

NOTICE OF PUBLICATION BY POSTING

PITTSFIELD CHARTER TOWNSHIP ORDINANCE #262

The Ordinance will amend Chapter 36 Utilities, Article VI, of the Pittsfield Charter Township Code by modifying Division 4, Use of Public Sewers, which is summarized as follows:

An ordinance to amend the Township code to comply with new standards provided by the U.S. Environmental Protection Agency, the Michigan Department of Environmental Quality, and the Ypsilanti Community Utilities Authority.

Ordinance #262 was introduced at the Township Board of Trustees on March 22, 2005, and was considered an amendment to Chapter 36 Utilities, Article VI, Division 4, Use of Public Sewers. The Ordinance was subsequently adopted as an amendment to Chapter 36 Utilities at the regular meeting held on April 12, 2005. This ordinance shall take effect upon this publication by summary.

NOTICE IS HEREBY GIVEN that the complete text of the ordinance has been posted at the Township Clerk's Office, and at the following locations: Pittsfield Administration Building, 6201 W. Michigan Ave.; Lillie Park North, Corner of Platt Rd. and Ellsworth Rd.; Utilities Building, 4467 Concourse Drive; Pittsfield Community Center, 701 W. Ellsworth Rd.; Montibeller Park, 4305 Ellsworth Rd.; and at www.pittsfieldtwp.org under "Official Notices" "Ordinance 262, second reading".

Feliziana Meyer, Clerk
Pittsfield Charter Township
734-822-3120

First Reading: March 22, 2005
Ordinance Posted & Notice Published: March 31, 2005
Second Reading: April 12, 2005
Ordinance Posted & Notice Published: April 21, 2005

PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN

ORDINANCE NO. 262
SECOND READING

AN ORDINANCE TO AMEND THE TOWNSHIP CODE TO COMPLY WITH NEW STANDARDS PROVIDED BY THE US ENVIRONMENTAL PROTECTION AGENCY, THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE YPSILANTI COMMUNITY UTILITIES AUTHORITY.

PITTSFIELD CHARTER TOWNSHIP ORDAINS:

Section 1. That the Pittsfield Charter Township Code, Chapter 36, Utilities, Article VI, Division 4, Use of Public Sewers, is hereby amended as follows:

Chapter 36 Utilities

DIVISION 4. USE OF PUBLIC SEWERS

Sec. 36-231. Prohibited concentrations of certain pollutants and mercury reduction plan.

- A. No person shall discharge wastewater such that the concentration of pollutants in a grab sample exceed the following limits for oil and grease or pH:

100 mg/l oil and grease
< 5 or >11 standard units pH

- B. No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample is at or above the following surcharge threshold, except as otherwise permitted in writing by the Director and on payment of a surcharge, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

<u>Surcharge Threshold</u>	<u>Upper Limits</u>	
300 mg/l	756 mg/l	5-day BOD (Biochemical Oxygen Demand)
350 mg/l	2366 mg/l	Total SS (Suspended Solids)
600 mg/l	1530 mg/l	COD (Chemical Oxygen Demand)
13 mg/l	63 mg/l	Total Phosphorus
25 mg/l	452 mg/l	Ammonia-Nitrogen

- C. No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample shall exceed the following limits with respect to the following inorganic or organic pollutants or phenolic compounds:

INORGANICS

1.0 mg/l	Arsenic
0.0017 mg/l	Beryllium
0.100 mg/l	Cadmium
4.0 mg/l	Chromium (Total)
3.0 mg/l	Copper
1.0 mg/l	Cyanides
0.3 mg/l	Lead
Nondetectable	Mercury
3.0 mg/l	Nickel
0.12 mg/l	Silver
3.0 mg/l	Zinc

ORGANICS

1.0 mg/l	Bis (2-Ethylhexyl) phthalate
0.55 mg/l	Total Phenols
Nondetectable	Polychlorinated biphenyls (Nondetectable per USEPA Method 608. Any detectable Sample exceeds this limit)

- D. The total phenols limit is based on the discharge of any or all of the following phenolic compounds: 2-Chlorophenol, 4-Chlorophenol, 2, 4, 4- Dichlorophenol, 2, 4, 4-Dimethylphenol, 2, 4, 4-Dinitrophenol, 2-Methylphenol, 3- Methylphenol, 4-Methylphenol, 2, Nitrophenol, 4-Nitrophenol and Phenol. Discharge of other Phenolic compounds is prohibited except as specifically authorized by the Director.

- E. The Director shall annually review the quantities of industrial pollutants listed above which are discharged or proposed to be discharged to the sewage works. The Director shall recommend any revisions to these limits necessary to ensure that the National Pollutant Discharge Elimination System (NPDES) Permit, Federal Pretreatment Standards and Water Resources limits are met and to ensure that the industrial discharge will not interfere with the treatment process of sludge disposal. At such time as the previously cited limits are changed by the Township or Pittsfield Township Utilities Department (PTUD), the unit authorizing such change shall notify the remaining units of such change.

- F. The local discharge limitation for mercury is established at the level of detection in accordance with the following:
1. There shall be no detectable amounts of mercury discharged to a township or Ypsilanti Community Utilities Authority (YCUA) sanitary sewer. Mercury

sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 245.1. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Mercury, unless higher levels are appropriate due to matrix interference.

2. The evaluation of potential matrix interference(s) shall include, at a minimum, the following:
 - (a) A demonstration that the laboratory conducting the analysis is capable of achieving the level of detection of 0.2 ug/L in reagent water;
 - (b) A demonstration that the level of detection of 0.2 ug/L cannot be achieved in the effluent; and
 - (c) Demonstration that an attempt has been made to resolve the matrix interference(s).
3. In cases where true matrix interference(s) can be demonstrated, a discharge-specific level of detection will be developed in accordance with the procedure in 40 CFR 136. Discharge-specific levels of detection will be incorporated into the wastewater discharge permit of the non-domestic user.
4. To ensure that the maximum allowable mercury loading to the Publicly Owned Treatment Works (POTW) is not exceeded, Pittsfield Township Utilities Department (PTUD) may require any non-domestic user with a reasonable potential to discharge mercury to develop, submit for approval and implement a Mercury Reduction Plan (MRP). The Mercury Reduction Plan (MRP) may be required by permit if the non-domestic user has not violated the local limit for mercury, but the Pittsfield Township Utilities Department (PTUD) has determined that a reasonable potential for such violation may exist. A Mercury Reduction Plan (MRP) may be required in notices of violations, orders or other enforcement actions when the non-domestic user has violated the mercury local limit. At a minimum, an approvable Mercury Reduction Plan (MRP) shall contain the following:
 - (a) A Written commitment by the non-domestic user to reduce all non-domestic discharges of mercury to levels below the level of detection within 3 years of the Mercury Reduction Plan (MRP) original approval date;
 - (b) Within 60 days of notification by the Pittsfield Township Utilities Department (PTUD) that a Mercury Reduction Plan (MRP) is required, the non-domestic user shall supply an initial identification of all potential sources of mercury which could be discharged to the sanitary sewer system;

- (c) Specific strategies for mercury reduction with reasonable time frames for implementation, capable of ensuring that mercury discharges will be below the specified level of detection within 3 years;
- (d) A program for quarterly sampling and analysis of the non-domestic discharge for mercury in accordance with EPA method 245.1;
- (e) A demonstration of specific, measurable and/or otherwise quantifiable mercury reductions consistent with the goal of reducing mercury discharges below the specified level of detection. Where such reductions cannot be demonstrated through normal effluent monitoring (e.g., mercury discharges are already near level of detection), the demonstration should incorporate the following:
 - (1) Internal process monitoring, documenting the results of mercury reduction strategies at sampling locations within the facility (e.g., a program of regular monitoring of sink traps where mercury containing reagents had previously been disposed, but have since been substituted by non-mercury containing compounds).
 - (2) Internal and/or effluent sampling utilizing clean and/or ultra-clean sampling and analytical methods as referenced by EPA Federal Register. The results of such monitoring will not be used for compliance purposes unless performed in accordance with EPA Method 245.1 and collected at the appropriate compliance measurement location.
 - (3) Loading calculations wherein the non-domestic user calculates the total mass of mercury reduced from the sanitary sewer discharge through reagent substitutions, changes in disposal practices and/or other approved Mercury Reduction Plan's (MRP)'s strategies implemented.
- (f) A semi-annual report on the status of the mercury reduction efforts. At a minimum, these reports shall: identify compliance or noncompliance with specific reduction commitments in the Mercury Reduction Plan (MRP); summarize the analytical, mass-based or other quantifiable demonstrations of mercury reductions performed to date; provide all applicable analytical data; provide an evaluation of effectiveness of actions taken to date; provide updates to the initial list of mercury containing compounds discharged to the sanitary sewer and propose for approval new strategies and/or

modifications to the current Mercury Reduction Plan (MRP) to continue and improve mercury reduction efforts; and

- (g) Any other conditions that the Pittsfield Township Utilities Department (PTUD) deems necessary to ensure that mercury reduction efforts are effective in achieving the goals of this Section.
5. Failure to submit an approvable Mercury Reduction Plan (MRP) within 30 days of the required due date shall constitute significant non-compliance in accordance with this Section, and will result in publication as a significant violator.
 6. A Mercury Reduction Plan (MRP) may be evaluated for adequacy at any time by the Pittsfield Township Utilities Department (PTUD). If such an evaluation determines that the Mercury Reduction Plan (MRP) is inadequate, or the non-domestic user has not complied with its approved Mercury Reduction Plan (MRP), the non-domestic user will be notified. Failure to comply with the Mercury Reduction Plan (MRP) requirement constitutes non-compliance; the Pittsfield Township Utilities Department (PTUD) will follow its Enforcement Response Plan (ERP) to ensure that corrective actions are taken.
 7. A non-domestic user may request a release from Mercury Reduction Plan (MRP) requirements if all samples of discharge for a period of one year are less than the specified level of detection; the non-domestic user has complied with the minimum monitoring frequency of quarterly sampling events; and the Pittsfield Township Utilities Department (PTUD) deems that the Mercury Reduction Plan (MRP) commitments have been fulfilled sufficiently to ensure continued compliance with the mercury limitation. The Pittsfield Township Utilities Department (PTUD) will notify the non-domestic user of any release from Mercury Reduction Plan (MRP) requirements in writing.
 8. If the Mercury Reduction Plan (MRP) requirement is waived by the Pittsfield Township Utilities Department (PTUD), the non-domestic user remains subject to the local limitation for mercury in accordance with the requirements of this Chapter.
 9. Re-discovery of mercury in the non-domestic user discharge subjects said user to the submission of a new Mercury Reduction Plan (MRP), or escalation of enforcement in accordance with the Mercury Reduction Plan (MRP).
-

I, the undersigned, the duly qualified Clerk of the Charter Township of Pittsfield, Washtenaw County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the proceedings taken by the Township Board at a Regular meeting held on the 12th day of April, 2005.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 21st day of April, 2005.

Feliziana Meyer

Pittsfield Township Clerk