

ORDINANCE NO. 12716

AN ORDINANCE, repealing Ordinance No. 12030, as adopted July 14, 2005, and adopting a new ordinance in lieu thereof regulating the discharge to the facilities of The Metropolitan St. Louis Sewer District of water or liquid waste which has been removed and transported from any pit, sump, holding tank, septic tank, wastewater treatment facility or industrial facility.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT:

Section One. Ordinance No. 12030, as adopted July 14, 2005, is hereby repealed.

Section Two. - Discharge of Hauled Waste

A. No person shall discharge or cause to be discharged to any public sewer or to any public sewer facility or to any private sewer tributary to any public sewer any water and/or waste which has been removed and transported from any pit, sump, holding tank, septic tank, wastewater treatment facility or industrial facility except as authorized by this ordinance. Such water and/or waste is hereinafter referred to in this ordinance as hauled waste.

B. Under no circumstance may hauled waste which is hazardous waste, as defined in 40 CFR 261 or 10 CSR 25-4.261, be discharged to District facilities.

C. Hauled waste of commercial or industrial origin or hauled waste of unusual high strength or character may be discharged only if the original source of the waste has received written approval from the District. The original source of such waste shall submit, to the District's Division of Environmental Compliance, an application for Special Discharge, on a form provided by the District, along with such supplementary information as the District may require. The District will review the application and will determine acceptability for discharge of the waste based on the Application and Acceptance Criteria for Special Discharges developed by the District.

Section Three. - Waste Transporter Authorization

Only District authorized waste transporters may discharge hauled waste at District facilities.

A. Any person wishing to obtain authorization to discharge hauled waste at District facilities shall submit a Waste Transporter Identification application on a form provided by the District complete with all supplementary information as specified on the application form and in this section. If approved, the applicant will be assigned a Waste Transporter Identification Number. The following supplementary information shall be included with the application:

(1) Proof of comprehensive general liability and auto liability insurance which includes the District as an additional insured and includes provisions for informing the District ten days prior to the time of policy cancellations or renewals. Applicants shall maintain general liability insurance and automobile liability insurance in such amounts as the District may, from time to time, deem appropriate.

(2) A list of the vehicles applicant has in service for transportation of liquid waste. The list shall include the make and model, the state of registration, the state vehicle license number and the tank volume, in gallons, for each vehicle operated.

(3) Proof that waste transporter vehicles which are to discharge at District facilities are in compliance with all applicable State of Missouri, City of St. Louis and/or St. Louis County laws and regulations applicable to waste transporters within the jurisdictions within which applicant operates. Waste transporters operating within St. Louis County shall provide a St. Louis County Department of Health Permit Number for each vehicle to be operated within St. Louis County.

(4) Volumes and types of waste transported each year for the last three years. A new business shall submit an estimate of volumes for the first year.

B. Any person who has been granted authorization to discharge hauled waste at District facilities shall annually provide proof to the Executive Director of the District or his appointee of continued liability insurance and proof of continued compliance with applicable State of Missouri, City of St. Louis and/or St. Louis County laws and regulations.

C. The District may rescind a transporter's authorization to discharge hauled waste if the transporter is found to be in violation of the provisions of this ordinance or other District ordinances.

Section Four. - Waste Discharge Location

A. Any hauled waste which is acceptable to the District may be discharged only at the District's Hauled Waste Receiving Station located at:

Bissell Point Wastewater Treatment Plant  
10 East Grand Avenue  
St. Louis, MO 63147

Hauled waste may be discharged at this location only between the hours of 7:00 AM and 5:30 PM, Monday thru Friday, excluding holidays, and between the hours of 7:00 AM and 12:00 noon on Saturday. The Hauled Waste Receiving Station is closed on the following holidays:

New Year's Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day

B. Under emergency conditions, as determined by the Executive Director of the District or his appointee, hauled waste may be discharged at such alternate locations and under such conditions as the Executive Director of the District or his appointee determines are appropriate.

Section Five. - Hauled Waste Receipts and Samples

A. No person shall discharge or cause to be discharged hauled waste without presenting a completed Hauled Waste Receipt form to the receiving station attendant at the time of discharge. The Hauled Waste Receipt shall be on a form provided by the District and shall fully identify, to the satisfaction of the attendant, the source and nature of the waste.

B. Hauled waste subject to the prior approval provisions of Section Two of this ordinance may be discharged only upon verification by the attendant that such prior approval has been granted.

C. A sample of each load of hauled waste to be discharged shall be collected by the receiving station attendant and appropriate screening analyses performed prior to discharge being allowed. The sample will be retained and submitted to the District's Division of Environmental Compliance laboratory for such further analyses as deemed necessary to determine its compliance with the requirements of the District's sewer use ordinance and applicable local, state and federal regulations. In the event this hauled waste is found to be in violation of said ordinance or regulations, approval to discharge this water or waste to District facilities may be revoked and any damages incurred by the District will be charged to the person discharging said water or waste.

Section Six. - Conditions of Discharge

Any person granted authorization under Section Three to discharge hauled waste at the point designated herein and in possession of proper Hauled Waste Receipts assents to the conditions hereinafter stated and agrees to be bound by his conditional obligations and duties, to wit:

(1) The transporter will comply with all District regulations and follow the directions of District employees while on District premises.

(2) The transporter agrees to indemnify and to save the District harmless from any and all damage and expenses which may be suffered by it by reason of any or all of his acts done on its premises, including but not as a limitation, the discharge of the aforesaid hauled waste which violates any standard or standards of the District's sewer use ordinance.

(3) The transporter will, in the event of spills or leakage of hauled waste on the District's premises, as a result of his acts or faulty equipment, appropriately clean, to the satisfaction of the attendant on duty, the area involved.

Section Seven. - District Refusal of Waste

The District has the right to refuse to accept the discharge of any hauled waste brought to the Hauled Waste Receiving Station if, in the opinion of the attendant on duty, based on a review of the Hauled Waste Receipt form, District records and the screening analyses:

(1) The waste does not meet the conditions under which a prior approval was granted, or

(2) The waste could cause operational and maintenance problems, be detrimental to the health of District employees or cause violations of the District's NPDES Permit or any other City, State or Federal environmental laws and regulations.

Section Eight. - Discharge at Other Locations Unlawful

The discharge of hauled waste into any District facility, manhole or other location not approved for such discharge shall be considered unlawful and the person responsible for such discharge shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned in the County Jail or County

Workhouse, as the case may be, for not more than one (1) year, or by both such fine and Imprisonment for each such violation.

Section Nine. – Right of Entry

In order to ensure compliance with the provisions of this ordinance and applicable State and Federal regulations, District representatives may inspect a waste transporter and hauled waste source facilities or any area of the premise which may include authorized waste transporter vehicles and any hauled waste source, regardless of location relative to District boundaries; conduct sampling of such facilities, processes or areas; and examine or copy any facility's records related to waste transporter vehicles and hauled waste. Any duly authorized representative of the District upon presentation of proper credentials and after execution of appropriate confidentiality agreements shall be permitted access to appropriate areas of a facility's premises without prior notice for these purposes. A representative of the facility shall, if appropriate, accompany the District representative while the work is being performed and shall assure that all applicable safety rules are being observed by the District's representative.

Section Ten. - Fees for Discharge of Hauled Waste

A. Waste Transporters shall pay the following fees for hauled waste discharged pursuant to this ordinance:

(1)

Seven cents (7¢) per gallon from September 1, 2008 through June 30, 2009

(2) Eight cents (8¢) per gallon from July 1, 2009 through September 1, 2013

The fee for each discharge will be calculated based upon the full volume of the transport vehicle. Waste transporters will be billed by the District monthly.

B. The original source of a hauled waste of unusually high strength, subject to the prior approval provisions of Section Two of this ordinance, shall pay an additional fee, as agreed upon, between the original source of the waste and the District. This additional fee shall be billed by the District to the original source following receipt of the waste.

Section Eleven. - Charge for Late Payment

If any charges billed are not paid by the due date indicated on any bill rendered, then an additional late payment charge, based on the percentage established by ordinance for late payments of wastewater user charges, is hereby imposed for each month or portion thereof the bill remains unpaid beyond the due date.

Section Twelve. - Termination of Service for Nonpayment

A. When any waste transporter monthly charge has not been paid and has been delinquent for more than fifteen (15) calendar days after the due date, then the District may refuse to accept any further waste discharges from that transporter.

B. When any bill rendered to a source of hauled waste subject to the high strength waste charges in Section Ten of this ordinance has not been paid and has been delinquent for more than fifteen (15) calendar days after the due date, then the District may refuse to accept any further waste discharges from that source.

Section Thirteen. - Severability

The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

Section Fourteen. - Effective Date

This ordinance shall become effective on September 1, 2008, and remain effective for five years through September 1, 2013. The provisions as enacted herein shall be reviewed by District officials annually.

The foregoing Ordinance was adopted August 14, 2008.