

SECTION 1. That the existing Section 1145.02 of the Columbus City Codes is hereby amended to read as follows:

1145.02 Definitions.

Whenever used in this Chapter 1145, the meaning of the following words and terms shall be as defined in this section:

1145.02.001 **Amalgam or mercury amalgam:** Any of various alloys of mercury with other metals, especially an alloy of mercury and silver used in dental fillings.

1145.02.002 **Approved laboratory procedures:** The measurements, tests, and analyses of characteristics of water and wastes in accordance with analytical Federal guidelines as established in Title 40, Code of Federal Regulations (CFR) Part 136; or when none exists, as required by, or approved by, the regional Administrator of the United States Environmental Protection Agency; or when none exists, by the State of Ohio, or the Director.

1145.02.003 **Authorized or duly authorized representative of the user:**

- (A) If the user is a corporation:
 - (1) 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
 - (2) The manager of one (1) or more manufacturing, production, or operating 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 discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (B) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (C) 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.
- (D) The individuals described in paragraphs A through C, 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 Columbus.

1145.02.004 **Best management practices (BMPs):** Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Rule 3745-3-04 of the Ohio Administrative Code. BMPs also 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.

1145.02.005 **Biodegradable:** Any material capable of being decomposed by biological agents especially bacteria and is easily broken down by biologic processes to nontoxic substances that exert an acceptable oxygen demand or nondeleterious effect on the receiving environment.

1145.02.006 **BOD or Biochemical oxygen demand:** The quantity of oxygen utilized in the biochemical oxidation of organic and inorganic matter in five (5) days at twenty (20) degrees C in accordance with an approved test procedure.

1145.02.007 **Bypass:** The intentional diversion of wastestreams from any portion of a user's treatment facility.

1145.02.008 **Categorical industrial user:** An industrial user subject to a categorical pretreatment standard or categorical standard.

1145.02.009 **Categorical pretreatment standard:** Any regulation containing pollutant discharge limits enacted by USEPA in accordance with section 307(b) and (c) of the Clean Water Act (33 U.S.C. Section 1317(b) and (c)) which applies to industrial users. This term includes prohibitive discharge limits established pursuant to 40 CFR Part 403. **Centralized waste treatment facility:** means a facility that treats or recovers hazardous or non-hazardous industrial metal-bearing waste, oily waste, and organic-bearing waste from off-site.

1145.02.010 **CFR:** Code of Federal Regulations.

1145.02.011 **City:** The City of Columbus, Ohio.

1145.02.012 **City of Columbus Construction and Material Specifications:** A manual compiled by the department of public service, which outlines specifications for construction of public works for the City of Columbus.

1145.02.013 **Clean Water Act or CWA:** Federal Water Pollution Control Act, also known as the Clean Water Act, as amended 33 U.S.C. Sec. 1251 et seq., 86 Statutes 816, Public Law 92-500.

1145.02.014 **COD or Chemical oxygen demand:** A quantitative measure of the oxygen equivalent of the organic matter present in a sample that is susceptible to oxidation by a strong chemical oxidant in accordance with an approved test procedure.

1145.02.015 **Combined sewer:** A sewer, which was designed to carry sanitary wastewater and stormwater to the POTW or waters of the state.

1145.02.016 **Combined wastewater:** Wastewater including any combination of sanitary wastewater and stormwater carried to the POTW treatment plants by a sewer.

1145.02.017 **Composite sample:** A combination of individual samples representative of water or wastewater taken at preselected intervals to minimize the effect of the variability of the individual sample. Composite samples may be collected as either:

- (A) Flow proportional composite samples-collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each sample as the flow increases while maintaining a constant time interval between the samples.
- (B) Time proportional composite samples-composed of discrete samples collected in one (1) container at constant time intervals providing representative samples irrespective of flow.

1145.02.018 **Cooling water:** Water used for contact and noncontact cooling, including, but not limited to, water used for equipment cooling, evaporative cooling tower makeup, or reduction of effluent heat content.

1145.02.019 **Daily maximum:** The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

1145.02.020 **Daily maximum limit:** The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

1145.02.021 **Day:** Calendar day.

1145.02.022 **Decontamination wastewater:** Wastewater generated during the process of neutralizing contaminants that have accumulated on personnel or equipment due to a nuclear, biological or chemical emergency.

1145.02.023 **Deleterious substance:** Any material which may be harmful to the POTW, the POTW treatment plant processes, the health and safety of POTW workers, and the POTW effluents or residual products.

1145.02.024 **Department:** The Department of Public Utilities, City of Columbus, Ohio.

1145.02.025 **Director:** The Director of the Department of Public Utilities, City of Columbus, or designee.

1145.02.026 **Discharge:** The introduction of liquids or wastes into the sewer system.

1145.02.027 **DOSD:** Division of Sewerage and Drainage.

1145.02.028 **Domestic origin waste:** Waste materials that originate solely from domestic wastewater which are removed from sewage disposal systems such as septic tanks, aeration systems, portable toilets, and sewage holding tanks.

1145.02.029 **Domestic wastewater:** Wastewater derived solely from household sources, business buildings, and institutions, exclusive of any industrial wastewater.

1145.02.030 **Downspout:** A vertical structure used to drain rain collected in gutters from a roof to the ground.

~~1145.02.030~~ 1145.02.031 **Existing source:** Any source of discharge that is not a "new source".

~~1145.02.031~~ 1145.02.032 **Extra-strength:** Any discharge to the POTW that has strength characteristics, which exceed two hundred fifty (250) mg/l of BOD⁵, four hundred fifty (450) mg/l of COD, three hundred (300) mg/l of Total Suspended Solids (TSS), and forty (40) mg/l of Total Kjeldahl Nitrogen (TKN).

~~1145.02.032~~ 1145.02.033 **Foundation drain:** ~~An exterior~~ A drainage system that allows water to flow away from ~~for~~ the lowest portion of a structure, typically a basement, ~~without using pumps or electricity.~~

~~1145.02.033~~ 1145.02.034 **Fats, oils and grease or FOG:** a semi-solid, viscous liquid organic polar compound derived from petroleum, animal or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 Code of Federal Regulations (CFR) Part 136, as may be amended.

~~1145.02.034~~ 1145.02.035 **Flammable:** Any substance that has a flashpoint of less than or equal to one hundred forty (140) degrees Fahrenheit.

~~1145.02.035~~ 1145.02.036 **FSE or food service establishment:** A commercial facility engaged in preparing or serving food for consumption by the public, such as but not limited to: restaurant, commercial kitchen, cafeterias, nightclubs, delicatessen, meat cutting-preparation, bakeries, bagel shops, grocery stores, caterer, hotel, school, hospital, correctional facility or care institution.

~~1145.02.036~~ 1145.02.037 **Grab sample:** A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

~~1145.02.037~~ 1145.02.038 **Grease interceptor:** A tank that serves one (1) or more fixtures and is remotely located. Such grease interceptors include, but are not limited to, tanks that capture wastewater from dishwashers, garbage grinders, floor drains, pot and pan sinks and trenches. A grease interceptor is an outside, underground, tank that reduces the amount of FOG in wastewater prior to discharging into the POTW.

~~1145.02.038~~ 1145.02.039 **Grease trap:** A small indoor device designed to retain grease.

~~1145.02.039~~ 1145.02.040 **Hazardous waste:** A waste, as defined by Ohio Administrative Code Rule 3745-51-03.

~~1145.02.040~~ 1145.02.041 **Household sources:** Any source of wastewater limited to sanitary wastes from single and multiple family residences, hotels, motels, crew quarters, camp grounds, picnic grounds, or day use recreation areas. Household sources shall not include any industrial or commercial process wastewater.

~~1145.02.041~~ ~~1145.02.042~~ **Illicit discharge:** Discharge of any pollutant to the stormwater drainage system that occurs or may occur unless the discharge is authorized under a discharge permit issued by the Ohio EPA.

~~1145.02.042~~ ~~1145.02.043~~ **Incompatible:** Any wastewater or other substance that is deleterious or which degrades the quality of the POTW effluent or its sludges and residual products.

~~1145.02.043~~ ~~1145.02.044~~ **Indirect discharge or discharge:** The introduction of pollutants into the POTW from any nondomestic source.

~~1145.02.044~~ ~~1145.02.045~~ **Industrial cost recovery:** The system for recovery of the industrial portion of the United States Environmental Protection Agency Project Grant Funds, as required by CFR Title 40 or subsequent revisions.

~~1145.02.045~~ ~~1145.02.046~~ **Industrial user or IU:** Any user who discharges, or permits the discharge of industrial wastewater to the city's POTW.

~~1145.02.046~~ ~~1145.02.047~~ **Industrial wastewater:** Any combination of liquid and water-carried wastes, discharged from any industrial or commercial establishment, and resulting from any trade or process carried on in that establishment, including the wastewater from pretreatment facilities and polluted cooling water. Any wastewater from nondomestic sources.

~~1145.02.048~~ **Infiltration:** Stormwater and groundwater that enters a sanitary sewer system through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, inflow.

~~1145.02.049~~ **Inflow:** Stormwater and groundwater that enters a sanitary sewer system, from such sources as, but not limited to, roof leaders; cellar, yard and area drains; foundation drains; cooling water discharges; drains from springs and swampy areas; manhole covers; cross connections from storm sewers; combined sewers; catch basins; storm waters; surface runoff; street wash-waters; or drainage. Inflow does not include, and is distinguished from, infiltration.

~~1145.02.050~~ **Inflow and Infiltration or I/I:** The total quantity of water from both infiltration and inflow entering a sanitary sewer system without distinguishing the source.

~~1145.02.047~~ ~~1145.02.051~~ **Instantaneous limit:** 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.

~~1145.02.048~~ ~~1145.02.052~~ **Interference:** A discharge which, alone or in conjunction with the discharge or discharges from other sources, either:

(A)

Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal.

(B)

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 sewage sludge use or disposal in compliance with state and federal statutory provisions and regulations or permits issued thereunder.

~~1145.02.049~~ 1145.02.053 **Local limit:** Specific discharge limits developed and enforced by the City of Columbus upon industrial or commercial facilities or users to implement the general and specific discharge prohibitions pursuant to Section 1145.23 of this chapter.

~~1145.02.050~~ 1145.02.054 **Medical waste:** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, hypodermic needles, disposable scalpels, and other sharp implements used in medical care, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

~~1145.02.051~~ 1145.02.055 **Monthly average:** The sum of all "daily discharges" measured during a calendar month by dividing by the number of "daily discharges" measured during that month.

~~1145.02.052~~ 1145.02.056 **Monthly average limit:** The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

~~1145.02.053~~ 1145.02.057 **mg/l:** Milligrams per liter.

~~1145.02.054~~ 1145.02.058 **Monitoring facility:** A site accessible to the city for the collection of samples, flow data, or other parameters representative of the user's discharge to the POTW.

~~1145.02.055~~ 1145.02.059 **MS4:** an acronym for "municipal separate storm sewer system" and is used to refer to either a large or medium municipally-owned separate storm conveyance system.

~~1145.02.056~~ 1145.02.060 **Natural outlet:** Any outlet for discharge of stormwater into a watercourse, pond, ditch, lake, or other body of surface water.

~~1145.02.057~~ 1145.02.061 **New source:**

(A)

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 Categorical Pretreatment Standards under Section 307(c) of the Clean Water Act (33 U.S.C. Section 1317(c)) which will be applicable to such source, if such standards are thereafter enacted in accordance with that section, provided that:

(1)

The building, structure, facility or installation is constructed at a site which no other source is located; or

(2)

The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3)

The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether the above criteria 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, shall be considered.

(B)

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 (A)(2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.

(C)

Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(1)

Begun, or caused to begin, as part of a continuous onsite construction program

(a)

Any placement, assembly, or installation of facilities or equipment; or

(b)

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

(2)

Entered into a binding contractual obligation for the purchase of facilities or equipment which are 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.

~~1145.02.058~~ 1145.02.062 **Noncompliance:** Any violation of this chapter.

~~1145.02.059~~ 1145.02.063 **Nondomestic user:** Any user, which discharges wastewater other than from household sources.

~~1145.02.060~~ 1145.02.064 **NPDES:** National Pollutant Discharge Elimination System.

~~1145.02.061~~ 1145.02.065 **NPDES permit:** A permit issued to the city pursuant to Section 402 of the Clean Water Act.

~~1145.02.062~~ 1145.02.066 **Oil:** Any vegetable, mineral, animal, or synthetic substance which are generally slippery, combustible, viscous, liquid or liquefiable, soluble in various organic solvents or water.

~~1145.02.063~~ 1145.02.067 **Operator:** The person responsible for the overall operation of a facility.

~~1145.02.064~~ 1145.02.068 **ORC:** Ohio Revised Code.

~~1145.02.065~~ 1145.02.069 **Organic:** Any compound containing carbon in any form other than carbonate.

~~1145.02.066~~ 1145.02.070 **Owner:** The person who owns a facility, or any part of a facility.

~~1145.02.067~~ 1145.02.071 **Pass-through:** A discharge which exits the POTW into the waters of the United States in quantities or concentrations which, alone, or in conjunction with a discharge or discharges from other sources, 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).

~~1145.02.068~~ 1145.02.072 **Person:** Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, government entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state, and local governmental entities.

~~1145.02.069~~ 1145.02.073 **pH:** The logarithm (to the base 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram atoms per liter of solution.

~~1145.02.070~~ 1145.02.074 **Pollution:** The man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of water.

~~1145.02.071~~ 1145.02.075 **POTW or publicly owned treatment works:** A treatment works owned by the City of Columbus as defined by Section 212 of the Clean Water Act (33 U.S.C Section 1292). This definition includes any devices and systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature, including sewers, pipes and other conveyances that convey wastewater to a POTW treatment plant.

~~1145.02.072~~ 1145.02.076 **POTW treatment plant:** That portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

~~1145.02.073~~ 1145.02.077 **Pretreatment:** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging such pollutants into a 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 concentration of the pollutants unless allowed by an applicable pretreatment standard.

~~1145.02.074~~ 1145.02.078 **Pretreatment requirements:** Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

~~1145.02.075~~ 1145.02.079 **Pretreatment standards or standards:** Shall include prohibited discharge standards, categorical pretreatment standards, and local limits as defined herein.

1145.02.080 **Private Sanitary Lateral:** The pipe carrying wastewater from a building to the sanitary sewer.

~~1145.02.076~~ 1145.02.081 **Prohibited discharge standards or prohibited discharges:** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 1145.20 through 1145.29 of this chapter, as well as, regulations adopted by the director.

~~1145.02.077~~ 1145.02.082 **Public sewer:** Any sewer owned by the city, suburb, or entity contracting with the city, including storm, sanitary, or combined sewers.

~~1145.02.078~~ 1145.02.083 **Radioactive:** The property of a material providing spontaneous decay or disintegration of an unstable, atomic nucleus, accompanied by the emission of radiation.

~~1145.02.079~~ 1145.02.084 **RCRA** or **Resource Conservation and Recovery Act:** The Solid Waste Disposal Act (SWDA), as amended by the Resource Conservation and Recovery Act of 1976 and amendments to the Act, 42 U.S.C. Sec. 6901 et seq.

1145.02.085 **Rehabilitate:** To repair an existing sewer line.

1145.02.086 **Replace:** To put something new in the place of.

~~1145.02.080~~ 1145.02.087 **Surface runoff:** The flow of water, from rain, snowmelt, or other sources, over land.

~~1145.02.081~~ 1145.02.088 **SDWA:** Safe Drinking Water Act, as amended, 42 U.S.C. Sec. 300f et seq.

~~1145.02.082~~ 1145.02.089 **Sanitary sewer:** A sewer which by design is intended to carry sanitary wastewater or industrial wastes into which storm, surface and ground waters are not intentionally admitted.

1145.02.090 **Sanitary Sewer Overflow** or **SSO:** An overflow, spill or release of wastewater from the separate sanitary sewer system into the environment.

~~1145.02.083~~ 1145.02.091 **Sanitary wastewater:** The combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities of dwellings, office buildings, industrial plants or institutions.

~~1145.02.084~~ 1145.02.092 **Septic tank waste:** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

~~1145.02.085~~ 1145.02.093 **Sewage:** Human excrement and gray water (household showers, dishwashing operations, etc.).

~~1145.02.086~~ 1145.02.094 **Sewer collection system, sewer system or collection system:** All of the facilities required to transport stormwater, sanitary wastewater or combined wastewater from the source to the POTW treatment plant or waters of the state.

~~1145.02.087~~ 1145.02.095 **Sewer service charge:** The total monetary amount billable to a user for the provision of wastewater treatment and related activities.

~~1145.02.088~~ 1145.02.096 **Significant industrial user** or **SIU:** Except as provided in paragraphs (C) and (D) of this section, a significant industrial user is:

- (A) An industrial user subject to categorical pretreatment standards; or
- (B) An industrial user that:
 - (1) Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

- (2) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- (3) Is designated as such by the City of Columbus on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

Non-significant categorical industrial user

(C) The City of Columbus may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user on a finding that the industrial user never discharges more than one hundred (100) gpd of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the categorical pretreatment standard) and the following conditions are met:

- (1) The industrial user, prior to the City of Columbus' finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
- (2) The industrial user annually submits the certification statement required in Section 1145.59(B), together with any additional information necessary to support the certification statement; and
- (3) The industrial user never discharges any untreated concentrated wastewater.
- (4) The industrial user is not located upstream of a combined sewer overflow or a sanitary sewer overflow, unless the following conditions are met:
 - (a) The industrial user does not discharge wastewater regulated by categorical pretreatment standards at any time; or
 - (b) The industrial user has not been in significant noncompliance, as defined in OAC 3745-3-03(C)(2)(h) for any time in the past two (2) years.

(D) Upon a finding that a user meeting the criteria in Subsection (B) under the definition of significant industrial user has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City of Columbus may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

~~1145.02.089~~ 1145.02.097 **Slug load or slug discharge:** Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 1145.20 through 1145.29 of this chapter, as well as, regulations adopted by the director. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has the reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

~~1145.02.090~~ 1145.02.98 **Standard:** Any limit or prohibition on discharges as provided for by this chapter.

~~1145.02.091~~ 1145.02.99 **SIC or Standard industrial classification:** A classification pursuant to the most current edition of the Federal Standard Industrial Classification Manual and North American Industrial Classification System, as published by the Executive Office of the President, Office of Management and Budget.

~~1145.02.092~~ 1145.02.100 **Standard methods:** Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation. References are to the current edition unless otherwise indicated.

~~1145.02.093~~ 1145.02.101 **Standard strength:** Wastewater of strength equivalent to domestic wastewater, i.e. having BOD⁵ of two hundred fifty (250) mg/l or less; COD of four hundred fifty (450) mg/l or less; TSS of three hundred (300) mg/l or less; and TKN of forty (40) mg/l or less.

~~1145.02.094~~ 1145.02.102 **S.U.:** Standard units.

~~1145.02.095~~ 1145.02.103 **State:** State of Ohio.

~~1145.02.096~~ 1145.02.104 **Storm water:** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

~~1145.02.097~~ 1145.02.105 **Storm Water Pollution Prevention Plan (SWP3) or (SWPPP):** The plan required by the Ohio EPA for compliance with its general or individual NPDES permit.

~~1145.02.098~~ 1145.02.106 **Storm sewer:** Unless otherwise indicated, refers to a municipal separate storm sewer.

~~1145.02.099~~ 1145.02.107 **Stream:** A surface watercourse having a channel with a well defined bed and bank, either natural or artificial, which confines and conducts continuous or periodic flowing water.

~~1145.02.0100~~ 1145.02.108 **Total dissolved solids (TDS):** The sum of all dissolved solids (volatile and non-volatile) in water or wastewater.

~~1145.02.0101~~ 1145.02.109 **Total Kjeldahl Nitrogen (TKN):** Is the sum of nitrate (NO₃), nitrite (NO₂), organic nitrogen and ammonia (all expressed as N). Note: for laboratory analysis purposes, Total Kjeldahl Nitrogen (TKN) is a test performed that is made up of both organic nitrogen and ammonia.

~~1145.02.0102~~ 1145.02.110 **Total non-filterable residue (TNFR):** Same as Total Suspended Solids (TSS).

~~1145.02.0103~~ 1145.02.111 **Total Organic Carbon (TOC):** The measure of the concentration of covalently bonded carbon, which is combustible to carbon dioxide. It is not to be confused with elemental carbon, dissolved carbon dioxide, inorganic carbonates or bicarbonates.

~~1145.02.0104~~ 1145.02.112 **Total silver process wastewater:** The sum of all aqueous solutions used in silver imaging processes, including photography film developers, fixers, bleach-fix, stabilizers, low flow washes, rinse waters, other washes and all similar solutions.

~~1145.02.0105~~ 1145.02.113 **Total suspended solids (TSS):** The total suspended matter that either floats on the surface of, or is in suspension within, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed by Standard Methods (same as TNFR).

~~1145.02.0106~~ 1145.02.114 **Toxic:** Any pollutant, or combination of pollutants, listed as toxic in regulations enacted by the Administrator of the USEPA, or under the provision of the Clean Water Act, Section 307(a) (33 U.S.C. Section 1317(a)) or other Acts.

~~1145.02.0107~~ 1145.02.115 **Trucked waste disposal site or TWDS:** The location(s) designated by the director for receiving trucked wastes into the POTW.

~~1145.02.0108~~ 1145.02.116 **Trucked wastes:** Any materials, usually liquid, such as, but not limited to, wastes from septic tanks, aeration systems, portable toilets, sewerage holding tanks, and industrial processes which are collected at the source by tank truck for disposal elsewhere.

~~1145.02.0109~~ 1145.02.117 **ug/l:** Micrograms per liter.

~~1145.02.0110~~ 1145.02.118 **USC:** United States Code.

~~1145.02.0111~~ 1145.02.119 **USEPA:** United States Environmental Protection Agency.

~~1145.02.0112~~ 1145.02.120 **Used oil:** Any oil that has been used, and, as a result of such use, contaminated with chemical or physical impurities.

~~1145.02.0113~~ 1145.02.121 **User:** Any person who contributes, causes, or permits the contribution of wastewater or stormwater into the city's sewer system or POTW.

~~1145.02.0114~~ 1145.02.122 **Wastewater:** The combination of the liquid and water-carried wastes and sewage from residences, commercial buildings, industrial plants and institutions including polluted cooling water, whether treated or untreated.

1145.02.123 **Water in Basement (WIB) Event:** Wastewater backups into buildings that are caused by flow conditions in a sewer main due to a rain event. Wet Weather Water in Basement (WIB) events do not include basement backups that occur in dry weather.

~~1145.02.0115~~ 1145.02.124 **Waters of the state:** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and other bodies or accumulations of water, surface and underground, natural or artificial, regardless of the depth of the strata in which underground water is located, that are situated wholly or partly within, or border upon this state, or are within its jurisdiction, except those private waters that do not combine or effect a junction with natural surface or underground waters.

SECTION 2. That existing Section 1145.02 of the Columbus City Codes is hereby repealed.

SECTION 3. That the Columbus City Codes are hereby revised and supplemented with the enactment of Sections 1145.87, 1145.88, and 1145.89 to read as follows:

1145.87 Authority of the Director to Designate Areas for Implementation of Inflow and Infiltration Reduction Program

(A) The director may designate areas within the sanitary sewer system where excessive I/I is causing SSOs and/or WIB events. The areas so designated shall be subject to the I/I reduction program on a schedule to be determined by the director. The director may designate more than one area at a time, and if so, the designation may include a prioritization of the areas for implementation of the I/I reduction program. The prioritization may be made on the basis of the number, frequency and duration of the SSOs and WIB events, the likelihood of human exposure and the priority, if any, assigned by Ohio EPA or other relevant factors. The director shall provide notice of his designation and the opportunity for public comment on the proposed designation.

(B) Final action taken by the director with respect to the designation of an area for implementation of the I/I reduction program is appealable in accordance with Section 1145.94. For purposes of this section, a person may appeal the order if the person lives in or owns property within an area designated for an I/I reduction program.

1145.88 Implementation of I/I Reduction Program

(A) **Investigation:** Pursuant to 1145.89, the director may access the exterior of the property of any person within an area designated by the director pursuant to Section 1145.87 to perform necessary survey work, such as dye testing, smoke testing, or sewer videography.

(B) **Corrective Measures:** Once the director has made the designation authorized by 1145.87, the director is authorized to implement or contract for the implementation of these corrective measures at private residences, dwellings, buildings, properties, or other structures in the designated areas. Pursuant to 1145.89, this may include entry onto the property and/or building.

(1) The City may take the following corrective measures to reduce the contribution of I/I from private properties:

(a) Rehabilitate private sanitary service laterals;

(b) Replace damaged private sanitary laterals;

(c) Disconnect and redirect downspouts that directly or indirectly connect to private sanitary lateral. A downspout is considered indirectly connected to a foundation drain if it discharges within seven feet of the foundation of the building. Said downspouts may be redirected to the street or at least seven feet from the building.

(d) Rehabilitate or replace damaged or poorly functioning downspouts that are currently directed to the street or at least seven feet from the home.

(2) With the property owner's written permission, the City may install a sump pump in single family or duplex residential buildings if the building does not have a sump pump.

(3) Upon completion of any of the corrective measures set forth in Subsections (1) and (2), the City will restore the property at the City's expense.

(D) **Post-Implementation Inspection:** Upon completion of required corrective measures, the director is permitted to conduct a post-implementation inspection in accordance with 1145.89. If additional corrective measures are required to further reduce I/I, the City will undertake those measures pursuant to this Section.

(E) **Payment of Costs.** The costs of all corrective measures shall be paid by the City.

(F) **Maintenance:** In accordance with this Chapter, the owner of the property shall be responsible for the maintenance of any rehabilitated or replaced private sanitary lateral, redirected downspouts and/or sump pump installed pursuant to this section. Any costs of repair, replacement, or maintenance incurred after the corrective measures taken by the City shall be paid by the owner and shall not be subject to reimbursement by the City. The City will, if applicable, transfer any warranty for the work to the owner of the property.

1145.89 Right of Entry; No Trespass

Upon presentation of proper credentials and at reasonable times, the director shall have the right to enter the property of any person in the identified areas to perform investigative and survey work pursuant to 1145.88(A), to enter the property and/or building to perform corrective measures pursuant to 1145.88(B), and to enter the property and/or building to conduct a post-implementation inspection pursuant to 1145.88(D). The purpose of the entry is limited to the performance of the investigation, corrective measures, and/or post-implementation inspection outlined. The Director shall provide the owner written notice at least five days in advance of the requested entry, by both leaving a notice at the property and mailing the notice to the billing address. The property owner or occupant shall allow such access to the director. This entry is not a trespass. No person shall forbid the director, or the director's duly authorized representatives to enter, or interfere with their entry upon the property for those purposes. If actual damage is done to the property, the City shall pay the reasonable value of the damage to the property owner.

SECTION 4. That the existing Sections 1145.43 and 1145.59 of the Columbus City Codes are hereby amended to reflect the renumbering of the definitions found in Section 1145.02 as follows:

1145.43 - Application signatories and certifications.

- (A) All wastewater discharge permit applications, user reports and certification statements must be signed by an authorized representative of the user and contain the certification statement in Section 1145.59(A).
- (B) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be submitted to the director prior to or together with any reports to be signed by an authorized representative.
- (C) A facility determined to be a non-significant categorical industrial user by the director pursuant to Section ~~1145.02.088~~ 1145.02.096 must annually submit the signed certification statement in Section 1145.59(B).

1145.59 - Certification statement.

- (A) Certification of Permit Applications, User Reports and Initial Monitoring Waiver. The following certification statement is required to be signed and submitted by users submitting permit applications in accordance with Section 1145.41; Users submitting reports on compliance with the categorical pretreatment standard deadlines under Section 1145.53; Users submitting periodic compliance reports required by Section 1145.54, and users submitting an initial request to forego sampling of a pollutant on the basis of Section 1145.54(C). The following certification statement must be signed by an authorized representative as defined in Section 1145.02.003:

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, included the possibility of fine and imprisonment for knowing violations.

- (B) Annual Certification for Non-Significant Categorical Industrial Users. A facility determined to be a non-significant categorical industrial user by the director pursuant to Section 1145.54 must annually submit the following certification statement in accordance with the signatory requirements in Section 1145.59 (A). This certification must accompany an alternative report required by the Director:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR _____ [specify applicable national pretreatment standard part (s)], 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 in Section 1145.02.088 1145.02.096.
- (b) The facility complied with all applicable pretreatment standards and requirements during this reporting period; and
- (c) The facility never discharged more than one hundred (100) gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

- (C) Certification of Pollutants Not Present. Users that have an approved waiver based on Section 1145.54 (B) must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the user:

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for 40 CFR _____ [specify applicable national pretreatment standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewater due to the activities at the facility since filing of the last periodic report under Section 1145.54(A).

SECTION 5. That the existing Sections 1145.43 and 1145.59 of Columbus City Codes are hereby repealed.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.