

ORDINANCE 01-2009

THE SEWER USER ORDINANCE OF SANITARY DISTRICT NO. 4 IS AMENDED BY ADDING THERETO THE FOLLOWING SECTION WHICH WILL SHALL BE INCORPORATED INTO THE MUNICIPAL CODE OF THE TOWN OF BROOKFIELD.

THE COMMISSIONERS OF SANITARY DISTRICT NO. 4 - TOWN OF BROOKFIELD, AND THE TOWN BOARD OF THE TOWN OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1. Section 15.22 of the Sewer User Ordinance and the Municipal Code of the Town of Brookfield, is hereby created to read as follows:

15.22 REGULATION OF INDUSTRIAL WASTE.

(1) Definitions. As used in this Ordinance:

- a. "Accidental discharge" means any direct discharge that exceeds any limits set forth in this chapter or the users' permit that occurs without the knowledge of the user and unintentionally by anyone.
- b. "Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
- c. "Amalgam" means dental filling material made from a mixture of metallic mercury with powdered silver-tin-copper-alloy.
- d. "BTEX" means benzene, toluene, ethyl benzene, and zylenes; volatile organic compounds (VOCs) commonly found in discharges from leaking underground storage tank (LUST) sites.

(2) Specific Prohibitions.

- a. Any wastewater having a temperature which will inhibit biological activity in the POTW, resulting in interference, but in no case, wastewater with a temperature that exceeds sixty-five (65) degrees C. (one hundred forty-nine (149) degrees F.) measured in the wastestream at the point of entry to the municipal sewer or heat causing individually or in combination with other wastewater, the influent of the POTW to have a temperature exceeding forty (40) degrees C. (one hundred four (104) degrees F.).
- b. Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, containing substances which may solidify or become viscous at temperatures between zero degrees C. (thirty-two (32) degrees F.) and sixty-five (65) degrees C. (one hundred-forty-nine (149) degrees F.). Any facility discharging excessive amounts of oil and grease detected by the Sanitary District to be causing fats, oils, or grease obstructions in the sewer line must have installed a properly sized grease interceptor or trap as determined by master plumber design calculations; and service (pump/clean) grease interceptors or traps as necessary to allow a continuous, efficient operation, to prevent obstruction of flow in the sewer system, and/or to cause interference with operation of the treatment plant.

(3) Limitation On Wastewater Strength.

a. No user except as authorized pursuant to a wastewater discharge permit shall discharge, either directly or indirectly, into the Sanitary District 's sewerage system any waste containing concentrations of pollutants in excess of the following:

| Pollutant | Limitation (mg/l) | Pollutant | Limitation (mg/l) |
|------------------|---------------------------|----------------------|--------------------------|
| Arsenic | 0.50 | Cyanide (T) | 2.30 |
| Cadmium | 0.08 | Oil & Grease | 100** |
| Chromium (T) | 7.60 | Total toxic organics | 2.13*** |
| Copper | 2.10 | | |
| Lead | 2.80 | | |
| Mercury | 3.00 ug/L | | |
| Molybdenum* | 2.20 mg/L or 0.97 lbs/day | | |
| Nickel | 3.30 | | |
| Selenium | 1.50 | | |
| Silver | 2.90 | | |
| Zinc | 2.90 | | |

* This limit is based on a daily maximum concentration, or a daily mass limitation. Users are required to comply with either the concentration limit or the mass limit for molybdenum.

** The limitation for oil & grease pertains to non-biodegradable cutting oils, grease or other products of mineral oil origin.

***Sum of all organic compound concentrations listed in but not limited to, 40 CFR 122 Appendix D Table II.

b. Continuous Monitoring of pH. The Sanitary District will allow a waiver above the maximum pH limit listed in 15.9(2)g., 1% of the total monitoring time subject to the following restrictions:

1. An industrial user shall not discharge below a pH of 5.0 (NR 211.10(2)(b)).
2. A waiver will not be granted from a categorical standard for an upper pH limit, if such an upper limit exists in the standard.
3. A waiver will not be granted if the waiver will cause pass-through or interference at the POTW.

c. Amalgam Management at Dental Facilities. Any dental office that places or removes amalgam shall implement the amalgam management practices established by the Wisconsin Dental Association. Practices include capturing and recycling all forms of waste amalgam from empty capsules, excess scrap, chair-side traps, and vacuum filters. This section does not apply to dental facilities that do not place or remove amalgam, such as orthodontics, periodontics, oral and maxillo-facial surgery, endodontics, or prosthodontics.

1. Every vacuum system where amalgam is placed or removed shall incorporate an amalgam separator that meets ISO 11143 standards by January 1, 2010. Facilities shall install, operate, and maintain the amalgam separator according to manufacturer instructions. The amalgam separator must be of sufficient capacity for the size of dental facility and vacuum system.

2. Records of amalgam separator maintenance shall be retained for a minimum of three years, and shall be readily available for inspection and copying upon request by the Sanitary District. Records must contain volume or weight of amalgam waste, name and address of shipper, and name and address of destination.

3. Dental facilities shall allow the Sanitary District to enter the premises during normal operating hours for the purpose of inspection or records examination.

4. Dental facilities implementing Wisconsin Dental Association BMPS and operate and maintain an amalgam separator are exempt from numerical mercury discharge limits as listed in 15.22(3)a.

(4) Groundwater Remediation.

a. Notice of Intent to Discharge Groundwater Form. The requesting discharger or contracted agent shall obtain a notice of intent to discharge groundwater form from the Sanitary District. The completed form shall be returned to the Sanitary District along with lab analysis for BTEX (Benzene, Toluene, Ethyl Benzene, Xylenes) compounds, gasoline range organics (GRO) and/or diesel range organics (DRO), as determined by the Sanitary District on a case-by-case basis depending on the site. All sampling and analysis shall be performed in accordance with procedures contained in 40 CFR Part 136, Chapter NR 219, or other such methods approved by the department. Laboratory analysis shall be performed by a laboratory certified under Chapter NR 149. The discharger shall be entitled to a decisive reply (acceptance or non-acceptance) from the Sanitary District within thirty (30) days of Sanitary District receipt of all required information. Any change in ownership or contracted remediation party will require the resubmission of the above information prior to the continuance of any remediation discharge.

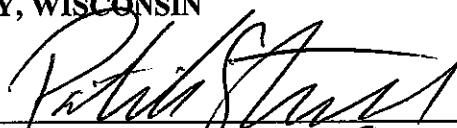
SECTION 2. This ordinance shall be effective from and after posting. This ordinance is enacted in accordance with the provisions of Wis. Stat. § 66.0103.

Dated this 2nd day of June, 2009.

**SANITARY DISTRICT NO. 4 - TOWN OF BROOKFIELD
WAUKESHA COUNTY, WISCONSIN**

BY: 

KEITH HENDERSON, Chairman

BY: 

PATRICK STROEBEL,
Commissioner

BY: 


DAN SHEA, Commissioner

BY: 

JOHN R. SCHATZMAN, SR.
Commissioner

BY: 

KEVIN VAN KIRK, Commissioner

ATTEST: 

JANE F. CARLSON, Clerk

FRWPCC Amalgam Separator Installation Report

Office Name

Street Name

City and Zip Code

Telephone

Check One:

_____ This office places and/or removes amalgam

_____ This office does not place or remove amalgam
(Skip the remaining questions, but still must sign and return this report)

Please provide the following information our your amalgam separator:

Amalgam Separator Installation Date _____

Manufacturer _____

Model _____

Reason for Choosing _____

I certify that the statements given above are true, accurate, and complete and that I am authorized to represent this office.

Signature

Date: _____

Name (type or print)

Position: _____