

**Utility Advisory Committee
City Council Chambers
Port Angeles, WA 98362
June 11, 2019
3:00 p.m.**

AGENDA

- I. Call To Order**
- II. Roll Call**
- III. Approval Of Minutes for May 14, 2019**
- IV. Late Items**
- V. Public Comment** – *The Utility Advisory Committee desires to allow the opportunity for Public Comment. However, the business of the City must proceed in an orderly, timely manner. At its most restrictive, Public Comment shall be limited to a total of 15 minutes. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 20 people are signed up to speak, each speaker may be allocated two (2) minutes. (Taken from Council Rules of Procedure Section 12).*
- VI. Discussion Items:**
 - A. 2019 Landfill Beach Nourishment, Contract CON 2019-28
 - B. Changes to Wastewater Utility Port Angeles Municipal Code
- VII. Information Only Items:**
 - A. Stage I Water Shortage Declaration
- VIII. Next Meeting Date:** July 9, 2019
- IX. Adjournment**

CITY COUNCIL/UTILITY ADVISORY COMMITTEE JOINT MEETING

City Council Chambers
Port Angeles, WA 98362

May 14, 2019

3:00p.m

I. Call To Order

Chair Cherie Kidd called the meeting to order at 3:00 pm.

II. Roll Call

UAC Assigned

Councilmembers Present: Mayor Sissi Bruch, Deputy Mayor Kate Dexter (3:03pm), Councilmember and Chair Cherie Kidd, Councilmember Lindsey Schromen-Wawrin, Councilmember Mike French (3:13pm), Councilmember Jim Moran

Councilmembers Absent: Councilmember Michael Merideth

UAC Members Present: Vice Chair William Atkinson, Rob Feller, Paul Collins, and Mattias Järvegren (Phone Conference)

UAC Members Absent: Laura Dodd

Staff Present: Gregg King, Shailesh Shere, Nathan West, Sarina Carrizosa, Ken Dubuc, Chris Cowgill, Jonathan, Boehme, Mary Sue French, Glen Goodworth, Kathy Ellen Haney, Jeff Young, Marian Bodart, Diana Bagwell, and Michelle Hale

Others Present: Two Citizens

III. Approval Of Minutes

Lindsey Schromen-Wawrin requested a motion for approval of the April 09, 2019 minutes amended to reflect Bill Atkinson's dissent of motion VI. D. "Changes to Electric Utility Port Angeles Municipal Code. Vice Chair William Atkinson seconded the motion. Motion carried 7-0.

IV. Late Items: None

V. Public Comment: None

VI. Informational Only Items:

A. Combined Cost of Service Analysis (COSA) Presentations / Discussion

City Manager Nathan West introduced Glen Goodworth, Finance Senior Accountant, who provided a final comprehensive presentation on the COSA Utility rates for each of the utilities. The City Council was invited to the UAC meeting to hear the COSA presentation. Following the presentation, Council members, who were not part of the UAC, stepped out to insure the integrity of the UAC's recommendations to Council, and to allow the UAC to continue with remaining agenda items to be addressed.

Glen distributed packets identifying the six utilities with rate comparisons. Glen's goal was to provide a clear understanding of each utility rate. Each utility had two to three worksheets to include: rate options, comparisons to other entities (Sequim, Clallam, etc.), and comparison of individual residential rate options. Glen reviewed Water, Wastewater, Stormwater, and Solid Waste Collection rates. Electric did not have changes or recommendations from Finance. Discussion followed each utility review. Council members who were not part of the UAC left the meeting at 3:55pm.

VII. Discussion Items:

A. UAC Recommendation of COSA Models

City Manager Nathan West requested to continue the COSA discussion, and get COSA recommendations from the Utility Advisory Committee as the items on the UAC agenda were working toward having as recommendations for the May 21st Council Meeting. Glen Goodworth provided staff recommendations for each utility option and explained the rationale. Discussion was held for each utility.

Water

Lindsey Schromen-Wawrin requested a motion for City staff to prepare a revised WATER COSA Option 4 model without a 60% conversion or alternative with 60% conversion applied to all water rates. Seconded by Rob Feller. Motion carried 6-1. Opposed: not noted
Staff returned to the meeting with a revised Option 4 per request of Motion.

Lindsey Schromen-Wawrin requested a motion for City staff bring forward to City Council a Water COSA Option 4 A model, modified for commercial rates of meter pipes 1" and larger. Seconded by Kate Dexter. Clarification noted: Motion based on adjustment to the original Option 4 on page 3. Motion carried 7-0.

Waste Water

Lindsey Schromen-Wawrin requested a motion for a favorable recommendation to select Wastewater COSA Option 3 model for City Council approval. Seconded by Kate Dexter. Motion carried 7-0

Stormwater

Lindsey Schromen-Wawrin requested a motion for a favorable recommendation to select Stormwater COSA Option 5 model with a discount for City Council approval. Seconded by Kate Dexter. Motion carried 7-0

Lindsey Schromen-Wawrin requested a motion to recommend City Council phase out the cap of Stormwater COSA Option 5 model. Seconded by Bill Atkinson. Motion carried 7-0

Solid Waste

Lindsey Schromen-Wawrin requested a motion for a favorable recommendation to select Solid Waste Collection Rate COSA model with discount for City Council approval. Seconded by Rob Feller. Motion carried 7-0

Electric

No Motion – Finance has no changes or recommendations from previous presentation.

B. Electric Utility Operations Center Professional Services Agreement

City Manager Nathan West introduced Acting Public Works Director and Deputy Director of Power Resources Shailesh Shere who provided history on the Electric Utility Operations Center and the current rental facility. Light Utility Operations has been located in rented facilities following the sale of the former location in 2008. Shailesh Shere is requesting UAC forward a favorable recommendation for City Council to authorize the City Manager to sign the Professional Services Agreement with Crow Engineering.

Lindsey Schromen-Wawrin requested a motion for the UAC to forward a favorable recommendation for City Council to authorize the City Manager to sign the Professional Services Agreement with Crow Engineering not to exceed amount of \$384,190.00, and make minor modifications as necessary. Seconded by Kate Dexter. Motion carried 6-1. Opposed: Bill Atkinson

C. Capital Facilities Plan (CFP) 2020-2025

City Manager Nathan West introduced Finance Director Sarina Carrizosa who provided a high level glance at capital facilities planning and what the City’s cash flows look like. Revenue & Capital Financial Officer MarySue French provided specific details on projects covered in the Utility Capital Facilities Plan (not covered: general government or transportation). Parking Lot section of CFP has been renamed to Unfunded.

Rob Feller requested more details/verbiage be added to the project descriptions such as for Ground Water Test Wells (WT0319 – slide 15) under Water Active and Prioritized Water Projects. It was also noted that some descriptions were cut off in the plan.

Kate Dexter requested a motion for the UAC to forward a favorable recommendation to City Council for approval of the Capital Facility Plan for 2020-2025. Seconded by Bill Atkinson. Motion carried 7-0.

VIII. Information Only Items: none

IX. Next Meeting Date:

June 11, 2019

X. Adjournment: 5:47pm

Chair Cherie Kidd

Michelle Hale, Administrative Specialist II



Date: June 11, 2019
To: Utility Advisory Committee
From: Jonathan Boehme, *City Engineer & Deputy Director of Engineering*
Subject: 2019 Landfill Beach Nourishment, Contract CON 2019-28

Summary: Beach nourishment has been approved by the City Council regularly as a required condition of the Shoreline Permit issued in 2007. The purpose of the 2019 Landfill Beach Nourishment project is to place 2600 cubic yards of clean beach nourishment sediment as mitigation for the construction of the seawall that prevents natural erosion along the bluff face. The project will be advertised for bids in June, and after bids are opened, staff will seek approval from City Council for award of a construction contract.

Funding: Funds are available in the approved 2019 budget in the amount of \$55,000 (Solid Waste Repair and Maintenance account 404-7585-537-4810).

Recommendation:

1. Endorse the design strategy for 2019 Landfill Beach Nourishment, Project CON-2019-28.
2. Provide a favorable recommendation to City Council for the award of a 2019 construction contract in an amount not to exceed \$55,000.

Background / Analysis: As part of a recurring condition of the Shoreline Conditional Use Permit (SMA 05-02) and the Hydraulic Project Approval (HPA) (2015-6-445+01) for construction of the landfill seawall, on a yearly basis the City is required to place beach nourishment material in front of the 454-foot long seawall. This involves placement of 2600 cubic yards of clean beach nourishment sediments waterward of the seawall. Beach nourishment material is available for use at the landfill site from stockpiled materials from the Landfill Stabilization project.

Placement of beach nourishment material will be accomplished by haul trucks and bulldozers working on the existing seawall toe armor. All conditions of the HPA and Army Core of Engineers permits shall be complied with, including but not limited to: All work waterward of the seawall shall take place during low tide. Necessary low tides are scheduled during the month of July.

Staff will advertise a contract for bids to accomplish the work of transporting and placing the beach nourishment materials. The low bid will be presented to City Council for award of the construction contract.

Funding Overview: Funds are available in the approved 2019 budget in the amount of \$55,000 (Solid Waste Repair and Maintenance account 404-7585-537-4810).



Date: 6/11/2019
To: Utility Advisory Committee
From: Jason Hart, Deputy Director of Water and Wastewater
Subject: Changes to Wastewater Utility Port Angeles Municipal Code

Summary: The purpose of this memo is to receive support for updating certain sections of the City’s municipal code related to the wastewater utility. These changes will not change sewer utility rates. The utility seeks to raise the allowable pH level for dischargers, clarify language regarding food service establishments and general discharge standards, update discharge limits to reflect increased industrial discharges, and fix typographical errors.

Funding: N/A- no impact on revenues or costs to the City.

Recommendation: Forward a favorable recommendation to City Council to adopt the recommended municipal code updates and to make minor modifications as needed.

Background / Analysis: Several sections of the Port Angeles Municipal Code (PAMC) require updating:

Upper pH discharge limit- State law requires that Port Angeles have pH limits at least as stringent as the state’s pH limits, with the Washington State upper pH limit set at 11.0. PAMC 13.06.030 prohibits wastewater discharges with a pH below 5.0 and above 10.0 making the current PAMC upper pH limit more stringent than Washington State’s. Amendment # 1 would increase the City’s upper pH discharge limit from 10.0 to 11.0, for all users of the sanitary sewer system.

Grease Interceptors & Garbage Disposals- (Wordsmithing changes) PAMC 13.06.032 & 13.06.033 & 13.06.034 & 13.06.036. These changes are intended to remove conflicting language regarding hydro-mechanical grease interceptors, garbage disposals, and solids separators. In several places, for the sake of consistency, the term “grease interceptor” has been replaced with the acronym “GI”.

National Pretreatment Standards- (Wordsmithing changes) PAMC 13.06.041 incorporates Federal wastewater discharge standards by reference. Deleting the word “categorical” in this section clarifies that all pretreatment standards, both General and Categorical, apply to users of the City’s sanitary sewer system.

Dilution & Mass-Based and/or Concentration-Based Limits- (Wordsmithing changes) PAMC 13.06.044 Being able to impose equivalent mass-based limitations in lieu of concentration-based limits will allow the City regulatory flexibility to work with businesses wanting to conserve water without “conserving themselves into violation” of a concentration-based limit.

Local Limits- PAMC 13.06.045 prohibits the discharge of certain substances above concentrations which could harm the wastewater treatment plant or interfere with the beneficial reuse of biosolids. These local limits were calculated in 2009 based on the amount of industrial wastewater discharges being controlled by city-issued permits at that time. Our current local limit for chromium is much higher than Washington’s Dangerous Waste threshold for chromium, this change decreases the chromium limit to

below Washington's threshold. The Local Limit table in this section has been updated to reflect increases in industrial permit flows since 2009, and include the instantaneous limits referenced in sub-section D. Sub-section B has been amended to allow the imposition of mass-based limits in addition to, or in lieu of, concentration-based limits, as in PAMC 13.06.044.

Typographical error- Typographical corrections in PAMC 13.06

Funding Overview: N/A- little or no impact on revenues or costs to the City.

Summary of proposed changes to City of Port Angeles Local Limits

Due to higher industrial wastewater discharge volumes allowed by our Industrial User discharge permit system, the City needs to reduce the allowed concentration of the following regulated pollutants to protect the beneficial use of our biosolids, our treatment processes, and our receiving waters.

| | 2010 | 2019 | |
|---|--------------------------|-----------------------------------|------------------------------|
| Sum of all industrial user daily max. flow limits (gallons) | 170,000 | 258,800 | |
| | | | |
| Pollutant | 2010 Limit (mg/L) | Proposed 2019 Limit (mg/L) | Limiting Criteria |
| Arsenic | 0.21 | 0.131 | Sludge Application |
| Cadmium | 0.14 | 0.027 | Sludge Application |
| Chromium | 42.2 | 4.90 | WA Dangerous Waste Threshold |
| Copper | 2.43 | 0.658 | Sludge Application |
| Cyanide | 0.50 | 0.337 | Acute Water Quality Std. |
| Lead | 1.09 | 0.193 | Sludge Application |
| Mercury | 0.09 | 0.005 | Sludge Application |
| Molybdenum | 0.17 | 0.089 | Sludge Application |
| Nickel | 1.38 | 0.366 | Sludge Application |
| Selenium | 0.86 | 0.148 | Sludge Application |
| Silver | 0.85 | 0.674 | Anaerobic Digesters |
| Zinc | 2.38 | 0.589 | Activated Sludge |

For more details, refer to [\\Pw1_ms2008\docs\PWKS\Wastewater\NPDES Permit\Pretreat. Prgm. Modifications\Non-substantial Mods\2017 Local Limits Update\Port Angeles Local Limits Update March 2019 New\12.xlsm](#)

ORDINANCE NO. _____

AN ORDINANCE of the City of Port Angeles, Washington
amending Chapter 13.06 Industrial Wastewater
provisions of the Port Angeles Municipal Code.

THE CITY COUNCIL OF THE CITY OF PORT ANGELES DO HEREBY
ORDAIN AS FOLLOWS:

Section 1. Ordinance 3397 as amended, and Chapter 13.06 of the Port Angeles
Municipal Code relating to industrial wastewater are hereby amended by amending
Chapter 13.06 as follows:

CHAPTER 13.06 - INDUSTRIAL WASTEWATER PRETREATMENT

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13.06.030 - Discharge prohibitions.

The following discharges are prohibited:

A. No user shall introduce or cause to be introduced into the POTW any pollutant or
wastewater that causes pass through or interference. These general prohibitions apply to
all users of the POTW whether or not they are subject to categorical pretreatment standards
or any other National, State, or local pretreatment standards or requirements.

B. No user shall introduce or cause to be introduced into the POTW the following
pollutants, substances, or wastewater:

1. Pollutants that either alone or by interaction may create a fire or explosive hazard in
the POTW, a public nuisance or hazard to life, or prevent entry into the sewers for their
maintenance and repair or are in any way injurious to the operation of the system or
operating personnel. This includes waste streams with a closed-cup flashpoint of less than
140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21, or its
successors.

2. Any soluble waste or wastes having a pH lower than 5.0 or higher than ~~10~~11.0 or
having any other corrosive property that reasonably could be hazardous to structures,
equipment, or personnel of the City, such as, but not limited to, battery or plating acids and
wastes, copper sulfate, chromium salts and compounds, or salt brine.

3. Solid or viscous substances in amounts that may cause obstruction to the flow in the
sewer or other interference with the operation of the system. In no case shall solids greater
than one-quarter inch (0.64 cm) in any dimension be discharged.

4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause interference with the POTW.
 5. Wastewater having a temperature that will interfere with the biological activity in the system, has detrimental effects on the collection system, or prevents entry into the sewer. In no case shall wastewater be discharged that causes the wastewater temperature at the treatment plant to exceed 104 degrees F (40 C).
 6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause pass through or interference.
 7. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
 8. Trucked or hauled pollutants, except at discharge points designated by the Director in accordance with section 13.06.051 of this chapter.
 9. Noxious or malodorous liquids, gases, solids, or other wastewater that either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
 10. Wastewater that imparts color that cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, that consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit.
 11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations.
 12. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test.
 13. Detergents, surface-active agents, or other substances that may cause excessive foaming in the POTW.
 14. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than ten percent or any single reading over 20 percent of the lower explosive limit based on an explosivity meter reading.
- C. The following classes of discharge are prohibited unless approved by the Director because of extraordinary circumstances, such as lack of direct discharge alternatives due to combined sewer service or need to augment sewage flows due to septic conditions:
1. Noncontact cooling water in significant volumes.
 2. Stormwater, or other direct inflow sources.
 3. Wastewaters significantly affecting system hydraulic loading that do not require treatment or would not be afforded a significant degree of treatment by the system.
 4. New discharges of stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director.

5. Sludges, screenings, or other residues from the pretreatment of industrial wastes, unless specifically authorized by the Director.
 6. Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit.
- D. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that an unintended discharge to the sanitary sewer or the storm sewer could occur.

13.06.032 - New construction.

A. Prior to construction of a new FSE or NFD, a building permit shall be obtained from the appropriate jurisdiction. Plan submittals shall include kitchen fixture plan views and kitchen waste plans showing all potential grease discharging lines, all GIs, and connecting piping. The application shall be routed to the Director or his designee for review and approval prior to connecting new construction to the POTW.

B. All new single occupancy food service establishment buildings shall be constructed with properly sized ~~grease interceptors~~GIs. All kitchen drains and any other drains that may carry grease-laden waste shall be connected to a GI. A dishwasher shall not be connected to hydro-mechanical ~~grease interceptors~~GIs. If a garbage disposal/garbage grinder/macerator or similar unit is installed in a kitchen, it must discharge to the GI through a solids interceptor plumbed immediately after the garbage disposal/garbage grinder/macerator or similar unit. The solids interceptor shall be maintained in proper operating condition at all times. If a hydro-mechanical GI is installed, the kitchen may not have a garbage disposal/garbage grinder/macerator or similar unit connected to it.

C. All new construction, multiple occupancy, and food service establishment buildings, shall include a separate waste line for all leasable spaces that discharge to a common 2,000 gallon or larger interceptor. This waste line shall be permanently marked to identify it as required by the Director. When a space is leased, sold, or rented to a FSE or NFD, all kitchen drains and any other drains that may carry grease-laden waste shall be connected to this waste line; no domestic sewage may be connected to this line. The property owner shall be responsible for proper maintenance of this interceptor in accordance with the provisions of this chapter.

D. All new single occupancy NFD buildings shall install a properly sized GI. Gravity GIs are recommended, but hydro-mechanical GIs are permissible. All kitchen drains and any other drains that may carry grease-laden waste shall be connected to this GI (except the dishwasher if a hydro-mechanical GI is installed). If a hydro-mechanical GI is installed, the kitchen may not have a garbage disposal/garbage grinder/macerator or similar unit installed.

E. Any FSE or NFD undertaking a substantial remodel will be considered to be new construction for the purposes of this chapter.

13.06.033 - Existing construction.

A. Every person owning or operating an FSE without a functional GI shall be required to install a functional GI. The type of GI required will be determined by the Director, taking into account cost, available space and gradient, and any other pertinent information. Where feasible, all kitchen drains and any other drains that may carry grease-laden waste shall be

connected to the GI. Dishwashers shall not be connected to hydro-mechanical grease interceptors. If a garbage disposal/garbage grinder/macerator or similar unit is installed in a kitchen, it must discharge to the GI through a solids interceptor plumbed immediately after the garbage disposal/garbage grinder/macerator or similar unit. The solids interceptor shall be maintained in proper operating condition at all times.

~~If a hydro-mechanical GI is installed, the kitchen may not have a garbage disposal/garbage grinder/macerator or similar unit installed.~~ B. Any existing NFD without a functional GI may be required to install one. The type of GI required will be determined by the Director, taking into account cost, available space and gradient, whether the user is in a grease impact area, and any other pertinent information. Where feasible, all kitchen drains and any other drains that may carry grease-laden waste shall be connected to this GI (except the dishwasher if a hydro-mechanical GI is installed). If a hydro-mechanical GI is installed, the kitchen may not have a garbage disposal/garbage grinder/macerator or similar unit installed.

13.06.034 - Grease interceptor maintenance.

A. All ~~grease interceptors~~ GIs shall be maintained to ensure proper operation. At a minimum, gravity GIs shall be cleaned at least once every 90 days and hydro-mechanical GIs cleaned at least once per week. These required frequencies may be extended with the approval of the Director. ~~Grease interceptors~~ GIs must be cleaned whenever the combined thickness of the floating greases and settled solids is equal to, or greater than, 25 percent of the total liquid depth in the GI.

B. When cleaned, a gravity GI must be completely pumped out, all solids removed, solidified grease scraped from the interior and the structure and all internal plumbing inspected for damage and corrosion. The gravity GI shall be refilled with water prior to being placed back into operation. If repairs are required, they shall be performed within seven days.

C. When cleaned, a ~~trap-hydro-mechanical GI~~ must have surface grease and oil removed, settled solids removed, all sides scraped, removable parts removed and cleaned, be inspected for damage and corrosion, and be properly reassembled. If repairs are required, they shall be performed within seven days.

D. The grease and solids that are removed in the process of cleaning a GI shall not be discharged back into the GI, any part of the POTW, any private sewer, any drainage piping, or storm sewer system. All grease and solids removed shall be handled and disposed of in accordance with Federal, State, County and Local laws, rules and regulations. Treated water inside a hydro-mechanical GI may be temporarily removed during cleaning and returned into the hydro-mechanical GI following complete cleaning.

E. In addition to the maintenance required above, automatic grease interceptors shall be maintained in accordance with the manufacturers' guidelines.

13.06.035 - Grease interceptor additives.

No additive may be introduced to the plumbing system that would reduce the effectiveness of the GI.

~~13.06.036 - Solids interceptor.~~

~~If a garbage disposal/garbage grinder/macerator or similar unit is installed in a kitchen, it must discharge to the GI through a solids interceptor plumbed immediately after the garbage disposal/garbage grinder/macerator or similar unit. The solids interceptor shall be maintained in proper operating condition at all times.~~

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13.06.041 - National ~~Categorical~~ Pretreatment Standards.

The ~~categorical~~ pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts ~~405403~~—471, and its successors, are incorporated herein by this reference.

A. Where a ~~categorical~~ pretreatment standard, local limit, or permit limit is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with sections 13.06.041(D)(~~3~~) and (E) (see 40 CFR 403.6(c)).

B. When ~~categorical~~ pretreatment standards are expressed in terms of a mass of pollutant that may be discharged per unit of production, the Director may either impose limits based on mass or equivalent effluent concentrations. The user must supply appropriate actual or projected long term production rates for the unit of production specified in order to facilitate this process (see 40 CFR 403.6(c)(2)).

C. The Director may permit wastewater subject to a categorical pretreatment standard to be mixed with other wastewaters prior to treatment. In such cases, the user shall identify all categorical waste streams and provide sufficient information on each non-categorical waste stream to determine whether it should be considered dilute for each pollutant. Absent information showing that non-categorical waste streams contain the pollutant in question at levels above that of the supply water, such waste streams shall be considered dilute. In such situations, the Director shall apply the combined waste stream formula as found at 40 CFR 403.6(e), and its successors, to determine appropriate limits.

D. When a ~~categorical~~ pretreatment standard is expressed only in terms of pollutant concentrations, an industrial user may request that the City convert the limits to equivalent mass limits.

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13.06.044 - Dilution.

No user shall increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limit, unless expressly authorized by an applicable pretreatment standard or requirement. The Director may impose equivalent mass limitations on users where deemed appropriate to safeguard against the use of dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of equivalent mass limitations in lieu of, or in addition to, concentration based limitations is appropriate.

13.06.045 - Local limits.

A. The City has established local limits pursuant to 40 CFR 403.5(c). These limitations are "pretreatment standards" and are enforceable in wastewater discharge permits. The pollutant limits are established to protect against pass through and interference

and reflect the application of reasonable treatment technology. No person shall discharge wastewater in excess of the following local limits.

| Pollutant | Local Limit (mg/L) |
|------------------|---------------------------|
| Arsenic | 0.21 |
| Arsenic(i) | 0.98 |
| Cadmium | 0.14 |
| Chromium | 42.2 |
| Copper | 2.43 |
| Cyanide | 0.50 |
| Lead | 1.09 |
| Mercury | 0.09 |
| Molybdenum | 0.17 |
| Nickel | 1.38 |
| Selenium | 0.86 |
| Silver | 0.85 |
| Zinc | 2.38 |

| <u>Pollutant</u> | <u>Local Limit (mg/L)</u> | <u>Instantaneous Local Limit- only applies to users with a permit requiring composite sampling for that pollutant/analyte (see PAMC 13.06.045(D)) (mg/L)</u> |
|-------------------|---------------------------|--|
| <u>Arsenic</u> | <u>0.131</u> | <u>0.262</u> |
| <u>Cadmium</u> | <u>0.027</u> | <u>0.054</u> |
| <u>Chromium</u> | <u>4.900</u> | <u>4.900</u> |
| <u>Copper</u> | <u>0.658</u> | <u>1.316</u> |
| <u>Cyanide</u> | <u>0.337</u> | <u>0.674</u> |
| <u>Lead</u> | <u>0.193</u> | <u>0.386</u> |
| <u>Mercury</u> | <u>0.005</u> | <u>0.010</u> |
| <u>Molybdenum</u> | <u>0.089</u> | <u>0.178</u> |
| <u>Nickel</u> | <u>0.366</u> | <u>0.732</u> |
| <u>Selenium</u> | <u>0.148</u> | <u>0.296</u> |

| | | |
|---------------|--------------|--------------|
| <u>Silver</u> | <u>0.674</u> | <u>1.348</u> |
| <u>Zinc</u> | <u>0.589</u> | <u>1.178</u> |

B. The limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Director may impose equivalent mass based limits in addition to, or in lieu of, a concentration based limits.

C. Users discharging BOD or TSS in excess of the concentration limits by more than the threshold amount identified in section 13.06.040, must apply for a permit. The permit will specify a maximum concentration that may not be exceeded. Such users shall be subject to surcharges up to the maximum loading limit established by permit.

D. Users shall be subject to "instantaneous limits" (as determined by a grab sample) of equal to twice the "local limit" concentration for any pollutant for which a composite sample is required in a permit. This provision is inapplicable to Users without permits, or without the permit requirement to collect a composite sample for the analyte in question.

E. The Director shall use the individual permit process to establish ceiling limits for compatible pollutants and appropriate discharge limits for all other pollutants not listed, including pollutants subject to regulation under RCRA, volatile or semi-volatile organics, halogenated or brominated compounds, poly-aromatic hydrocarbons, polymers, surfactants, pesticide active ingredients, etc.

F. The Director may establish and require Best Management Practices for any category of user or type of industrial process which creates a non-domestic waste stream. Such requirements may be applied either in lieu of or in addition to the local limits of section 13.06.045. BMPs may also include alternative limits which may be applied at the end of a specific process or treatment step instead of at the combined effluent.

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13.06.170 - Supplemental enforcement action.

A. *Penalties for late reports.* The Director may assess a penalty of \$100.00 to any user for each day that a report required by this chapter, a permit or order issued hereunder is late. Penalties accrue beginning the fifth day after the report is due. The Director's actions to collect late reporting penalties shall not limit the Director's authority to initiate any other enforcement action.

B. *Performance bonds.* The Director may require a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Director as necessary to assure the user will achieve consistent compliance with this chapter. The Director may require this bond as an enforcement response or as a prerequisite to issue or reissue a wastewater discharge permit. Any user who has failed to comply with any provision of this chapter, a previous permit or order issued hereunder, or any other pretreatment standard or requirement may be subject to this requirement.

This bond may also be required of any category of user which has led to public burdens in the past regardless of the compliance history of the particular user. The City may use this bond to pay any fees, costs, or penalties assessed to the user whenever the user's account is in arrears for over 30 days. This includes the costs of cleanup of the site if the user goes out of business, sells the business to a person that does not first assume the bond, or goes bankrupt. Users may petition the Director to convert their performance bond to a requirement to provide liability insurance, or to forego any such safeguard based on their performance. User may petition no more frequently than once in any 12-month period.

C. *Liability insurance.* The Director may require a user to provide insurance if it previously failed to comply with any provision of this chapter, a previous permit, or order issued hereunder, or any other pretreatment standard or requirement. The Director may also require users in businesses which historically have left a public burden to clean up pollution to obtain this insurance, regardless of their compliance history. In such cases, users must provide proof that the insurance is sufficient to cover any liabilities incurred under this chapter, including the cost of damages to the POTW and the environment caused by the user. The Director may require users to provide the proof of such insurance either in response to noncompliance or prior to issuing or reissuing a wastewater discharge permit.

D. *Payment of outstanding ~~gees-fees~~ and penalties.* The Director may decline to issue or reissue a wastewater discharge permit to any user who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this chapter, a previous permit or order issued hereunder.

E. *Water supply severance.* The Director may order water service to a user severed whenever a user has violated or continues to violate any provision of this chapter, a permit, or order issued hereunder, or any other pretreatment standard or requirement. Users wishing to restore their service must first demonstrate their ability to comply with this chapter and pay the related costs of this action.

....

Section 2 - Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of the scrivener's/clerical errors, references to other local, state, or federal laws, codes, rules or regulations, or ordinance numbering, section/subsection numbers and any references thereto.

Section 3- Severability. If any provisions of this Ordinance, or its application to any person or circumstances, are held invalid, the remainder of the Ordinance, or application of the provisions of the Ordinance to other persons or circumstances, is not affected.

Section 4 - Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum. This ordinance shall

take effect forty-six (46) days after notice of the ordinance adoption is given to Department of Ecology.

PASSED by the City Council of the City of Port Angeles at a regular meeting of said Council held on the ____ day of _____, 2019.

Sissi Bruch, Mayor

APPROVED AS TO FORM:

William E. Bloor, City Attorney

ATTEST:

Kari Martinez-Bailey, City Clerk

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Date: June 4, 2019
To: City Council
From: Shailesh Shere, *Acting Director of Public Works & Utilities*
Subject: Stage I Water Shortage Declaration

Summary: On May 20, 2019, Governor Jay Inslee declared a drought emergency for Clallam County and other state counties due to the extremely low snow pack in the mountains and record-low flows many rivers are seeing across the state. Therefore, the City Manager is implementing Stage I of the City’s Water Shortage Response Plan.

Funding: \$5,000 is in the 2019 budget for water conservation (account 402-7380-534-4990).

Recommendation: Information only.

Background / Analysis: Below-average snowpack combined with drier than normal summer weather forecasts resulted in Governor Inslee’s decision to expand a drought declaration into Clallam County. The May 20, 2019 declaration allows the State to make funds available to municipalities if needed to address drought-related hardships and to expedite emergency water right permits.

The City Manager is therefore implementing Stage I of the City’s Water Shortage Response Plan. City staff will monitor the situation and review the City internal water conservation plan. Additionally, staff will conduct public education and outreach concerning the benefits and necessity of water conservation. City Council will be kept updated as to water conservation efforts.

The City’s current Water Shortage Response Ordinance, PAMC 13.46, has five stages as summarized in the following table:

| Stage | Water Shortage Condition | Action | Declaration by |
|-------|---|--|----------------|
| I | Anticipated | Internal Preparations | City Manager |
| II | Serious | Voluntary Conservation | City Manager |
| III | Critical | Limited Outdoor Restrictions | City Council |
| IV | Emergency | Mandatory Outdoor Restrictions and Indoor Conservation | City Council |
| V | Regional Disaster or Infrastructure Failure | Water Rationing | City Council |

Funding Overview: \$5,000 is in the budget for water conservation (account 402-7380-534-4990).