Categorical Pretreatment neither present nor expected to be present in the Discharge based on 40 CFR 403.12(e)(2). Representative sampling and analysis will be required to substantiate the request;
 - 7. Plans and Diagrams
 - a) Site plans / floor plans that show the footprint of the building with an outline of major equipment similar to an emergency exit plan;
 - b) Site plans, floor plans, mechanical and plumbing plans, and details to show all Sewers, floor drains, and appurtenances by size, location and elevation, and all points of Discharge;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- c) A diagram showing the location for monitoring the Discharge of all wastes covered by the permit; and
 - 8. Environmental Permits. A list of any environmental control permits held by or for the facility.
 - 9. Any other information as may be deemed necessary by the Pretreatment Coordinator to evaluate the Wastewater Discharge Permit application.
- C. General Application Requirement. The Pretreatment Coordinator may require all Users that are required to obtain a general Wastewater Discharge Permit to submit an application on a form provided by the City which is specific to the category regulated by the general Wastewater Discharge Permit. The form may require but is not limited to contact information, production processes, the types of wastes generated, and the location for monitoring all wastes if regulated by the general permit. Where the standard will require compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Pretreatment Coordinator.
- D. Categorical Monitoring Waivers
 - 1. Authority. The City 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 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 User. This waiver is not available to Users whose concentration standards are derived from mass standards or production based standards. This authorization is subject to the following conditions:
 - a) 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 Pretreatment Standard and otherwise includes no process Wastewater.
 - b) 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.
 - c) This provision does not supersede certification processes and requirements established in Categorical Pretreatment Standards, except as otherwise specified in the Categorical Pretreatment Standard.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

2. Application Requirements

- a) In making a demonstration that a Pollutant is not present, the 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.
- b) The request for a monitoring waiver must be signed in accordance with Section 114-436 of this Division, and include the certification statement in Section 114-436 of this Division.
- c) 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.

3. Documentation and Record Retention for CIU Monitoring Waivers

Any grant of the monitoring waiver by the Pretreatment Coordinator must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Pretreatment Coordinator for 3 years after expiration of the waiver.

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

114-436. Individual and General Application Signatories and Certification.

- A. All Wastewater Discharge Permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the following certification statement:

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

114-437. Individual and General Wastewater Discharge Permit Decisions.

The Pretreatment Coordinator will evaluate the data furnished by the User and may require additional information. The Pretreatment Coordinator may deny any application for a Wastewater Discharge Permit. If

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

the Pretreatment Coordinator fails to act within ninety (90) calendar days, a request for permit application shall be deemed to be denied.

114-438. Wastewater Haulers.

- A. Wastewater haulers shall discharge all Sanitary Wastes at a designated Wastewater hauler dumping station.
- B. Wastewater haulers shall have a valid Wastewater hauler discharge permit before Discharging Wastes at the City POTW. Each permitted Wastewater hauling vehicle shall prominently display a number issued by the City on both sides of the vehicle. Such numbers shall be removable only by destruction. Decals for this purpose will be provided by the City to each Wastewater hauler and each hauler will be charged for them.
- C. Each Wastewater hauling vehicle shall meet the following conditions before permits will be issued under subsection (b) above:
 - 1. Each truck tank shall have a sight glass or gauge calibrated in 100-gallon increments.
 - 2. Each vehicle shall be equipped to use the quick disconnect couplers at the Wastewater hauler dumping station if they are so provided.
- D. Representative samples of Wastewater from a domestic level user individual discharge by a Wastewater hauler shall comply with the provisions of this division.
- E. Each load delivered to the Wastewater dumping station must have a Wastewater hauler manifest properly filled out and signed by the Wastewater hauler and the POTW before dumping.
- F. All procedures for Discharging, for cleanliness, and for general sanitary operation on City property as prescribed by the City shall be strictly adhered to by all Wastewater haulers delivering Wastewater to the City dumping station.
- G. The source or sources of all liquid Wastes being hauled to the POTW Treatment Plant shall be properly documented using the City manifest system.
- H. Wastewater from a domestic level user shall not be mixed with Wastewater from an Industrial User. Vehicles hauling Wastewater from an Industrial User shall not be used to haul Wastewater from a domestic level user for disposal at the POTW.
- I. In addition to remedies available to City set forth elsewhere in this division, failure of a Wastewater hauler to comply with the provisions of this section shall be grounds for revocation of the hauler's Discharge Permit by the City POTW.

114-439. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

SUBDIVISION II.

SECTION 114-440. WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS.

114-441. Individual and General Wastewater Discharge Permit Duration.

- A. An individual Wastewater Discharge Permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. Each individual Wastewater Discharge Permit will indicate a specific date upon which it will expire.
- B. A general Wastewater Discharge Permit shall be issued for a specific time period and will identify if it contains a specific date upon which it will expire. The City will identify in the individual or general Wastewater Discharge Permit whether or not the permittee is defined as a Significant Industrial User.
- C. The Pretreatment Coordinator may extend a permit issued under Section 114-441.A or B above with a duration of less than five (5) years to a maximum of five (5) years upon written notification.

114-442. Wastewater Discharge Permit Contents.

A Wastewater Discharge Permit shall include such conditions as are deemed reasonably necessary by the Pretreatment Coordinator to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate Sludge management and disposal, and protect against damage to the POTW Works.

- A. Individual and General Wastewater Discharge Permits must contain:
 - 1. A statement that indicates Wastewater Discharge Permit issuance date, expiration date and effective date;
 - 2. A statement that the Wastewater Discharge Permit is nontransferable without prior notification to the City in accordance with Section 114-445 of this Division, and provisions for furnishing the new Owner or operator with a copy of the existing Wastewater Discharge Permit;
 - 3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards, local limits, and State and local law;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

4. Requirements to control Slug Discharge, in addition to Spill Control, if determined by the Pretreatment Coordinator to be necessary;
 5. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of Pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and
 6. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- B. An individual Wastewater Discharge Permit may contain the process for seeking a waiver from monitoring for a Pollutant neither present nor expected to be present in the Discharge in accordance with Section 114-435.D of this Division. Any grant of the monitoring waiver by the Pretreatment Coordinator shall be included as a condition of the User's permit.
- C. Individual and General Wastewater Discharge Permits may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of Discharge, time of Discharge, and/or requirements for Flow regulation and equalization;
 2. Requirements for the installation of Pretreatment technology, pollution control, or construction of appropriate containment devices, designed to equalize, reduce, eliminate, or prevent the introduction of Pollutants into the Treatment Works;
 3. Requirements that allow the use of Bypass of the Pretreatment system conditions consistent with 40 CFR 403.17 and Section 114-472 of this Division;
 4. Requirements for the development and implementation of Spill Prevention / Slug Control Plan or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine Discharges;
 5. Development and implementation of waste minimization plans to reduce the amount of Pollutants Discharged to the POTW;
 6. Development and implementation of Best Management Practices Plans to reduce the amount of Pollutants Discharged to the POTW;
 7. The unit charge and/or schedule of strength fees for the management of the Wastewater Discharged to the POTW;
 8. Requirements for installation and maintenance of inspection and sampling facilities and equipment;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

9. Requirements for the zero discharge of process waste regulated by a National Categorical Pretreatment Standard or local standard;
10. Documentation of any monitoring waiver approved by the Pretreatment Coordinator for categorically regulated Pollutants found to be not present and requirements to re-institute monitoring in the event that a waived Pollutant is found to be present or is expected to be present because of changes that occur in the User's operation;
11. A statement that compliance with the Wastewater Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the Wastewater Discharge Permit; and
12. Other conditions as deemed appropriate by the Pretreatment Coordinator to ensure compliance with this Article, and State and Federal laws, rules, and regulations.

114-443. Individual and General Wastewater Discharge Permit Appeals

The Pretreatment Coordinator shall provide public notice of the issuance of an Individual or General Wastewater Discharge Permit. Any Person, including the User, may petition the Pretreatment Coordinator to reconsider the terms of a Wastewater Discharge Permit within thirty (30) calendar days of notice of its issuance. The following conditions apply to Wastewater Discharge Permit appeals:

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the Wastewater Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Wastewater Discharge Permit.
- C. The effectiveness of the Wastewater Discharge Permit shall not be stayed pending the appeal.
- D. If the Pretreatment Coordinator fails to act within thirty (30) calendar days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a Wastewater Discharge Permit, not to issue a Wastewater Discharge Permit, or not to modify a Wastewater Discharge Permit shall be considered final administrative actions for purposes of judicial review.
- E. Aggrieved parties seeking judicial review of the final administrative Wastewater Discharge Permit decision must do so by filing a complaint with the Circuit Court for the 17th Judicial Circuit, Boone County, pursuant to the Illinois Administrative Review Law (65 ILCS 5/3-101 et seq.).

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

114-444. Individual and General Wastewater Discharge Permit Modification.

- A. The Pretreatment Coordinator may modify an individual Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised Federal, State or local Pretreatment Standards or Requirements;
 2. To address substantial alterations or additions to the User's operation, processes, or Wastewater volume or character since the time of Wastewater Discharge Permit issuance;
 3. To address introduction of a Pollutant for which a monitoring waiver had been obtained;
 4. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized Discharge;
 5. Information indicating that the permitted Discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
 6. Violation of any terms or condition of the Wastewater Discharge Permit;
 7. Misrepresentations or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application or in any required reporting;
 8. Revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR 403.13;
 9. To correct typographical or other errors in the Wastewater Discharge Permit; or
 10. To reflect a transfer of either the facility ownership or operation to either a new Owner or operator as provided by Section 114-445 of this Division.
- B. The Pretreatment Coordinator may modify a general Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised Federal, State or local Pretreatment Standards or Requirements;
 2. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized Discharge;
 3. To correct typographical or other errors in the Wastewater Discharge Permit; or
 4. To reflect a transfer of either the facility ownership or operation to either a new Owner or operator as provided by Section 114-445 of this Division.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

114-445. Individual and General Wastewater Discharge Permit Transfer.

Wastewater Discharge Permits shall not be transferred, assigned, or sold to a new Owner or new User in different premises or to a new or different operation in the same or different premises without the expressed written approval of the City. If the premises sold or otherwise transferred by the permittee to a new Owner who will maintain the operation in the same premises, whether or not the seller will continue to operate the equipment or the equipment is leased to another entity for its operation at the site of the original permittee, then the permit held by the seller and/or Owner shall be reissued by the City to the new Owner and/or operator as a temporary discharge permit; provided:

- A. The new Owner and/or operator notified the City thirty (30) calendar days in advance of the transaction, and
- B. The new Owner and/or operator confirmed to the City, within 5 Work Days of the transaction, of completion of the date of sale or execution of an operating contract, and
- C. The new Owner and/or operator shall apply for a new permit within ninety (90) calendar days.

Failure to provide the sale/transfer notification defined in subsection A and B above, renders the Wastewater Discharge Permit void as of said sale and/or transfer date. It is further provided that the temporary discharge permit shall only be effective for one hundred eighty (180) calendar days after the date of sale or transfer.

114-446. Individual and General Wastewater Discharge Permit Revocation.

The Pretreatment Coordinator may revoke an individual or general Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Pretreatment Coordinator of substantial changes to the Wastewater prior to the changed Discharge;
- B. Failure to provide prior notification to the Pretreatment Coordinator of changed conditions pursuant to Sections 114-454 and 114-455 of this Division;
- C. Misrepresentation or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Pretreatment Coordinator and designee(s) timely access to the facility premises and records;
- G. Failure to meet effluent limitations;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- H. Failure to pay fines;
- I. Failure to pay sewer charges and fees as appropriate for the Pretreatment or FSE programs;
- J. Failure to meet compliance schedules;
- K. Failure to complete a Wastewater survey or the Wastewater Discharge Permit application;
- L. Failure to provide advance notice of the transfer of business or operation ownership of a permitted facility; or
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the Wastewater Discharge Permit or this Division.

Wastewater Discharge Permits shall be voidable upon cessation of operations or transfer of business or operation ownership. All Wastewater Discharge Permits issued to a particular User are void upon the issuance of a new Wastewater Discharge Permit to that User.

114-447. Individual and General Wastewater Discharge Permit Re-issuance.

A User with an expiring Wastewater Discharge Permit shall apply for Wastewater Discharge Permit re-issuance by submitting a complete Wastewater Discharge Permit application, in accordance with Section 114-4355 of this Division, a minimum of ninety (90) calendar days prior to the expiration of the User's existing Wastewater Discharge Permit. The Pretreatment Coordinator shall designate a new application date or accept the application submitted by the original due date in the event that the permit duration is extended as provided by Section 114-441.C of this Division.

114-448. Regulation of Waste Received from Other Jurisdictions.

- A. Upon approval by the City, if another municipality, or User located within another municipality including unincorporated Boone County, contributes Wastewater to the POTW, the City shall enter into an intergovernmental agreement with the contributing municipality.
- B. The City shall request the following information from the contributing municipality at a frequency determined by the City:
 - 1. A description of the quality and volume of Wastewater Discharge to the POTW by the contributing municipality;
 - 2. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - 3. Any other information as the Pretreatment Coordinator may deem necessary.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- C. An intergovernmental agreement, as required by paragraph A, above, shall contain the following conditions:
1. A requirement that states the Users in the contributing municipality will abide by Chapter 114 of the City of Belvidere Municipal Code and therefore submits to the City's jurisdiction for purposes of Chapter 114 including all penalty provisions and fine provisions.
 2. A requirement for the contributing municipality to submit a revised Non-Residential User inventory at a frequency determined by the City but likely on an annual basis;
 3. A provision specifying that Pretreatment implementation activities, including Wastewater Discharge Permit issuance, inspection and sampling, and enforcement, may be conducted by the Pretreatment Coordinator; if the contributing municipality that normally provides these services fails to act;
 4. A requirement for the contributing municipality to provide the Pretreatment Coordinator with access to all information that the contributing municipality obtains as part of its Pretreatment activities;
 5. Limits on the nature, quality, and volume of the contributing municipality's Wastewater at the point where it Discharges to the POTW;
 6. Requirements for monitoring the contributing municipality's Discharge;
 7. A provision ensuring the Pretreatment Coordinator access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Pretreatment Coordinator; and
 8. A provision specifying remedies available for breach of the terms of the inter-municipal agreement.

114-449. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

SUBDIVISION III.

SECTION 114-450. REPORTING REQUIREMENTS.

Each User of the Treatment Works and facilities of the City shall provide reports as necessary to comply with this Division and any Wastewater Discharge Permit. Reporting requirements may apply to Users that are not required to obtain a Wastewater Discharge Permit.

114-451. Pretreatment Requirements for Non-Categorical Users.

Should the City find that a User, not subject to National Categorical Pretreatment Standards, does not meet Pretreatment standards and Requirements applicable to its Discharge, causes or contributes to a Sewage treatment plant Upset, or when analysis of waste or observation of the effect of such wastes on the POTW Works indicate that said wastes cannot be treated satisfactorily at such works, or that said wastes are injurious to the POTW Works, or to the treatment processes, or pollute the natural waters within the City, its service areas or the Waters of the State of Illinois; additional Pretreatment and/or O&M will be required by the City to meet Pretreatment Standards and Requirements. Such facilities as the City may deem necessary for Pretreatment of the wastes shall be furnished by and at the expense of the User as a condition of the Discharge of said wastes into the POTW works or to any natural water within the City service area.

- A. Pretreatment Review: The Pretreatment Coordinator will require the User to initiate a Pretreatment review through a telephone call or a certified letter to the Authorized Representative of the User.
- B. Pretreatment Initiation Meeting. A Pretreatment Initiation Meeting will be held between the Pretreatment Coordinator and the User to discuss the problem and the solution to said problem. If it is determined that changes in operation and maintenance, plant modifications, and/or the installation of Pretreatment equipment shall occur to resolve noncompliance, a schedule shall be established with events and completion deadlines agreeable to both parties to resolve the noncompliance. If appropriate, a Compliance Agreement defining the agreed upon schedule will be sent from the City to the User shortly after the meeting. If a schedule for compliance acceptable to the Pretreatment Coordinator cannot be established, the matter will be referred for further enforcement action consistent with the provisions of Division 9 of Article V as appropriate.
- C. Progress Reports. Progress Reports will be filed by the User, on a schedule agreed to by the Pretreatment Coordinator and the User, concerning the completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation). The User shall identify whether or not it complied with the increment of progress, the reason

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule.

- D. Final Report. A Final Report will be filed with the Pretreatment Coordinator by the User normally required within 90 calendar days from the end of the schedule deadline to verify the success or failure or the schedule objective chosen by the User. The Final Report will, if appropriate, identify the steps being taken by the User to resolve noncompliance.

114-452. Pretreatment Requirements for Categorical Industrial Users.

In the event that either the City, EPA or a User determines that the User is regulated as a Categorical Industrial User by standards and requirements promulgated by the USEPA in accordance with Section 307 (b) and (c) of the Act, the following reports are required to be filed by the User with both the City and USEPA.

A. Baseline Monitoring Reports

Within either one hundred eighty (180) calendar days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to Discharge to the POTW shall submit to the Pretreatment Coordinator a report which contains the information listed below. At least ninety (90) calendar days prior to commencement of their Discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable Categorical Standard, shall submit to the Pretreatment Coordinator a report which contains the information listed below. A New Source shall report the method of Pretreatment it intends to use to meet applicable Categorical Standards. A New Source also shall give estimates of its anticipated Flow and quantity of Pollutants to be Discharged.

Users described above shall submit the information set forth below.

1. Identifying Information. The name and address of the facility, including the name of the operator and Owner.
2. Environmental Permits. A list of any environmental control permits held by or for the facility.
3. Description of Operations. A brief description of the nature, average rate of production, (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of Discharge to the POTW from the regulated processes.
4. Flow Measurement. Information showing the measured average daily and maximum daily Flow, in gallons per day, to the POTW from regulated process streams and other streams,

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).

5. Measurements of Pollutants.
 - a) The User shall identify the categorical Pretreatment Standards applicable to each regulated process;
 - b) The User shall submit the results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Pretreatment Coordinator, of regulated Pollutants in the Discharge from each regulated process. Instantaneous, Daily Maximum and long-term average concentrations, (or mass, where required) shall be reported. The sample shall be representative of daily operations. In cases where the Standard requires a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the Pretreatment Coordinator or the applicable Standards to determine compliance with the Standard;
 - c) The User shall take a minimum of one representative sample to complete the data necessary to comply with the requirements of this paragraph. A minimum of four (4) Grab Samples may be required to be used for pH, cyanide, total phenols, Oil and Grease, sulfide, and volatile organic compounds;
 - d) Samples should be taken immediately downstream from Pretreatment facilities if such exist or immediately downstream from the regulated process if no Pretreatment exists. If other Wastewaters are mixed with the regulated Wastewater prior to Pretreatment the User should measure the Flows and concentrations necessary to allow the use of the Combined Wastestream Formula of 40 CFR 403.6(e) in order to evaluate compliance with Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the City;
 - e) Sampling must be performed in accordance with procedures set out in Section 114-327 in this code and shall be analyzed in accordance with procedures set out in Section 114-328 in this code;
 - f) The Pretreatment Coordinator may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial Pretreatment measures; and
 - g) The 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 City.
6. Compliance Certification. A statement, reviewed by the User's Authorized Representative of the CIU (as defined in Section 114-291 in this code), and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

basis, and, if not, whether additional operation and maintenance (O&M) and/or additional Pretreatment is required for the CIU to meet the Pretreatment Standards and Requirements.

7. Compliance Schedule. If additional Pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule is required by which the User will provide such additional Pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 114-452.B of this Division.
8. Signature and Report Certification. All baseline monitoring reports must be signed and certified in accordance with Section 114-436 of this Division.

B. Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by above:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
2. No increment referred to above shall exceed nine (9) calendar months;
3. The User shall submit a progress report to the Pretreatment Coordinator no later than fourteen (14) calendar days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule;
4. In no event shall more than nine (9) calendar months elapse between such progress reports to the Pretreatment Coordinator; and
5. All compliance schedule progress reports must be signed and certified in accordance with Section 114-436 of this Division.

C. Reports On Compliance With Categorical Pretreatment Standard Deadline

Within ninety (90) calendar days following the date for final compliance with applicable Categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of Wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Pretreatment Coordinator a report containing the information described in Section 114-452.A of this Division. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant Discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 114-436 of this Division. All sampling will be done in conformance with Section 114-327.D.

114-453. Periodic Compliance Reports / Self-Monitoring Reports.

A. Significant Industrial Users

1. Significant Industrial Users shall, at a frequency determined by the Pretreatment Coordinator, but in no case less than twice per year (on dates specified by the City), submit a report to the City with a description of 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. All periodic compliance reports must be signed and certified in accordance with Section 114-436 of this Division.
2. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR part 136 and amendments thereto. All Wastewater samples must be representative of the User's Discharge and comply with the requirements of Sections 114-327 and 114-328 of this code.
3. If the City elects, all sampling and analysis may be performed by the City in lieu of Significant Industrial User. In such cases, the City will issue an Attachment to the Wastewater Discharge Permit that specifies the City will perform sampling and analysis semi-annually at minimum. All costs of sampling and analysis will be performed at the expense of the SIU.
4. 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 Pretreatment Coordinator or the Pretreatment Standard necessary to determine the compliance status of the User.
5. If the City elects, where the City itself collects all the information required for the report, the Significant Industrial User will not be required to submit the report.

B. Categorical Industrial Users

1. All Categorical Industrial Users shall, at a frequency determined by the Pretreatment Coordinator, but in no case less than twice per year, on dates specified by the City (normally in July and January), submit a report indicating the nature and 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. At the discretion

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

of the City and in consideration of such factors as local high or low Flow rates, holidays, budget cycles, etc., the City may agree to alter the months during which the above reports are to be submitted. All periodic compliance reports must be signed and certified in accordance with Section 114-436 of this Division.

2. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR part 136 and amendments thereto. All Wastewater samples must be representative of the User's Discharge and comply with the requirements of Sections 114-327 and 114-328 of this code.
3. If the City elects, this sampling and analysis may be performed by the City in lieu of the Categorical Industrial User. In such cases, the City will issue an Attachment to the Wastewater Discharge Permit that specifies the City will perform sampling and analysis semi-annually at minimum. All costs of sampling and analysis will be performed at the expense of the CIU.
4. If a User subject to the reporting requirement in this section monitors any Pollutant more frequently than required by the Pretreatment Coordinator, using the procedures prescribed in Sections 114-327 and 114-328, the results of this monitoring shall be included in the report.
5. Where the City has imposed mass limitations on Users as provided for by 40 CFR 403.6(c), the report required by paragraph B.1 of this section shall indicate the mass of Pollutants regulated by the Pretreatment Standards in the Discharge from the Industrial User.
6. For Users subject to equivalent mass or concentration limits established by the City in accordance with the procedures in 40 CFR 403.6(c), the report required by paragraph B.1 shall contain a reasonable measure of the User's long term production rate. For all other Users subject to Categorical Pretreatment Standards expressed only in terms of allowable Pollutant Discharge per unit of production (or other measure of operation), the report required by paragraph B.1 shall include the User's actual average production rate for the reporting period.
7. 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 Pretreatment Coordinator or the Pretreatment Standard necessary to determine the compliance status of the User.
8. Upon approval of a monitoring waiver for Pollutants found to be not present and revision of the User's permit by the Pretreatment Coordinator, the User must certify on each periodic report with the statement in Section 114-436 of this Division, that there has been no increase in the Pollutant in its wastestream due to activities of the User with the following statement:

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

“Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ (specify applicable National Categorical Pretreatment Standard part(s)), I certify that, to the best of my knowledge and belief, there has been no increase in the level of the _____ (list the categorically regulated Pollutant(s)) in the Wastewaters due to the activities at the facility since filing of the last periodic report.”

9. In the event that a waived Pollutant is found to be present or is expected to be present because of changes that occur in the User’s operations, the User must immediately comply with the monitoring requirements of Section 114-453.B.1 of this Division or other more frequent monitoring requirements imposed by the Pretreatment Coordinator, and notify the Pretreatment Coordinator.

C. Non-Significant Categorical Users

1. Non-Significant Categorical Industrial Users as defined in Section 114-291 in this code shall, at a frequency determined by the Pretreatment Coordinator but no less frequently than annually (on dates specified by the City) submit a report which contains the certification statement contained in Section 114-453.C.2 of this Division below.

2. Certification Statement.

“Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ (months, days, year):

- a) The facility described as _____ (facility name) met the definition of a Non-Significant Categorical Industrial User as described by Section 114-291 in this code;
- b) The facility complied with all applicable Pretreatment Standards and Requirements during this reporting period; and
- c) The facility never 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:

_____”

The report is required to be signed by an Authorized Representative of the User.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

D. Other Non-Significant Regulated Users

1. Categorical Zero Process Dischargers, Non-Categorical Zero Process Dischargers, Batch Dischargers, Food Service Establishments and any firms regulated by individual or general permit requirements including but not limited to Best Management Practices shall, at a frequency determined by the Pretreatment Coordinator, submit a periodic report at a frequency defined in their Wastewater Discharge Permit.
2. The reports may require sampling and analyses or some other measure to determine compliance with permit Pretreatment Standards and Requirements. This sampling and analyses may be performed by the City in lieu of the User. All costs of sampling and analyses will be performed at the expense of the User. The User must submit documentation necessary to determine the compliance status of User as defined by the Pretreatment Coordinator and identified in the Wastewater Discharge Permit.
3. All FSE with GT and GI must maintain cleaning logs. These logs shall be immediately available at the time of an inspection and are required to contain the following information:
 - a) Person and company that performed the cleaning;
 - b) Measurement of the depth of solids blanket and grease cap prior to cleaning in each trap or Interceptor;
 - c) Volume of material removed from each trap or Interceptor; and
 - d) Location where waste will be disposed.

A copy of the cleaning log may be required to be submitted to the City by a date specified in a request issued by the Pretreatment Coordinator.

114-454. Authorized Representative Change Notification.

Any Significant Industrial User that changes the Authorized Representative of its company as defined in Section 114-291 in this code shall file a change notice with the City within 30 calendar days.

114-455. Reports of Changed Conditions.

Each User must notify the Pretreatment Coordinator of any planned substantial changes to the User's operations or system which might alter the nature, quality, or volume of its Wastewater at least thirty (30) calendar days before the change that results in an increase or addition or planned shutdown or deletion of products. Immediate shutdowns or deletions of products are required to be noticed within five (5) Work Days of determination.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- A. The Pretreatment Coordinator may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Wastewater Discharge Permit application under Section 114-435 of this Division.
- B. The Pretreatment Coordinator may issue or modify an existing individual or general Wastewater Discharge Permit under Sections 114-442 and 114-444 of this Division in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, substantial changes include, but are not limited to, Flow increases of twenty percent (20 percent) or greater, the addition or deletion of a shift, the Discharge of any previously unreported Pollutants including changes to the listed or characteristic hazardous wastes for which the User has submitted initial notification under Section 114-458 of this Division, introduction of a Pollutant for which a monitoring waiver had been obtained, the addition of a new process regardless of waste Discharge or lack of discharge, shutdown of a process, or addition or deletion of a product.
- D. Significant Industrial Users and Categorical Industrial Users are required to immediately notify the Pretreatment Coordinator of any changes at its facility affecting the potential for a Slug Discharge.
- E. When shutdowns are scheduled, a closure plan is required to be submitted to the Pretreatment Coordinator along with the notification. When shutdowns are not scheduled, a closure plan will be required to be submitted prior to the start of the cleanup and closure of the facility. Documentation of the disposal of concentrated wastes in accordance with EPA requirements will be required. In the case of an FSE, the GT and/or GI are required to be cleaned prior to vacating the property. An inspection of a shutdown site shall be required to confirm all chemicals and wastes have been removed from the site.

114-456. Reports of Potential Problems.

- A. Initial Accidental Discharge Notification. In the case of any Discharge, including, but not limited to, accidental Discharges, Discharges of a non-routine, episodic nature, a non-customary batch Discharge, or a Slug Load, that may cause potential problems for the POTW, any User shall immediately telephone, and notify the Pretreatment Coordinator of the incident. If this notification cannot be made to the POTW staff during routine business hours, the User shall consult the City's website for the after-hours phone number. This notification shall include the name of the caller, location of the Discharge, physical state of Discharge, chemical composition, concentration and volume, if known, and date and time of Discharge as well as duration of the Discharge, and corrective actions taken by the User. The notification shall include what Federal, State and local entities have also been notified by the User.
- B. The User shall control production of all Discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement includes the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- C. Written Accidental Discharge Notification: Within five (5) Work Days following such Discharge, the User shall, unless waived by the Pretreatment Coordinator, submit a detailed written report describing the cause(s) of the Discharge and the measures to be taken by the User to prevent similar future occurrences.
- D. Such notifications shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW Works, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Division.
- E. A Notice/Sign shall be permanently posted on the User's bulletin board or other prominent place advising employees in English and the language of common use whom to call in the event of a Discharge described in paragraph A, above. Employers shall ensure through documentation that all employees, who may cause such a Discharge to occur, are advised of the emergency notification procedure.

114-457. Notice of Violation/Repeat Sampling and Reporting.

If sampling performed by a User indicates a violation, the User must notify the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Pretreatment Coordinator within thirty (30) calendar days after becoming aware of the violation. The User is not required to resample if the Pretreatment Coordinator monitors at the User's facility at least once a month, or if the Pretreatment Coordinator samples between the User's initial sampling and when the User receives the results of this sampling. If the City performed the sampling and analysis in lieu of the User, the City will perform the repeat sampling and analysis at the User's expense unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis.

114-458. Notification of the Discharge of Hazardous Waste.

- A. Pursuant to 40 CFR 40 3.12 (P) any User who commences the discharge of hazardous waste shall notify the POTW, the USEPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any Discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of Discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

(180) calendar days after the Discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste Discharged. However, notifications of changed conditions must be submitted under Section 114-455 of this Division. The notification requirement in this section does not apply to Pollutants already reported by Users subject to Categorical Pretreatment Standards under the self-monitoring requirements of Sections 114-452.A, 114-452.C, and 114-453.B of this Division.

- B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they Discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User Discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Pretreatment Coordinator, the USEPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the Discharge of such substance within ninety (90) calendar days of the effective date of such regulations.
- D. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This provision does not create a right to Discharge any substance not otherwise permitted to be Discharged by this Division, a permit issued thereunder, or any applicable Federal or State law.

114-459. Report Submittal Due Dates.

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern. In order to meet deadlines, reports may be faxed or emailed on the due date to the City or to an authorized designee as listed in the permit or permit issuance letter. The original of the fax or email is required to be mailed to the City postmarked within one (1) Work Day of the transmission.

114-460 -- 114-469. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

SUBDIVISION IV.

SECTION 114-470. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS.

114-471. Upset.

- A. For the purposes of this section, "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An Upset shall constitute an affirmative defense to an action brought for noncompliance with Categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.
- C. A User who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An Upset occurred and the User can identify the cause(s) of the Upset;
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The User has submitted the following information to the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the Upset (if this information is provided orally, a written report must be provided within five (5) Work Days):
 - a) A description of the Indirect Discharge and cause of noncompliance;
 - b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the User seeking to establish the occurrence of an Upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of Upset only in an enforcement action brought for noncompliance with Categorical Pretreatment Standards.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- F. Users shall control production of all Discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

114-472. Bypass.

- A. For the purposes of this section,
1. "Bypass" means the intentional diversion of waste streams from any portion of a User's treatment facility.
 2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a Bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A User may allow any Bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These Bypasses are not subject to the provision of Subsections C and D of this section.
- C. Bypass Notifications
1. Anticipated: If a User knows in advance of the need for a Bypass, it shall submit prior notice to the Pretreatment Coordinator, at least ten (10) Work Days before the date of the Bypass, if possible.
 2. Unanticipated: A User shall submit oral notice to the Pretreatment Coordinator of an unanticipated Bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the Bypass. A written submission shall also be provided within five (5) Work Days of the time the User becomes aware of the Bypass. The written submission shall contain a description of the Bypass and its cause; the duration of the Bypass, including exact dates and times, and, if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the Bypass. The Pretreatment Coordinator may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- D. POTW Actions
1. Bypass is prohibited, and the Pretreatment Coordinator may take an enforcement action against a User for a Bypass, unless:

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 8. PRETREATMENT

- a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b) There were no feasible alternatives to the Bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a Bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c) The User submitted notices as required under paragraph (C) of this section.
2. The Pretreatment Coordinator may approve an anticipated Bypass, after considering its adverse effects, if the Pretreatment Coordinator determines that it will meet the three conditions listed in paragraph (D)(1) of this section.

114-473 – 114-479. Reserved.

Baxter & Woodman, Inc.: pfb, jrs.

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CITY OF BELVIDERE
 Chapter 114 – UTILITIES
 ARTICLE V. SEWERS & SEWAGE DISPOSAL.
 DIVISION 9. WASTEWATER ENFORCEMENT

Table of Contents

SUBDIVISION I.3

SECTION 114-480. COMPLIANCE MONITORING.3

 114-481. RIGHT OF ENTRY: INSPECTION AND SAMPLING.3

 114-482. RECORD KEEPING.3

 114-483. SEARCH WARRANTS.4

 114-484 – 114-489. RESERVED.4

SUBDIVISION II.5

SECTION 114-490. CONFIDENTIAL INFORMATION.5

 114-491 – 114-499. RESERVED.5

SUBDIVISION III.6

SECTION 114-500. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE.6

 114-501 – 114-509. RESERVED.7

SUBDIVISION IV.8

SECTION 114-510. ADMINISTRATIVE ENFORCEMENT REMEDIES.8

 114-511. NOTIFICATION OF VIOLATION AND ADMINISTRATIVE FINES.8

 114-512. COMPLIANCE AGREEMENTS.9

 114-513. SHOW CAUSE ORDER.9

 114-514. COMPLIANCE ORDERS.9

 114-515. CEASE AND DESIST ORDERS.10

 114-516. EMERGENCY SUSPENSIONS.10

 114-517. TERMINATION OF DISCHARGE.11

 114-518 – 114-519. RESERVED.11

SUBDIVISION V.12

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SECTION 114-520. PENALTIES AND JUDICIAL ENFORCEMENT REMEDIES.12

114-521. RECOVERY OF COSTS INCURRED.....12

114-521. INJUNCTIVE RELIEF.....12

114-522. CIVIL PENALTIES.....12

114-523. REMEDIES NONEXCLUSIVE.13

114-525 – 114-529. RESERVED.....13

SUBDIVISION VI.....14

SECTION 114-530. SUPPLEMENTAL ENFORCEMENT ACTION.14

114-531. FAILURE TO REPORT OR NOTIFY.14

114-532. PERFORMANCE BONDS.....15

114-533. LIABILITY INSURANCE15

114-534. PAYMENT FOR OUTSTANDING FEES AND PENALTIES.15

114-535. WATER SUPPLY SEVERANCE.....15

114-536. PUBLIC NUISANCES.....16

114-537. CONTRACTOR LISTING.16

114-538 – 114-539. RESERVED.....16

SUBDIVISION VII.....17

SECTION 114-540. MISCELLANEOUS PROVISIONS.....17

114-541. SEVERABILITY.....17

114-542. CONFLICT.....17

114-543. OFFENSES UNDER PREVIOUS DIVISIONS.17

114-544 – 114-549. RESERVED.....17

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION I.

SECTION 114-480. COMPLIANCE MONITORING.

114-481. Right of Entry: Inspection and Sampling.

The Pretreatment Coordinator and his designee(s), Duly Authorized Agents of the City, the Illinois Environmental Protection Agency, and the United States Environmental Protection Agency (hereafter referred to as the “Above-named Entities”), shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Article and any individual or general Wastewater Discharge Permit or order issued hereunder. Users shall allow the above named entities ready access to all parts of the premises for the purposes of inspection, observation, measurement, sampling, analyses, records examination and copying, and the performance of any additional duties.

- A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements so that, upon presentation of suitable identification, the above named entities will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The City shall have the right to set up on the User's property or require installation of such devices as are necessary to conduct sampling and/or metering of the User's operations.
- C. The Pretreatment Coordinator may require the User to install monitoring equipment in accordance with Section 114-305 of this code as necessary. All devices used to measure wastewater flow and quality shall be calibrated annually with an option to increase twice yearly (at six (6)-month intervals) to ensure their accuracy. The User shall submit these calibration reports semi-annually to the City with the Periodic Compliance Reports required in Section 114-453 in this code.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User upon a verbal request followed by the written confirmation, or at the written request of the Pretreatment Coordinator and shall not be replaced. The costs of clearing such access shall be borne by the User.
- E. Unreasonable delays in allowing the Pretreatment Coordinator and his or her-designee access to the User's premises shall be a violation of this Division.

114-482. Record Keeping.

- A. Users. Users subject to the reporting requirements of this Article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Division and any additional records of information

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 114-442 in this code. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; the date and time of the analyses; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the Pretreatment Coordinator.

- B. City. The City will maintain documentation of any monitoring waiver issued per Section 114-435.D in this code for a period of three (3) years after the expiration of the waiver. The documentation will include the reasons supporting the waiver and any information submitted by the User in its request for the waiver.

114-483. Search Warrants.

If the Pretreatment Coordinator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of Article V, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Division or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Pretreatment Coordinator may seek issuance of a search warrant from a court of competent jurisdiction.

114-484 – 114-489. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION II.

SECTION 114-490. CONFIDENTIAL INFORMATION.

Information and data on a User obtained from reports, surveys, Wastewater Discharge Permit applications, individual or general Wastewater Discharge Permits, and monitoring programs, and the Pretreatment Coordinator inspection and sampling activities, shall be available to the public in accordance with procedures of the Freedom of Information Act ("FOIA", 5 ILCS 140/1, *et seq*). Notwithstanding any procedures or exemptions of FOIA, however, all such information and data shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Additionally, Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as exempt information under FOIA and will be available to the public without restriction.

114-491 -- 114-499. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION III.

SECTION 114-500. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE.

The Pretreatment Coordinator shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the POTW, a list of the Users which, during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users and Categorical Industrial Users (or any other User that violates paragraphs (C), (D) or (H) of this Section and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66 %) or more of all the measurements taken for the same pollutant parameter during a six-(6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including Instantaneous Limits as defined in Section 114-291.B in this code;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of Wastewater measurements taken for each pollutant parameter during a six-(6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 114-291.B in this code multiplied by the applicable criteria (1.4 for BOD, COD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other violation of a Pretreatment Standard or Requirement as defined by Division 4 of Article V (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Pretreatment Coordinator has determined caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any Discharge of a Pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Pretreatment Coordinator's exercise of his or her emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) calendar days of the scheduled date, a compliance schedule milestone contained in an individual or general Wastewater Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) calendar days after the due date, any required reports, including baseline monitoring reports, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of Best Management Practices, that the Pretreatment Coordinator determines will adversely affect the operation or implementation of the local pretreatment program.

114-501 -- 114-509. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION IV.

SECTION 114-510. ADMINISTRATIVE ENFORCEMENT REMEDIES.

114-511. Notification of Violation and Administrative Fines.

A. When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of Article V, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Pretreatment Coordinator may serve upon that User a written Notice of Violation (NOV). An explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Pretreatment Coordinator within twenty (20) City business days of issuance excluding holidays. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation.

B. The Pretreatment Coordinator may initiate a Pretreatment Review issued under Section 114-451.A in this code for any Violation but most likely for the first violation of any parameter. Upon the issuance of the Pretreatment Review, the City shall schedule a Pretreatment Review meeting, normally within thirty (30) calendar days of the determination that a meeting is required.

As a result of a Pretreatment Review meeting, the City may issue a compliance directive stating that the User is in a “corrective action” status. A plan for correction and compliance schedule illustrating milestones may be issued by the City to the User. This plan for correction and compliance schedule may become part of the User’s permit. The User is responsible for meeting the permit limits at all times. The plan for correction, compliance schedule and revised permit do not relieve the User of meeting the permit limits and/or Article requirements. The User shall take whatever actions are necessary to meet the permit limits and permit conditions.

C. As a result of a violation, the City may continue or increase sampling, analyses and inspection of the User’s progress towards meeting milestones as needed to determine if the User is complying with the conditions of the plan of action, compliance schedule and/or permit. In the event that the City detects and documents any violation, a NOV will be issued to the User. The costs of the additional sampling, analyses, and inspections shall be invoiced to the User.

D. Each detected Violation of the plan of action, compliance schedule, and permit, will result in an NOV being issued to the User. Any violation May result in the User being issued a “Non-Traffic Complaint Citation”.

E. When the User has met the conditions of the plan of action, compliance schedule, and permit, the City will notify the User in writing that the conditions have been satisfied and that the User is no longer under a “corrective action” status if such a status was formally issued.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

- F. When the User has not received an NOV for 365 calendar days for a specific parameter or reporting violation, the count will be reset to zero.
- G. Nothing in this section shall limit the authority of the Pretreatment Coordinator to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

114-512. Compliance Agreements.

The Pretreatment Coordinator may enter into Compliance Agreements, i.e. Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents will include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 114-514 and 114-515 of this Division and shall be judicially enforceable.

114-513. Show Cause Order.

The Pretreatment Coordinator may order a User which has violated, or continues to violate, any provision of this Article, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the representatives of the City and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) City business days prior to the hearing. Such notice may be served on any Authorized Representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

114-514. Compliance Orders.

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this Article, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Pretreatment Coordinator may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the Public Sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

114-515. Cease and Desist Orders.

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of Article V, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Pretreatment Coordinator may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

114-516. Emergency Suspensions.

The Pretreatment Coordinator may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Pretreatment Coordinator may also immediately suspend a User's discharge, after informal notice, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Pretreatment Coordinator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals or the environment. The Pretreatment Coordinator may allow the user to recommence its discharge when the User has demonstrated to the satisfaction of the Pretreatment Coordinator that the period of endangerment has passed, unless the termination proceedings in Section 114-517 of this Division are initiated against the User.
- B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Pretreatment Coordinator prior to the date of any show cause or termination hearing under Sections 114-513 and 114-517 of this Division.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

under this section.

114-517. Termination of Discharge.

In addition to the provisions in Section 114-516 of this Division, any User who violates the following conditions is subject to discharge termination:

- A. Violation of Wastewater Discharge Permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report substantial changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the Pretreatment Standards in Section 320 in this code.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 114-513 of this Division why the proposed action should not be taken. Exercise of this option by the Pretreatment Coordinator shall not be a bar to, or a prerequisite for, taking any other action against the User.

114-518 – 114-519. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION V.

SECTION 114-520. PENALTIES AND JUDICIAL ENFORCEMENT REMEDIES.

114-521. Recovery of Costs Incurred.

Any entity or User violating any of the provisions of this Article, or who causes damage to or impairs the City's Wastewater Works shall be liable to the City for any expense, loss or damage caused by such violation or discharge. The City may invoice the costs, including but not limited to, sampling and analyses associated with the investigation, costs of mitigating impact to the Wastewater Treatment Works, costs of preparing the administrative enforcement actions such as notices and orders; investigative and/or correction actions, and review of response(s) from the User. In the event of damage, losses or impairments, the City shall bill the User for the costs incurred by the City for any cleaning, repair, replacement or other investigative and/or corrective action(s) as a response to the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Division enforceable under the provisions of Section 114-510 of this Division.

114-521. Injunctive Relief.

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this Article, a Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Pretreatment Coordinator may petition a court of competent jurisdiction through the City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the Wastewater Discharge Permit, order, or other requirement imposed by this Division on activities of the User. The Pretreatment Coordinator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

114-522. Civil Penalties.

- A. A User who has violated, or continues to violate, any provision of this Article codified by the City, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement may be subject to the imposition of a civil penalty in at least the amount of one thousand dollars (\$1,000.00) a day for each violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each calendar day during the period of the violation.
- B. The Pretreatment Coordinator may recover costs, including but not limited to, filing fees,

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

witness fees, consultant fees, attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

114-523. Remedies Nonexclusive.

The remedies provided for in this Division are not exclusive. The Pretreatment Coordinator may take any, all, or any combination of these actions against a noncompliant User. Enforcement of Pretreatment Standards and Requirements will generally be in accordance with the City's enforcement response plan. However, the Pretreatment Coordinator may take other action against any User when the circumstances warrant. Further, the Pretreatment Coordinator is empowered to take more than one enforcement action against any noncompliant User.

114-525 – 114-529. Reserved.

CITY OF BELVIDERE
 Chapter 114 – UTILITIES
 ARTICLE V. SEWERS & SEWAGE DISPOSAL.
 DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION VI.

SECTION 114-530. SUPPLEMENTAL ENFORCEMENT ACTION.

114-531. Failure to Report or Notify.

A. City Reports or Notifications for NSRU

Any entity or User who fails to file any report of notification so required by this Article may be subject to the following late filing fees:

- | | |
|--|---------------------|
| 1. First Violation – less than 30 calendar days past due | Issuance of Warning |
| 2. Recurring reporting violations or
30 or more calendar days past due | \$100.00 |
| NOV response noncompliance | \$250.00 |
| Cost per additional calendar day past final request deadline | \$50.00 |
| 3. Substantial Change Notification
No written notification of substantial changes whether
discharged or not: | |
| At start-up or shutdown | \$500.00 |
| Per each additional 15 calendar days in excess of 30 calendar days | \$100.00 |

B. Reports or Notifications required by Significant or Categorical Industrial Users

Any entity or User who fails to file any Periodic (Semi-Annual) Pretreatment Report, Baseline Monitoring Report, or 90-day Final Compliance Report required by this Article may be subject to the following late filing fees:

- | | |
|--|---------------------|
| 1. First Violation – less than 30 calendar days past due | Issuance of Warning |
| 2. Recurring reporting violations or
30 or more calendar days past due | \$250.00 |
| NOV response noncompliance | \$500.00 |
| Cost per additional calendar day past final request deadline | \$100.00 |
| 3. Substantial changes
No written notification of substantial changes whether
discharged or not: | |
| At start-up or shutdown | \$1000.00 |
| Per each additional 15 calendar days in excess of 30 calendar days | \$200.00 |

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

- C. Ownership Notification Specific to Entities with Wastewater Discharge Permits
1. No written notification of change in ownership and/or operation of facility, or any portion thereof with an individual permit. \$1000.00
 2. No written notification of change in ownership and/or operation of facility, or any portion thereof with a general permit. \$500.00

114-532. Performance Bonds.

The DPW may decline to issue or reissue an individual or general Wastewater Discharge Permit to any User who has failed to comply with any provision of this Division, a previous individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the DPW to be necessary to achieve consistent compliance.

114-533. Liability Insurance

The DPW may decline to issue or reissue an individual or general Wastewater Discharge Permit to any User who has failed to comply with any provision of this Division, a previous individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

114-534. Payment for Outstanding Fees and Penalties.

The DPW may decline to issue or reissue an individual or general Wastewater Discharge Permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this Division, a previous individual or general Wastewater Discharge Permit or order issued hereunder.

114-535. Water Supply Severance.

Whenever a User has violated or continues to violate any provision of this Division, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply and paid outstanding costs, fees, and penalties.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

114-536. Public Nuisances.

A violation of any provision of this Article, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the DPW. Any person(s) creating a public nuisance shall be subject to the provisions governing such nuisances as well as the fines set forth in this Article, including but not limited to reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance, reasonable attorney fees, consultant fees and cost of court.

114-537. Contractor Listing.

Users which have not achieved compliance with applicable Pretreatment Standards and Requirements are hereby declared to be non-responsible Users and therefore are not eligible to receive a contractual award for the sale of goods or services to the City. Existing contracts for the sale of goods or services to the City held by a User found to be in significant noncompliance with Pretreatment Standards or Requirements may be terminated at the discretion of the DPW.

114-538 – 114-539. Reserved.

CITY OF BELVIDERE
Chapter 114 – UTILITIES
ARTICLE V. SEWERS & SEWAGE DISPOSAL.
DIVISION 9. WASTEWATER ENFORCEMENT

SUBDIVISION VII.

SECTION 114-540. MISCELLANEOUS PROVISIONS.

114-541. Severability.

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

114-542. Conflict.

All other Divisions and parts of other Divisions inconsistent or conflicting with any part of this Division are hereby repealed to the extent of such inconsistency or conflict.

114-543. Offenses Under Previous Divisions.

This Division shall not be construed or held to repeal a former Division, whether such former Division is expressly repealed or not, as to any offense committed against such former Division or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former Division, or in any way whatever to affect such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new Division takes effect, save only that proceedings thereafter shall conform to the Division in force at the time of such proceeding, so far as practicable. Nothing contained in this Division shall be construed as abating any action now pending.

114-544 – 114-549. Reserved.

Memo

To: Mayor and City Council
From: Brent Anderson, Director of Public Works
Date: 8/1/2016
Re: Replacement of Water Department Meter Van

The current budget includes \$30,000 in the Water & Sewer Department to purchase a new utility van to replace our 2000 Chevy van. We have received the following pricing for this new vehicle:

Landmark Ford 2401 Prairie Crossing Drive Springfield, Illinois 62711	2017 Ford Transit T350 Cargo Van <u>Illinois State Bid Contract #PSD4018029</u>	\$28,870.00
Manley Motor Sales 1800 North State Street Belvidere, IL 61008	2016 Ford Transit T350 Cargo Van	\$28,514.27
Jack Wolf Auto Group 1615 North State Street Belvidere, IL 61008	2016 RAM Promaster 2500 Cargo Van	\$34,110.00

The van from Manley's is a new in-stock unit versus the 2017 state bid unit that would have to be ordered. I would recommend the purchase of the 2016 Ford Transit Cargo Van from Manley Motors at a cost of \$28,514.27. This vehicle will be paid for from Line Item #61-1750.

I would also seek authorization to offer the 2000 Chevy van for sale on ebay.





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