

ORDINANCE NO. 1-98

AN ORDINANCE OF THE KOOTENAI-PONDERAY WATER AND SEWER DISTRICT, BONNER COUNTY, IDAHO, AMENDING ORDINANCE NO. 1-96, RELATING TO DISCHARGE PROHIBITIONS, AND PRETREATMENT LIMITATIONS AND REQUIREMENTS, GOVERNING WATERS OR WASTES CONTAINING HEAVY METALS AND SIMILAR OBJECTIONABLE OR TOXIC SUBSTANCES; AND, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Kootenai-Ponderay Water and Sewer District (the "District") adopted Ordinance No. 1-96 on September 9, 1996 (the "District Sewer System Ordinance"); and,

WHEREAS, Section 5, Subsection (E) of the District Sewer System Ordinance set forth provisions governing discharge of any waters or waste containing heavy metals and similar objectionable or toxic substances; and,

WHEREAS, Section 5, Subsection (E) of the District Sewer System Ordinance reserves to the District the right to amend the District Sewer System Ordinance to provide for more stringent limitations or requirements on discharges to the system where it deemed necessary to comply with the objectives set forth in the District Sewer System Ordinance; and,

WHEREAS, the governmental entity with jurisdiction has changed the limits for discharge of such heavy metals and similar objectionable or toxic substances, thereby making it appropriate for the District to amend the District Sewer System Ordinance; and,

WHEREAS, the District anticipates that there may be future similar changes in the same, which changes would be better administered as being a part of the District's Rules and Regulations; and,

WHEREAS, the adoption of an amendment whereby such discharge limits would be set forth in the District's Rules and Regulations, and would therefore be more efficiently changed in the future would protect and be in the best interests of the members of the District and the general public;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE KOOTENAI-PONDERAY WATER AND SEWER DISTRICT:

Section 1. Amendment of Section 5, Subsection (E) of the District Sewer System Ordinance. Section 5, Subsection (E) of the District Sewer System Ordinance is amended by the following interlineation and addition of words to read as follows:

"E. In addition to previously-stated discharge limits, no user shall discharge any waters or wastes containing heavy metals, and or similar objectionable or toxic substances, to such a degree that any such material received in the composite sewage at the point of discharge exceeds the following daily maximum concentration limits, as set forth in the then-current Rules and Regulations of the District.

	<u>concentration, mg/l</u>
Arsenic	0.5
Cadmium	0.5
Chromium (Hexavalent)	0.09
Chromium (Total)	0.5
Copper	1.5
Cyanide	0.5
Lead	1.5
Mercury	0.05
Methylene (Chloride)	0.1
Nickel	1.5
Silver	0.5
Stoddard solvent	non detectable
Tetrachloroethylene (perchloroethylene)	non detectable
Total heavy metals	5.0
1,1,1-trichloroethylene	non detectable
Zinc	1.5

The District may impose mass limitations on users ~~which are using dilution to meet pretreatment standards or requirements of this Ordinance, or in other cases~~ discharge where imposition of mass limitations is deemed appropriate by the District.

The District reserves the right to amend ~~this Ordinance~~ the District's Rules and Regulations to provide for more stringent limitations or requirements on discharges to the system where deemed necessary to comply with the objectives set forth in this Ordinance."

Section 2. Saving Clause. Section 5, Subsection (E) of the District Sewer System Ordinance, amended by this Ordinance, shall remain in force to authorize the District to enforce the

provisions of such subsection prior to the effective date of this amending Ordinance.

Section 3. **Publication.** Pursuant to Idaho Code Section 50-901, before this Ordinance shall take effect, and within one (1) month after it is passed, this Ordinance shall be published in full or by summary as provided in Idaho Code Section 59-901A in at least one (1) issue of the Bonner County Daily Bee, which is hereby designated as the official newspaper of the District for publication of this Ordinance.

PASSED AND APPROVED by the Board of Directors of the District at its regular meeting on the 6th day of April, 1998.

KOOTENAI-PONDERAY WATER AND
SEWER DISTRICT

By: Robert D. Thurston, Chairman
Robert D. Thurston, Chairman

Attest: Jan Hansen
Jan Hansen, District Secretary