

COUNTY OF ONONDAGA



DEPARTMENT OF DRAINAGE AND SANITATION

650 HIAWATHA BOULEVARD WEST
SYRACUSE, NEW YORK 13204-1194

NICHOLAS J. PIRRO
COUNTY EXECUTIVE

TEL: 315/435-2260
315/435-6820
FAX: 315/435-5023

RICHARD L. ELANDER, P.E.
COMMISSIONER

December 22, 2000

<http://www.co.onondaga.ny.us/>

TO: ALL INDUSTRIAL USERS

Re: Modification to Section 3.07 of The Onondaga County Rules And Regulations

PLEASE TAKE NOTICE: Section 3.07 of the Onondaga County Rules and Regulations has been amended. Please find the attached amendment to be incorporated with the existing Rules and Regulations.

PLEASE TAKE FURTHER NOTICE: This amendment has been included in your Industrial Wastewater Discharge Permit. Therefore, no permit modification is required.

If you have any questions, please contact Sandra Tuori-Bell of this office.

Sincerely,
DEPARTMENT OF DRAINAGE AND SANITATION


RICHARD L. ELANDER, P.E.
Commissioner

STB/ep

Attach.
cc w/Attach: Pretreatment Corres File
Industrial Files

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Water.
We treat it right.

AMENDMENT
of the
ONONDAGA COUNTY RULES AND REGULATIONS RELATING
TO THE USE OF THE PUBLIC SEWER SYSTEM
Issued by
THE COUNTY OF ONONDAGA
DEPARTMENT OF DRAINAGE AND SANITATION

The "Special Conditions" contained at Section 3.07 of the County of Onondaga "Rules and Regulations Relating to the Use of the Public Sewer System" ("Rules and Regulations") are hereby modified and amended as follows:

AUTHORITY: The Commissioner of the Department of Drainage and Sanitation, under the authority of Section 11.53 g, 11.53 j, 11.67, 11.68 and 11.79, of Appendix 11 A of the Onondaga County Administrative Code, may promulgate rules and regulations pertaining to the discharge of storm water, well water, ground water, cooling water, unpolluted water, industrial wastewater, sewage, or other wastewater in the County Sewer System.

The United States Environmental Protection Agency (EPA), Region II, has made a determination to approve a modification to Onondaga County's Industrial Pretreatment Program (Section 3.07 of the Rules and Regulations), which was developed and submitted, in a letter dated September 24, 1993, with revisions dated December 17, 1998, pursuant to Part 403, Title 40 of the Code of Federal Regulations.

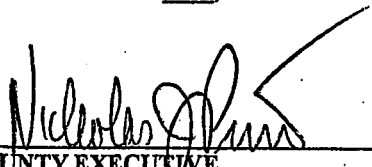
THEREFORE there shall be a new Article III, Section 3.07, of the County of Onondaga Rules and Regulations Relating to the Use of the Public Sewer System to supercede Rules and Regulations, Article III, Section 3.07, promulgated on September 15, 1983, to read as follows:

"Section 3.07 Special Conditions. The Commissioner may limit the following parameters through appropriate permit conditions using either mass-based or concentration-based standards.

- (a) Wastes containing oxygen demanding materials such as 5-day Biochemical Oxygen Demand (BOD₅).
- (b) Wastes containing Total Suspended Solids (TSS).
- (c) Wastes containing Total Phosphorous (TP).
- (d) Wastes containing Total Kjeldahl Nitrogen (TKN).
- (e) Wastes containing Ammonia Nitrogen (NH₃N).
- (f) Any User seeking the Commissioner's approval for a modification of a standard pursuant to this Section shall submit a request for a modification in accordance with the procedures set forth in Section 4.06 of this Law."

FURTHER this modification of Section 3.07 of the Rules and Regulations shall take effect immediately in the manner provided by law.

Dated: December 20, 2000



COUNTY EXECUTIVE
NICHOLAS J. PIRRO



COMMISSIONER, DRAINAGE & SANITATION
RICHARD L. ELANDER

Article V

Industrial Wastewater Surcharge

Section 5.01 Imposition of an Industrial Wastewater Surcharge

In addition to any other fees, charges or sewer rents provided by law, Industrial Users may be required to pay an Industrial Wastewater Surcharge (IWS) for use of the POTW. The IWS recovers costs related to the treatment of high strength industrial wastewater, including the following:

- (a) Operation and Maintenance;
- (b) Debt Service;
- (c) Other charges as incurred by the Department.

Section 5.02 Basis for Determination

The IWS shall be based upon the measured or estimated constituents and characteristics of the wastewater discharge of an Industrial User. Wastewater constituents or characteristics used in the calculation of the IWS may include, but are not limited to, volume of wastewater discharged (V) and concentration of Total Kjeldahl Nitrogen (TKN), Five-Day Biochemical Oxygen Demand (BOD₅), Total Suspended Solids (TSS), Total Phosphorous (TP), and other constituents (X) determined by the Commissioner. If the average daily concentration of any of the surcharge parameters discharged by the Industrial User exceeds the threshold concentration limits determined by the Commissioner, then a surcharge shall be imposed for that parameter. The Commissioner shall periodically modify or create new threshold limits as appropriate. Any data provided by the Industrial User may be used in addition to the data obtained by the Commissioner.

Section 5.03 Computation of Industrial Wastewater Surcharge

The Industrial Wastewater Surcharge shall be computed by the Commissioner using the current policies and procedures of the Department, and shall apply to Industrial Users as defined in Section 2.03 of this Ordinance (Section 2.02, 1983 SUO). Cost per pound for each pollutant is based on the operation and maintenance costs, debt service costs and other costs incurred by the Department for the treatment of wastewater.

The Industrial Wastewater Surcharge formula is as follows:

$$IWS = TKN_s + BOD5_s + TSS_s + TP_s + X_s$$

Where:

$$TKN_s = (C_{TKN} - TL_{TKN})(Z_{TKN})(8.34)(V) \quad \text{If } C_{TKN} \leq TL_{TKN}, \text{ then } TKN_s = 0.$$

$$BOD5_s = (C_{BOD5} - TL_{BOD5})(Z_{BOD5})(8.34)(V) \quad \text{If } C_{BOD5} \leq TL_{BOD5}, \text{ then } BOD5_s = 0.$$

$$TSS_s = (C_{TSS} - TL_{TSS})(Z_{TSS})(8.34)(V) \quad \text{If } C_{TSS} \leq TL_{TSS}, \text{ then } TSS_s = 0.$$

$$TP_s = (C_{TP} - TL_{TP})(Z_{TP})(8.34)(V) \quad \text{If } C_{TP} \leq TL_{TP}, \text{ then } TP_s = 0.$$

$$X_s = (C_X - TL_X)(Z_X)(8.34)(V) \quad \text{If } C_X \leq TL_X, \text{ then } X_s = 0.$$

Further:

- V = Total Annual Industrial Wastewater Volume (Millions of Gallons) discharged by the Industrial User. (See Section 5.04).
- TKN_s = Surcharge for Total Kjeldahl Nitrogen.
- C_{TKN} = Average Daily Concentration of TKN in mg/l.
- TL_{TKN} = Threshold Concentration Limit for TKN in mg/l.
- Z_{TKN} = Cost per Pound for Treatment of TKN.
- BOD_{5s} = Surcharge for Five-Day Biochemical Oxygen Demand.
- C_{BOD5} = Average Daily Concentration of BOD5 in mg/l.
- TL_{BOD5} = Threshold Concentration Limit for BOD5 in mg/l.
- Z_{BOD5} = Cost per Pound for Treatment of BOD5.
- TSS_s = Surcharge for Total Suspended Solids.
- C_{TSS} = Average Daily Concentration of TSS in mg/l.
- TL_{TSS} = Threshold Concentration Limit for TSS in mg/l.
- Z_{TSS} = Cost per Pound for Treatment of TSS.
- TP_s = Surcharge for Total Phosphorous.
- C_{TP} = Average Daily Concentration of TP in mg/l.
- TL_{TP} = Threshold Concentration Limit for TP in mg/l.
- Z_{TP} = Cost per Pound for Treatment of TP.
- X_s = Surcharge for other constituents.
- C_x = Average Daily Concentration of other constituents in mg/l.
- TL_x = Threshold Concentration Limit for other constituents in mg/l.
- Z_x = Cost per Pound for Removal of other constituents.

Section 5.04 Volume Determination

In applying the IWS formula, the Commissioner may determine the volume of wastewater discharged into the sewer system by:

- (a) The amount of water supplied to the premises as shown on the water meters or water records if the premises are metered; or
- (b) The volume of wastewater discharged into the sewer system as determined by the measurements and samples taken at an approved monitoring facility installed by the owner of the property served by the sewer system or by the County; or
- (c) Allowances for water not discharged to the sewer system, at the discretion of the Commissioner; or
- (d) A figure determined by the Commissioner by any combination of the foregoing or by any other equitable method.

Section 5.05 Determination of Pollutant Concentration

- (a) The pollutant concentration of any wastewater shall be determined from the analysis of representative samples taken prior to discharge into the County Sewer System. Samples shall be collected by representatives of the Commissioner or the Industrial User at sampling stations as described in Section 4.08 of this Ordinance, (Section 4.07, 1983 SUO) or at any location mutually agreed upon between the Industrial User and the Commissioner.
- (b) All analyses of samples taken shall be performed in an accredited laboratory certified by the New York State Department of Health (NYSDOH) or the National Environmental Laboratory Accreditation Program (NELAP). The analyses of samples taken may be performed in the laboratory of the Department or by a laboratory designated by the Commissioner. The IWS or the acceptability of the wastewater shall be determined from said analyses.
- (c) Whenever the wastewater discharged from a premises to the County Sewer System might be expected to show appreciable variation during the year resulting from manufacturing or production variations, the Commissioner may average the results of a series of analyses taken to reflect these variations and thereby determine an average pollutant concentration.

Section 5.06 Pollutant Concentration Disputed by an Industrial User

Written notification must be submitted to the Commissioner in the event that an Industrial User disputes the wastewater pollutant concentration determined by the County. The Commissioner may elect to accept the reasons provided and delete the disputed pollutant concentration data or require that the Industrial User conduct sampling and flow measurement as follows.

- (a) A consultant or agency of recognized professional standing in the employ of the Industrial User must confer with representatives of the Commissioner in order that an agreement may be reached as to the various factors which must be considered for developing a new sampling and flow measurement program.

- (b) The consultant or agency of recognized professional standing employed by the Industrial User shall conduct a resampling and reanalysis program under the direction of the Commissioner for a period specified by the Department.
- (c) The results of the resampling and reanalysis shall be considered to be the current analysis of the wastes discharged to the sewer system and shall be used for determining the acceptability of the sampling and analyses results in question. The new results may be used in place of the results in question or in addition to other data collected by the Department for determining the IWS, or compliance with this Ordinance.
- (d) All analyses of samples taken shall be performed by an accredited laboratory certified by the NYSDOH or NELAP. All costs of resampling and reanalysis are to be paid by the Industrial User.

Section 5.07 Payment of Industrial Wastewater Surcharge

- (a) Payment of the Industrial Wastewater Surcharge within the time period allotted by the Commissioner shall be made to the Department by the Industrial User after receiving the Industrial Wastewater Surcharge bill unless other arrangements for payment have been made and approved by the Commissioner.
- (b) If the County has not received payment (30) thirty calendar days from the date a bill is due, that bill shall accrue interest at a rate of 1.5% per month for the unpaid balance. The Commissioner may also request that the County Attorney seek a lien against the Industrial User's assets in an amount sufficient to satisfy all outstanding charges, fees, and penalties plus the cost of recovering such sums.
- (c) Failure to pay the Industrial Wastewater Surcharge as determined under this Article V is considered an event of Significant Non Compliance that will result in penalties and fines as prescribed under Article VII of this Ordinance and/or other enforcement actions.

Section 5.08 Other Charges And Fees

- (a) The Department may establish additional fees to cover the costs of setting up and maintaining its Pretreatment Program. These fees may include:
 - (1) Fees for Industrial Wastewater Discharge Permit applications including the cost for processing such applications;
 - (2) Fees to cover the cost of monitoring, inspection, and surveillance procedures including the cost of sampling and analyzing the Industrial User's discharge and reviewing all reports submitted by the Industrial User;
 - (3) Fees for reviewing and responding to accidental discharges;
 - (4) Fees to cover the cost of requesting and conducting administrative hearings, including the recovery by the Department of reasonable attorney's fees and costs, if the Department prevails at the hearing or in a judicial proceeding;
 - (5) Any other fees deemed appropriate by the Commissioner, which cover administrative

and other costs incurred in operating and maintaining a Pretreatment Program; and,

- (6) Fees to cover the cost of administering and treating special wastewater discharges including but not limited to septic tank wastewater, holding tank wastewater, nonhazardous wastewater from groundwater remediation projects, wastewater resulting from masonry restoration projects, and wastewater resulting from asbestos abatement projects.

- (b) Any fees established by the Commissioner pursuant to this Section shall be in addition to, and not in lieu of, any other fees, penalties, or costs which may be assessed under this Ordinance.