



Colorado Springs Utilities

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# Liquid Waste Hauler Program Policies and Procedures Manual

**Colorado Springs Utilities  
Industrial Pretreatment Program  
February 2014**

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## Section 1 – Authority and Purpose

### 1.1 Purpose

The Colorado Springs Utilities Industrial Pretreatment Section is responsible for permitting Liquid Waste Haulers in accordance with The Wastewater Treatment Code (Utilities Code Article 5).

This article sets forth uniform requirements for direct and indirect contributors to the wastewater collection and treatment system for the City of Colorado Springs and enables the City to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and general pretreatment regulations (40 CFR, section 403). [Wastewater Treatment Code 12.5.102]

This article shall apply to the City of Colorado Springs and to districts, persons or other entities outside the City who are, by contract or agreement, users of the City's publicly owned treatment works. (Ord. 98-173; Ord. 99-162; Ord. 01-42) [Wastewater Treatment Code 12.5.102]

Liquid Waste haulers are subject to this article excepting section 12.5.703 and 12.5.702.D.1. of this article, and as otherwise noted herein. [Wastewater Treatment Code 12.5.1107]

### 1.2 Applicability

In accordance with section 12.5.1107.A. of the Wastewater Treatment Code, any liquid waste hauler must obtain a liquid waste hauler permit if:

- A. The liquid waste hauler is pumping wastes from a grease/sand interceptor, grease trap, or other appurtenance that is connected to the wastewater treatment system, regardless of whether the wastes are disposed at a designated disposal facility; or,
- B. The liquid waste hauler is pumping wastes from septic tanks, portable toilets, or other sources of wastes that are not connected to the wastewater treatment system and the wastes are disposed at a designated disposal facility. (Ord. 99-163; Ord. 01-42)

### 1.3 Definitions

The definitions contained in this manual are taken directly from the Wastewater Treatment Code, Article 5, Part 2.

- A. ARTICLE OR THIS ARTICLE: Article 5 of Chapter 12 of the Code of the City of Colorado Springs, as amended.
- B. CFR: Code of Federal Regulations.

- C. CENTRALIZED WASTE TREATMENT FACILITY: Any facility that receives non-domestic Liquid Wastes for treatment or disposal, and is designated as such by the Executive Director consistent with the provisions contained in 40 CFR § 437.
- D. COLLECTION LINE: That portion of the wastewater treatment system which collects and transmits wastewater from users to the wastewater treatment plant, excluding service lines.
- E. COLORADO DISCHARGE PERMIT SYSTEM OR CDPS: The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into surface water of the State of Colorado under conditions of the delegation of authority to administer a State water quality control program pursuant to section 402 of the Act.
- F. CONTROL MECHANISM: Control mechanisms may be used to control the discharges of significant industrial users and other industrial users. Control mechanisms may be individual or general. Control mechanisms may include significant industrial user permits, written authorizations to discharge for other industrial users, liquid waste hauler permits and other requirements enforceable under this Utilities Code.
- G. DESIGNATED DISPOSAL FACILITY OR DESIGNATED DISPOSAL FACILITIES: A site authorized pursuant to Section 12-5-605 of the Article, at which the User is allowed to discharge hauled or trucked waste. Such site may be for Domestic Waste or for non-domestic waste only, which is to be treated prior to discharge to the POTW.
- H. DOMESTIC WASTES or SANITARY WASTES: Liquid Wastes:
  - 1. Wastewater from normal residential activities including, but not limited to, Wastewater from kitchen, bath, and laundry facilities;
  - 2. Wastewater from the personal sanitary conveniences (toilets, showers, bathtubs, fountains, non-commercial sinks and similar structures) of commercial, industrial, or institutional buildings, provided that the Wastewater exhibits characteristics that are similar to those of Wastewater from normal residential activities; or,
  - 3. Specifically excluded from this definition is Wastewater from commercial, industrial, or institutional laundries or food preparation facilities.
- I. GREASE/SAND INTERCEPTOR: A tank that serves one or more fixtures and is remotely located. The Interceptors include, but are not limited to tanks that capture Wastewater from dishwashers, floor drains, pot and pan sinks and trenches, or Wastewater from vehicle

maintenance facilities, car washes or activities with a petroleum wash away byproduct.

- J. GREASE TRAP: A device designed to retain grease from one to a maximum of four (4) fixtures per uniform plumbing code as adopted by the Regional Building Code.
- K. HAZARDOUS WASTE: A solid waste, which meets the criteria of 6 Colorado Code of Regulations 1007-3, section 261.3.
- L. INDUSTRIAL WASTE: Any liquid, solid or gaseous waste or form of energy or combination thereof resulting from any process or operational procedures of an industrial user. Industrial waste includes wastes generated from cleaning and maintaining equipment and facilities used for the relevant process or operation.
- M. INTERFERENCE: A discharge which, alone or in conjunction with a discharge or discharges from other sources:
  - 1. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and,
  - 2. Therefore is a cause of a violation of any requirement of the POTW's federal or state discharge 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 the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations.): section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
- N. LIQUID WASTE HAULER: Any Person, firm, corporation or other entity that collects, pumps, transports, and/or disposes of Liquid Wastes as defined herein.
- O. LIQUID WASTE HAULER PERMIT: A permit issued by Utilities pursuant to Section 12-5-1110 of this Code, which will authorize a Liquid Waste Hauler to collect, pump, transport, and/or dispose of Permitted Hauled Liquid Waste subject to conditions on quality of the waste, time, and location of disposal of the waste and operations of the waste hauler into the disposal facilities designated by the Executive Director.
- P. LIQUID WASTES: Those materials including but not limited to sand trap pumpings, Septic Tank Pumpings, portable toilet pumpings, food

service or petroleum service grease trap pumpings, sludges generated from domestic wastewater treatment plants and lagoons, waste or used oils and lubricants, chemical wastes, wastes from industrial or commercial wastewater treatment systems, storm drain sludges or dredgings and other wastes as defined by the Executive Director. Liquid Wastes as determined herein are not considered "permitted wastes" for legal discharge into disposal facilities designated by the Executive Director.

- Q. MANIFEST: A written document required by the Executive Director that specifies, among other things, the source and nature of the waste to be discharged to the Disposal Facility, designated as provided in section 12-5-605 of the Article.
- R. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM OR NPDES: The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone and the oceans pursuant to section 402 of the Act.
- S. PASS-THROUGH: A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a case of a violation of any requirement of the POTW's NPDES or CDPS permit (including an increase in the magnitude or duration of a violation).
- T. PERMITTED HAULED LIQUID WASTES: Those Liquid Wastes which are authorized by the Executive Director in a Liquid Waste Hauler Permit to be disposed at the designated disposal facilities of the City.
- U. PERSON: An individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representative, agents or assigns. This definition includes all Federal, State and local governmental entities.
- V. POLLUTANT: Any dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, or sand. Pollutants also include any industrial, municipal or agricultural waste, and may include some medical wastes to be determined at the discretion of the Executive Director.
- W. PUBLIC OWNED TREATMENT WORKS or POTW or WASTEWATER TREATMENT SYSTEM or WASTEWATER SYSTEM:
  - 1. Any devices, facilities, structures, equipment, or works owned by the City or used by Utilities for the purpose of the transmission, storage,

treatment, recycling, and reclamation of Industrial and Domestic Wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, collection lines, pumping, power and other equipment, and their appurtenances and excluding Service Lines;

- a. Extensions, improvements, additions, alterations, or any remodeling thereof;
  - b. Elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and,
  - c. Any works, including the land and sites that may be acquired, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment, or reuse of treated water for irrigation, recreation, or commercial purposes.
  - d. It does not include the stormwater drainage system, a separate municipal operation which is not part of Utilities.
2. The municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.
- X. SEPTIC TANK PUMPINGS: The material pumped from Individual Wastewater Disposal Systems and which contain Domestic Wastes only.
- Y. SERVICE LINE: The Wastewater collector line extending from the Wastewater disposal facilities of the premises up to and including the connection to the collection line.
- Z. UPSET: An exceptional incident which causes temporary and unintentional noncompliance with the discharge limitations or prohibitions applicable to the User and which is beyond the reasonable control of the User.
- AA. USER: Any Person, firm, corporation, government, or other entity that discharges, causes, or permits the discharge of Wastewater into the POTW.
- BB. WASTEWATER: The liquid and water-carried Industrial or Domestic Wastes and Pollutants from dwellings, commercial buildings, industrial facilities, and institutions, including Hauled Liquid Waste, and any groundwater, surface water, and stormwater that may be present, whether treated or untreated.

Additionally, CSWTP STATION shall refer to the septic disposal station at the Colorado Springs Utilities wastewater treatment plant on East Las Vegas Street.

## Section 2 – Liquid Waste Hauler Permit Application

### 2.1 Permit Application Contents [Wastewater Treatment Code 12.5.1008.B.]

Liquid waste haulers seeking a permit shall complete and file with the Executive Director a complete application on the form prescribed by the Executive Director. The application shall be certified as true, complete and accurate as provided in 40 CFR section 403.6(a)(2)(ii). In support of this application, the liquid waste haulers at a minimum shall be required to submit the following information:

1. Name and address of hauler.
2. Copy of vehicle liability insurance.
3. Number, capacity and type of all vehicles that are owned and/or operated by the liquid waste hauler and are used for pumping and/or hauling any liquid wastes.
4. Types of materials pumped by the hauler and the specific disposal methods and location(s) for the materials, including names, addresses and phone numbers of the proposed disposal locations.
5. Identification of all other permits or licenses for transportation or management of wastes (liquid, solid, hazardous or otherwise) and whether any permits or licenses have been or are suspended, revoked, or terminated for cause.
6. The El Paso County Department of Health and Environment (EPCDHE) systems cleaner inspections report for each vehicle(s) listed on the application.
7. Other items as the Executive Director deems appropriate to assure compliance with this article. (Ord. 99-163; Ord. 01-42)

### 2.2 Permit Application Requirements

- A. A complete application shall be submitted to the Industrial Pretreatment Section on the form provided. The application shall be certified with an original signature. Supporting documents (such as proof of insurance, EPCDHE inspection reports, etc.) shall be included with the application as required.
- B. A liquid waste hauler permit charge including deposit, as required by the wastewater tariffs per section 12.1.107 of this Article, shall be



payable by the applicant at the time the application is submitted.  
[Wastewater Treatment Code 12.5.1108.A.]

- C. The permit fee is \$50.00. If a deposit is required by Colorado Springs Utilities, it is due upon request, prior to issuance of a permit. (See Section 8 of this manual)

### 2.3 Annual Update Required

- A. Annual updates of the permit application information will be required for each year between the effective and expiration dates of the permit. Updated proof of insurance, liability waivers as applicable, and EPCDHE inspection reports are due at the time of the annual update.
- B. Annual update packets are mailed out approximately 60 days prior to the anniversary date of the permit, and are due 30 days prior to the anniversary date of the permit.

### 2.4 Re-Application Required

Liquid Waste Hauler Permit Renewals must be applied for and an updated permit application submitted to the Executive Director at least thirty (30) days prior to the expiration date of the Permit. Filing a complete application at least thirty (30) days prior to expiration extends the expiring permit until a new permit is renewed or denied. Operation with an expired permit, which is not extended or renewed, is prohibited. (Ord. 99-163; Ord. 01-42) [Wastewater Treatment Code 12.5.1110.C.]

## Section 3 – Liquid Waste Hauler Permits

### 3.1 Designation of Disposal Facility [Wastewater Treatment Code 12.5.605]

The septic disposal station at the Colorado Springs wastewater treatment plant on East Las Vegas Street is the primary point of discharge within the wastewater collection service area of the Utilities for materials received from individual wastewater disposal systems containing domestic waste only. Grease from food preparation facilities using grease/sand interceptors and grease traps may be discharged to the disposal station.

Hauled liquid waste containing hazardous waste, if disposed within the Utilities service area, may be disposed of only at a designated centralized waste treatment facility that is permitted to receive, treat or discharge hazardous wastes. The centralized waste treatment facilities shall not cause interference or pass-through of the POTW and shall meet any applicable categorical standards for centralized waste treatment.

Grease/sand interceptors and grease trap wastes may be disposed of at centralized waste treatment facilities approved and designated by the Executive Director. Centralized waste treatment facilities may discharge to

the publicly owned treatment works only if the treated effluent does not cause interference or pass-through of the POTW. This includes not creating a visible sheen from petroleum and/or food grease sources. (Ord. 98-173; Ord. 99-162; Ord. 01-42)

### 3.2 Permit Conditions [Wastewater Treatment Code 12.5.1109.A.]

A. Conditions contained in the liquid waste hauler permit may include, but are not limited to:

1. Firm name, address, and phone number.
2. Authorized representative information and signature.
3. Certification of permittee of knowledge and acceptance of the permit conditions.
4. Date of expiration and due date for filing renewal application.
5. Statement of nontransferability of the permit.
6. Listing of authorized vehicles to transport and dispose of waste at the POTW.
7. General permit requirements.
8. Specific prohibitions and applicable pretreatment standards and requirements.
9. Listing of authorized waste types that the permittee may discharge.
10. Sampling, analysis and reporting requirements.
11. Updating proof of insurance and financial assurance before expiration.
12. Restrictions of hours of operation if applicable.
13. Conditions upon which permit revocation may occur.
14. Limitation on freon extractable grease and oil (FEGO), hydrocarbon, BOD, total suspended solids, flow, or other pollutants.
15. Permit number, card number(s).
16. Recordkeeping, reporting, and manifesting requirements.
17. Compliance with rules and regulations of Utilities and El Paso County Department of Health and Environment regarding watertightness, cleanliness, and sanitary conditions.

18. Requirements to immediately notify the Executive Director of any unusual circumstances observed during liquid waste pumping operations.
19. Deposit per tariffs per section 12.1.107 of this chapter to assure payment of charges due.
20. A statement regarding the obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.
21. Statement of applicable civil and criminal penalties for violation of any conditions, requirements, or standards.
22. Other conditions, limitations or prohibitions deemed appropriate by the Executive Director.

### 3.3 POTW Hours of Operation and Contact Information

- A. Hours of operation for use of the Colorado Springs Utilities East Las Vegas Street disposal station are 5:00 a.m. to 8:00 p.m. each day. Hours may be temporarily changed to reflect unusual circumstances.
- B. For assistance between the hours of 7:30 a.m. to 4:00 p.m. or to request load tickets, please visit the lobby at 701 E Las Vegas or call (719) 668-8910.
- C. For after hours assistant and urgent disposal station problems: notify the Operator on duty (719) 499-4181 or Security (719) 668-7867. Use the call box at gate #3 if you are unable to find Security on site.

### 3.4 Admission to/Use of the CSWTP Station

- A. Each vehicle using the designated disposal facility must have an authorization document issued by Utilities, which shall identify the company, permit number, identification of vehicles and other items as appropriate or otherwise indicated in the liquid waste hauler permit. [Wastewater Treatment Code 12.5.1007.A.2.]
- B. Electronic cards shall be issued for each vehicle utilizing the designated disposal facilities of Utilities. Properly issued cards shall be designated in the liquid waste hauler permit identifying the specific vehicle issued to, card number and date issued. The authorization document issued by Utilities in accord with subsection 12.5.1007A2 of this part shall accompany each vehicle and made available upon request of any Utilities' employee. [Wastewater Treatment Code 12.5.1008.A.]

- C. Only one vehicle at a time is allowed inside the gate at the CSWTP station. If another vehicle is inside the station, drivers must wait outside the closed gate until the other vehicle is finished using the station and has exited.
- D. Each entry of each vehicle must only be made after swiping the access card that is assigned to that vehicle. Permittee will be prosecuted for theft of Utilities for not swiping card to enter CSWTP station, even if the gate is already open.
- E. Anytime a hauler enters the CSWTP station, it will be assumed that their vehicle is carrying a load equivalent to its full capacity, and they will be charged for a full load. If a hauler must enter the station, but does not need to dispose of a load, then the hauler shall notify Colorado Springs Utilities. We will confirm that there was no load dumped via surveillance video.
- F. At the time of disposal, the Liquid Waste Hauler shall complete the manifest, sign it and date it, and place it in the drop box prior to entering the disposal station.
- G. Vehicles must drive forward only. No backing up to the couplings is allowed.
- H. Vehicles using the CSWTP station shall discharge from a single valve or hose no greater than six inches in diameter connected from the vehicle tank to the correspondingly-sized standpipe provided at the station. Discharging onto the concrete apron at the station without prior authorization is prohibited.
- I. Permittee shall comply with all signs posted and instructions given regarding use of the CSWTP station.
- J. Operators of vehicles using the CSWTP station shall maintain cleanliness of all areas within the Station.
- K. Permittee will be monitored by video surveillance while on Colorado Springs Utilities property. The information in these videos may be used to determine compliance with the Permit conditions.
- L. Any Utilities' employee shall have the authority to order the immediate discontinuance of the discharge from any liquid waste hauler vehicle into the designated disposal facilities of Utilities. The order shall be based on the employee's best professional judgment that the discharge may be in violation of any applicable condition of the Wastewater Treatment Code or may otherwise be deleterious to the operation of Utilities wastewater treatment plant or the safety of its workers. (Ord. 99-163; Ord. 01-42) [Wastewater Treatment Code 12.5.1008.B.]

### 3.5 Permit Duration

Liquid waste hauler permits shall be issued for no longer than three (3) years. All terms and conditions of the permit may be subject to modification and change by the Executive Director at any time during the life of the permit. [Wastewater Treatment Code 12.5.1110.A.]

### 3.6 Permit Transfer

A liquid waste hauler permit may not be transferred, reassigned, or sold. [Wastewater Treatment Code 12.5.1110.B.]

### 3.7 Permit Modifications

The terms and conditions of a permit or control mechanism may be subject to modification and change by the Executive Director during the life of the permit or control mechanism, as limitations or requirements as identified in this article are modified and changed. The user shall be informed of any proposed changes in the permit or individual control mechanism at least thirty (30) days prior to the effective date of change unless the change is initiated by a violation of this Wastewater Treatment Code. Any change or new condition in the permit shall include a reasonable time schedule for compliance. Modification of general control mechanisms must be in accord with subsection 12.1.109B of this chapter. (Ord. 99-163; Ord. 01-42; Ord. 06-195; Ord. 10-82) [Wastewater Treatment Code 12.5.1112]

### 3.8 Permit Suspension/Revocation

A. Grounds for suspension or revocation of a Liquid Waste Hauler Permit include but are not limited to: [Wastewater Treatment Code 12.5.1203.A.5.b.]

1. The liquid waste hauler has failed to pay disposal charges in accord with permit or tariff and Code requirements;
2. The liquid waste hauler has improperly used and/or maintained the designated disposal facilities in violation of requirements established by the Executive Director;
3. The liquid waste hauler or representative failed to display the authorization document upon request by a representative or employee of Utilities;
4. The liquid waste hauler or representative changed, altered or otherwise modified the face of a permit or authorization document without the permission of the Executive Director;

5. The liquid waste hauler or representative failed to immediately halt the discharge from the truck into the designated disposal facilities upon order of any Utilities employee;
  6. The liquid waste hauler or representative tampered with POTW monitoring or sampling equipment or access gates at the designated disposal facilities; or,
  7. The liquid waste hauler or representative failed to comply with manifest requirements contained in section 12.5.1002 of this article.
- B. Any permit, individual control mechanism, notice of coverage under a general control mechanism or BMP, which has been suspended or revoked pursuant to this part, may be reinstated upon a finding by the Executive Director that the condition, which resulted in the suspension or revocation, no longer exists. [Wastewater Treatment Code 12.5.1203.A.5.c.]
  - C. Suspensions may be effected by the Executive Director for any length of time up to one year. [Wastewater Treatment Code 12.5.1203.A.5.d.]
  - D. Colorado Springs Utilities may require a deposit equal to the amount of past due disposal charges before the Permit is reinstated.
  - E. Immediate suspension may occur upon failure to pay charges greater than deposit. Permit termination may occur for five (5) or more repeated late payments. (Ord. 99-163; Ord. 01-42) [Wastewater Treatment Code 12.5.1007.C.]
- 3.9 Denial of Permits [Wastewater Treatment Code 12.5.1113]
- A. The Executive Director may deny the issuance of a discharge or liquid waste hauler permit on the following grounds:
    1. The applicant knowingly falsified information on the permit applications, manifests, or other reports;
    2. The applicant's previous or other discharge or liquid waste hauler permit is under suspension or probation or has been otherwise revoked and the condition upon which action was taken still exists;
    3. The applicant is not current on all disposal and permit related reports and/or is deemed delinquent on tariffs and/or user charges;
    4. The applicant has discharged to the POTW nonpermitted or otherwise prohibited wastes;
    5. Compliance history of the user demonstrates a pattern of violations of permit requirements or late payments;

6. Failure to maintain financial assurance as required by permit conditions;
7. Past environmental convictions of the user relevant to the future compliance with permit requirements;
8. Considerations relevant to permit revocation; or,
9. Other items as the Executive Director considers significant.

B. In the event an application for an SIU wastewater discharge or liquid waste hauler permit is denied, the Executive Director shall notify the applicant in writing of the denial. The notification shall state the grounds for denial with that degree of specificity which will inform the applicant of the measures or actions which must be taken by the applicant prior to issuance of a permit.

C. Upon receipt of notification of denial of a permit application or individual control mechanism or coverage under a general control mechanism, the applicant may request and shall be granted within a reasonable time a hearing to be held by the Executive Director or a hearing officer designated by the Executive Director, if the request is submitted to the Executive Director within fifteen (15) days of receipt of notification. At the hearing the applicant shall have the burden of establishing that the conditions set out in this article have been met and that a permit or individual control mechanism should be issued or coverage under a general control mechanism should be granted. The Executive Director shall bear the burden of establishing that the conditions of section 12.5.301 of this article or section 12.5.1110 of this part have been met. The hearing shall be conducted in accord with the procedures provided in subsection 12.5.1204D of this article. (Ord. 99-163; Ord. 01-42; Ord. 06-195; Ord. 10-82)

### 3.10 Regulatory Actions; General Powers of the Executive Director [Wastewater Treatment Code 12.5.801]

In addition to the Executive Director's authority to reduce, prevent or eliminate discharges through enforcement of discharge limitations and prohibitions, the Executive Director shall have the following authorities:

A. **Endangerment To Health Or Welfare Of The Community:** The Executive Director, after informal notice to the affected discharger, may immediately and effectively reduce, halt or prevent any discharge of pollutants into any natural waterway, surface drainage within the City, any area under jurisdiction of the City, wastewater collection system of the City or any wastewater system tributary thereto, by any means available to the Executive Director, including physical disconnection from the wastewater system, whenever it reasonably appears that the

discharge presents an imminent endangerment to the health or welfare of individual persons or the community.

- B. Endangerment To Environment Or The POTW: The Executive Director, after written order to the discharger, may reduce, halt or prevent any discharge of pollutants into any natural waterway, surface drainage within the City, any area under jurisdiction of the City, wastewater collection system of the City or any wastewater system tributary thereto, by any means available to the Executive Director, including physical disconnection from the wastewater system, whenever the discharge presents or may present an endangerment to the environment or threatens to interfere with the operation of the POTW. (See also subsection 12.5.1203B of this article.)
- C. Reducing, Halting Or Preventing Discharges: The discharges referred to above may be reduced, halted or prevented without regard to the compliance of the discharge with other provisions of this article. (Ord. 98-173; Ord. 99-162; Ord. 01-42; Ord. 10-82)

### 3.11 Regulatory Actions; Specific Powers of the Executive Director [Wastewater Treatment Code 12.5.802]

If wastewaters containing any substance described in part 7 of this article are discharged or proposed to be discharged into any natural waterway, surface drainage within the City, any area under the jurisdiction of the City, into the wastewater collection system of the City or any wastewater system tributary thereto, the Executive Director may take any action necessary to:

- A. Prohibit the discharge of the wastewater [Wastewater Treatment Code 12.5.802.A.];
- B. Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the City or Utilities for surface or subsurface cleanup and remediation of wastewaters, as well as handling, treating or disposing excess loads imposed on the wastewater treatment system including any system development charges, fines or legal expenses associated with alleged or actual violations of the City's CDPS permit attributed to an unauthorized user discharge [Wastewater Treatment Code 12.5.802.D];
- C. Obtain timely and factual reports from the facility responsible for the discharge [Wastewater Treatment Code 12.5.802.E.];
- D. Take other or further remedial action, including issuance of a control mechanism, as may be deemed to be desirable or necessary to achieve the purposes of this article. (Ord. 98-173; Ord. 99-162; Ord. 01-42; Ord. 10-82) [Wastewater Treatment Code 12.5.802.H.]



## Section 4 – General Hauled Waste/Transporter Requirements

### 4.1 General Discharge Prohibitions: Wastewater Discharges Prohibited in Accordance with Wastewater Treatment Code 12.5.702

No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. This prohibition applies to all users of the POTW regardless of whether they are subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements. In addition, it shall be unlawful for any person to discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment facility any wastes or wastewater containing the following:

- A. Stormwater Drainage: Stormwater from ground, surface, roof headers, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source, unless approved in writing by the Executive Director and after suitable treatment as approved by Executive Director has been effected.
- B. Other Water: Other water, including, but not limited to, underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavations or any other water associated with construction, unless approved in writing by the Executive Director and after suitable treatment as approved by Executive Director has been effected.
- C. Unusual Concentrations Of Dissolved Solids: Unusual concentrations of dissolved solids, that may, alone or in conjunction with discharges from other users, cause the POTW effluent to exceed water quality criteria for the pollutant in question.
- D. Oil And Grease: Oil and grease of the following concentrations, sources or nature:
  - 1. Wastewater containing total grease and oil in excess of one hundred milligrams per liter (100 mg/l) concentration as measured by methods set forth in 40 CFR section 136. *(In accordance with Wastewater Treatment Code 12.5.1107, 12.5.702.D.1. does not apply to Liquid Waste Haulers)*
  - 2. Wastewater containing more than twenty five milligrams per liter (25 mg/l) petroleum, as measured as hydrocarbons by Soxhlet extraction, or other approved method set out in standard methods for the examination of water and wastewater. Evidence of oil or grease in wastewater shall be based upon instantaneous or grab samples.
- E. Explosive Mixtures: Explosive mixtures consisting of liquids, solids or gases which by reason of their nature or quantity are, or may be,

sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment system or to the operation of the system. At no time shall two (2) successive readings on an explosion hazard meter at the point of discharge into the wastewater system be more than five percent (5%), nor may any single reading be over ten percent (10%) of the lower explosive limit (LEL) of the meter. Wastestreams at the point of discharge are prohibited if they have a closed cup flashpoint of less than sixty degrees centigrade (60°C) (140°F) using test methods specified in 40 CFR section 261.21.

- F. Noxious Material: Noxious material consisting of noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into any portion of the wastewater system for its maintenance and repair.
- G. Improperly Shredded Garbage: Improperly shredded garbage that has not been ground or comminuted to a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the wastewater system to which the user is connected.
- H. Radioactive Wastes Or Isotopes: Radioactive wastes or isotopes of such a half-life or concentration that they do not meet regulations set forth by the Colorado Department of Public Health and Environment, State of Colorado, in the latest edition of rules and regulations pertaining to radiological control.
- I. Solid, Viscous Or Liquid Wastes: Solid, viscous or liquid wastes in quantities or in a manner which may cause or contribute to obstruction to the flow in a collection line, or otherwise interfere with the proper operation of the wastewater treatment system.
- J. Toxic Substances: Toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to section 307(a) of the Act, and chemical elements or compounds, phenols or other taste or odor producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system or which will be transmitted through the system to receiving water.
- K. Substances Not Amenable To Treatment: Substances which are not amenable to treatment of prescribed reduction by the treatment process employed by Utilities, or are amenable to a limited degree of reduction that a discharge of the wastewater would result in an interference with the wastewater treatment works or pass through the treatment facilities that the effluent discharge from the treatment works does not meet requirements of State, Federal and other agencies

having jurisdiction over discharge or application to receiving waters and/or lands.

- L. Wastes With Color: Wastes with color not removable by the treatment process.
- M. Corrosive Wastes: Corrosive wastes which will cause corrosion, deterioration or interference of the City POTW.
- N. Wastewater: Wastewater with an instantaneous pH value of less than 5.5 standard units.
  - 1. Except that a more stringent range (upper and lower limits) of acceptable wastewater effluent pH identified in applicable categorical pretreatment standards shall supersede the range noted herein.
  - 2. Compliance shall be measured on a continuous pH recording monitor (installed by the user with the Executive Director's approval) or demonstrated by written records of sampling approved by the Executive Director.
- O. Spent Process Chemicals, Hazardous Waste: Spent process chemicals, solutions or materials, hazardous waste as defined by the Federal Resource Conservation and Recovery Act; and other materials normally used in industrial/commercial operations unless specifically authorized in writing by the Executive Director and after suitable treatment as approved by the Executive Director has been effected.
- P. Pollutants Causing Interference: Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
- Q. Heat: Heat in amounts which will inhibit biological activity in the POTW resulting in interference but in no case heat in quantities that the temperature at the POTW treatment plant exceeds forty degrees centigrade (40°C) (104°F).
- R. Trucked Or Hauled Pollutants: Any trucked or hauled pollutants, except at the discharge points designated as provided in part 6 of this article.
- S. Pollutants Resulting In Toxic Gases, Vapors Or Fumes: Pollutants which 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.
- T. Waste Silver Rich Photochemical Solutions: Waste silver rich photochemical solutions not treated to greater than ninety percent (90%) removal of the initial waste silver concentrations, unless in

accord with section 12.5.705 of this part and section 12.5.1108 of this article specifically authorized in writing by the Executive Director and after suitable treatment as approved by the Executive Director has been effected.

- U. Tetrachloroethane And Trichloroethane: Tetrachloroethane (also known as tetrachloroethylene) and trichloroethane (also known as trichloroethylene) from all nondomestic dischargers.
- V. Pesticides: Pesticides containing carbamate or organophosphate compounds are prohibited from being discharged in any amount.
- W. Asbestos: Asbestos from, but not limited to, asbestos abatement construction activities from all nondomestic dischargers, unless approved in writing by the Executive Director and after suitable treatment as approved by the Executive Director has been effected.
- X. Wastes From Interceptors And Traps: Wastes collected from cleaning or pumping grease/sand interceptors, grease traps, oil traps, sand traps or other similar waste collection devices, except at locations approved and designated by the Executive Director. (Ord. 98-173; Ord. 99-162; Ord. 00-204; Ord. 01-42; Ord. 08-44; Ord. 10-82)

4.2 Additional Liquid Waste Hauler Discharge Prohibitions: Discharge Requirements [Wastewater Treatment Code 12.5.1001]

- A. In addition to permit requirements under part 11 of the Article and the prohibited discharge standards that apply to all users, a Liquid Waste Hauler:
  - 1. Shall not discharge domestic wastes at any other point on the wastewater treatment system other than designated disposal facilities.
  - 2. Shall not discharge any wastes to the POTW that are liquid, semiliquid, or solid waste (or combination of wastes), which because of quantity, concentration, physical, or chemical characteristics may:
    - a. Be toxic, corrosive, an irritant, a strong sensitizer, flammable or combustible, explosive, or otherwise capable of causing substantial personal injury; and/or,
    - b. Pose a substantial hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise improperly managed, or is identified or listed as a hazardous waste as defined by the Colorado Department of Health in 6 CCR 1007-3, or as may be amended in the future.

3. Shall not discharge domestic wastes to the POTW without a permit and in a manner or location that is other than that authorized by the permit.

B. Mixing Of Wastes: Liquid waste haulers are prohibited from mixing:

1. Permitted wastes with prohibited or nonpermitted wastes in the same tank; and
2. Domestic wastes with nondomestic wastes in the same tank, except that mixing of domestic waste with nondomestic wastes from grease/sand interceptors or grease traps is authorized. (Ord. 99-163; Ord. 01-42; Ord. 10-82)

4.3 Other Prohibitions

- A. Industrial wastes, chemical wastes, sand trap pumping, non-food petroleum type grease trap pumping, hazardous or toxic materials, or other liquid wastes not complying with Section 12.5.702 of the Wastewater Treatment Code are specifically prohibited.
- B. The disposal of waste fryer oil pumped from barrels or bins is prohibited at the CSWTP.
- C. It shall be unlawful for any person to discharge into any natural waterway or any surface drainage within the City, or in any area under the jurisdiction of the City, any wastewater unless suitable treatment of the wastewater has been provided in accord with the provisions of this article and applicable County, State or Federal regulations. (Ord. 98-173; Ord. 99-162; Ord. 01-42) [Wastewater Treatment Code 12.5.701]
- D. It is unlawful for any person to discharge from a vehicle, portable tank or other container used for transporting normal domestic wastewater, liquid waste or industrial waste into the wastewater system or a private sewer facility directly or indirectly connected to the wastewater system, unless the discharges are specifically approved in writing by the Executive Director. [Wastewater Treatment Code 12.5.704.A.]
- E. It is unlawful for any person to discharge or cause the discharge of normal domestic wastewater, liquid wastes or industrial waste into a part of the wastewater system generally used for maintenance or monitoring, including, but not limited to, manholes, cleanouts or sampling chambers, unless the discharges are specifically approved in writing by the Executive Director. [Wastewater Treatment Code 12.5.704.B.]
- F. It is unlawful for any person to withdraw liquid wastes or industrial wastes collected in a grease trap, grease/sand interceptor, or other waste collection tank and to reinject any portion thereof into the

wastewater system, a private sewer facility or a different grease trap, grease/sand interceptor or other waste collection tank that is directly or indirectly connected to the wastewater system, except at designated disposal facilities or locations approved and designated by the Executive Director. [Wastewater Treatment Code 12.5.704.C.]

- G. It is unlawful for any person to discharge any substance directly into a manhole or other opening in the wastewater treatment system other than through an approved service line. [Wastewater Treatment Code 12.5.704.D.]
- H. It is unlawful for any person to discharge liquid wastes into the wastewater system from chemical toilets, and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers, except at locations authorized by the Executive Director to collect the wastes within the City. [Wastewater Treatment Code 12.5.704.E.]
- I. It is unlawful for any person to discharge cooling waters or process waters to a storm sewer or natural outlet or to groundwater, which is tributary to surface water, unless such person has a valid CDPS permit. (Ord. 98-173; Ord. 99-162; Ord. 01-42; Ord. 10-82) [Wastewater Treatment Code 12.5.704.F.]

#### 4.4 Other Requirements

- A. Each grease trap and grease interceptor shall be fully evacuated unless the trap or interceptor volume is greater than the Liquid Waste Hauler's truck capacity, in which case the Liquid Waste Hauler shall provide for additional transportation capacity or multiple visits so that the trap is fully evacuated within a 24-hour period.
- B. The contents of septic tanks or cesspools within the limits of the City shall not be removed therefrom, nor shall the same be transported through any street, alley or public place within the City, except in a sanitary manner, through or by means of airtight tanks, if soft and mixed with matter, and if solid or dry, in tight covered tanks in such manner as shall prevent the escape of any noxious gases or offensive odors, and preserve the contents from sight or exposure during transportation. All tools, appliances and vehicles used in the cleaning and removal shall be kept and maintained in sanitary condition and shall be subject to inspection and licensing by the El Paso County Department of Health and Environment. (Ord. 98-173; Ord. 99-162; Ord. 01-42) [Wastewater Treatment Code 12.5.603]

#### 4.5 Vehicle Maintenance Requirements [Wastewater Treatment Code 12.5.1004]

Liquid waste hauler vehicles used for hauling liquid wastes shall be maintained and operated so as to assure a safe and sanitary condition. This includes:

- A. Maintaining tanks, pumps, valves, hoses, racks, cylinders, diaphragms, pipes, connections, and other appurtenances on a vehicle in good repair and free from leaks, airtight to prevent the escape of any noxious gases or offensive odors;
- B. Providing a safety plug or cap for each tank;
- C. Ensuring that the vehicle exterior is clean at the beginning of each work day (prior to entry to the POTW) and that all tools and appliances used in the cleaning and removal are kept and maintained in sanitary condition;
- D. Cleaning the inside of tanks to ensure that nonpermitted residual wastes are not left in the tank and allowed to mix with permitted wastes; and,
- E. Liquid waste hauler vehicles shall be licensed by El Paso County Department of Health and Environment, when applicable. (Ord. 99-163; Ord. 01-42; Ord. 10-82)

### Section 5 – Reporting Requirements

#### 5.1 Manifest System [Wastewater Treatment Code 12.5.1002]

- A. Requirements For Manifest: Any liquid waste hauler must complete a liquid waste hauler manifest on the form prescribed by the Executive Director if:
  - 1. The liquid waste hauler is pumping wastes from a grease/sand interceptor, grease trap or other appurtenance that is connected to the wastewater treatment system, regardless of whether the wastes are disposed at a designated disposal facility; or
  - 2. The liquid waste hauler is pumping wastes from septic tanks, portable toilets or other sources of wastes that are not connected to the wastewater treatment system and the wastes are disposed at a designated disposal facility.
- B. Contents Of Manifest: The manifest shall include, at a minimum:
  - 1. The name of the liquid waste hauler and vehicle identification.

2. Permit number of the permit issued by the Executive Director.
3. Signature of the liquid waste hauler at the time of pumping and disposal, the dates of pumping and disposal, and certification. The required certification is as provided in 40 CFR section 403.6(a)(2)(ii).
4. The name, addresses, and phone number of the waste generator.
5. The date and time each waste was picked up and the type of waste and volume (gallons) of each type of waste.
6. The name, address and phone number of the disposal location.
7. Signature of the centralized waste treatment facility at the time of disposal and the date of disposal.

C. Number Of Copies: The manifest consists of at least the number of copies that will provide the generator, the liquid waste hauler, the disposal facility, and the Executive Director (if disposal is not to the Utilities' POTW) with one copy each for their records.

5.2 Use of the Manifest [Wastewater Treatment Code 12-5-1002.D]:

- A. The liquid waste hauler shall complete one manifest for each location serviced. (*Portable toilets are an exception*)
- B. The liquid waste hauler must sign and date the manifest at the time of waste collection. The liquid waste hauler must provide a copy of the signed manifest to the generator at the time of waste collection.
- C. At the time of disposal, the liquid waste hauler shall complete the manifest and sign it and date it.
- D. If the liquid waste hauler disposes of the waste at a centralized waste treatment facility, the operator of the facility must also sign the manifest. The liquid waste hauler shall provide a copy of the completed and signed manifest to an operator at the centralized waste treatment facility prior to disposal.
- E. If the liquid waste hauler disposes of the waste at other than the POTW, the liquid waste hauler must provide a copy of the manifest to the Executive Director within thirty (30) days.
- F. The liquid waste hauler must retain a copy of the completed and signed manifest for three (3) years following disposal. The manifests shall be made available for inspection and copying to the Executive Director immediately upon request. (Ord. 99-163; Ord. 01-42; Ord. 10-82)



### 5.3 Self-Monitoring Reports

Self-Monitored Reports: The Executive Director shall establish all sampling and monitoring requirements as deemed necessary for the disposal of hauled liquid wastes to designated disposal facilities. All self-monitored reports shall include the certification specified in 40 CFR section 403.6(a)(2)(ii). [Wastewater Treatment Code 12.5.1003.A.]

### 5.4 Reports of Changed Conditions [Wastewater Treatment Code 12.5.1003.B.]

The liquid waste hauler must notify the Executive Director, in writing, of any planned significant changes to the liquid waste hauler operations or system which might alter the nature of or quality of its wastewater prior to discharge to the POTW's designated disposal system.

- A. The Executive Director may require the liquid waste hauler to submit the information as may be deemed necessary to evaluate the changed condition, including the submission of a new liquid waste hauler permit application.
- B. The Executive Director may issue a liquid waste hauler permit or modify an existing liquid waste hauler permit in response to changed conditions or anticipated changed conditions.

### 5.5 Reports of Changed Application Information [Wastewater Treatment Code 12.5.1109.B.]

- A. Any significant change in the information provided by the permittee on the liquid waste hauler permit application form shall be reported to the Executive Director as follows:
  - 1. Fourteen (14) days prior to known date of a planned significant change.
  - 2. Within seven (7) days after known date of an unplanned significant change.
- B. For purposes of this section, "significant change" shall mean:
  - 1. Change in number of disposal vehicles operated by the permittee.
  - 2. Replacement of a disposal vehicle operated by the permittee.
  - 3. Alteration of tank size of any disposal vehicle operated by the permittee.
  - 4. Change in the nature of the wastes hauled and/or disposed to the wastewater treatment system.

5. Other items as specified in the liquid waste hauler permit. (Ord. 99-163; Ord. 01-42)

#### 5.6 Additional Reporting and Requirements

- A. Any holder of a significant industrial user wastewater discharge permit or liquid waste hauler permit shall submit to the Executive Director the additional reports as specified as conditions of the user's permit or otherwise deemed necessary by the Executive Director. [Wastewater Treatment Code 12.5.901.H.]
- B. All reports and questionnaires required to be submitted by the above provisions shall bear the signature of an authorized representative of the discharging entity and shall include the certification statement as set forth in 40 CFR section 403.6(a)(2)(ii). The reports and records shall be retained by the user for a minimum period of three (3) years and shall be made immediately available upon request of the Executive Director. [Wastewater Treatment Code 12.5.901.I.]
- C. If the Liquid Waste Hauler disposes of the waste at any place other than the POTW or a designated disposal facility, a copy of the manifest or a monthly log must be provided to the Executive Director within thirty (30) days. Monthly logs for each pumping vehicle must be maintained by the Authorized Company Representative on forms approved by the Executive Director. Monthly logs are to be turned in by the 5<sup>th</sup> of each month.
- D. All Portable Toilet Log Sheets and Liquid Waste Hauler Load Tickets must be completed and signed by the Liquid Waste Hauler's authorized company representative (and signed by the authorized representative of their customer for Load Tickets).
- E. If a load must be transferred from one truck to another, a notation must be made at the top of the load ticket submitted for that particular load.

#### 5.7 Reports of Potential Problems [Wastewater Treatment Code 12.5.1003.C.]

- A. In the case of any discharge, including, but not limited to, accidental discharges, spills, discharges that are suspected to be of a waste type, characteristic and/or nature not specifically authorized under the permit, which may cause potential problems for the POTW, the liquid waste hauler shall immediately cease discharge and immediately notify the Executive Director of the incident. This notification shall include a description of the type of waste, characteristic, or other information that alerted the liquid waste hauler to the potential problem, volume discharged, and corrective actions taken by the liquid waste hauler.

- B. Within five (5) days following the discharge, the liquid waste hauler shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the liquid waste hauler to prevent similar future occurrences. The notification shall not relieve the liquid waste hauler of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall the notification relieve the liquid waste hauler of any fines, penalties, or other liability which may be imposed. The Executive Director may waive this requirement if the liquid waste hauler fully complies with this notification requirement and the Executive Director determines that the incident is minor. (Ord. 99-163; Ord. 01-42; Ord. 10-82)

## 5.8 Record Keeping

- A. All records (including documentation associated with BMPs) shall be retained by the user for a minimum period of three (3) years, shall be made immediately available upon request of the Executive Director at any time during the three (3) year period or so long as actually retained. [Wastewater Treatment Code 12.5.902.B.]
- B. Records retention requirements may be extended if the Liquid Waste Hauler is under enforcement proceedings, or if otherwise required by the Executive Director.
- C. Except as otherwise provided in section 12.5.906 of this part, all records, reports, data or other information supplied by any person as a result of any disclosure required by this chapter shall be available for public inspection. (Ord. 98-173; Ord. 99-162; Ord. 01-42) [Wastewater Treatment Code 12.5.905]

## Section 6 – Compliance Monitoring

- A. The Executive Director shall establish all sampling and monitoring requirements as deemed necessary for the disposal of hauled liquid wastes to designated disposal facilities. All self-monitored reports shall include the certification specified in 40 CFR section 403.6(a)(2)(ii). [Wastewater Treatment Code 12.5.1003.A.]
- B. Liquid wastes disposed of at the designated disposal facilities of Utilities shall be subject to sampling to determine compliance with all applicable provisions of this article. Limitations and prohibitions governing these pumpings are contained in section 12.5.702 of this article, except subsection 12.5.702D1 of this article. [Wastewater Treatment Code 12.5.1006.A.]
- C. Liquid waste hauler truck contents shall be subject to sampling and analysis by Utilities' employees at any time. [Wastewater Treatment Code 12.5.1006.B.]

- D. The Executive Director shall promulgate rules, regulations and procedures as necessary to ensure that any and all samples obtained by Utilities' employees can be accounted for from the time the samples are obtained to the time the samples are disposed. [Wastewater Treatment Code 12.5.903.F.]
- E. Tampering with or purposely rendering inaccurate any monitoring device method, or record required to be maintained by this article is unlawful. (Ord. 98-173; Ord. 99-162; Ord. 01-42; Ord. 10-82) [Wastewater Treatment Code 12.5.903.G.]

## Section 7 – Financial Assurance

- A. Liability Insurance: The liquid waste hauler shall maintain liability insurance as required by Colorado Revised Statutes section 10-4-705 and as otherwise provided by law. [Wastewater Treatment Code 12.5.1005.A.]
- B. The Executive Director may require as a permit condition that the liquid waste hauler maintain financial assurance in an amount sufficient to cover any damage to the wastewater treatment system caused by disposal of liquid wastes into the system. Financial assurance mechanisms may include an irrevocable letter of credit, surety bond, insurance or use of more than one of these mechanisms. [Wastewater Treatment Code 12.5.1005.B.1.]
- C. The Executive Director may require financial assurance if the permittee or permit applicant has previously disposed of prohibited or nonpermitted wastes to the POTW, has otherwise violated provisions of this article or an earlier permit, hauls hazardous substances to other disposal locations, or otherwise is a risk to the physical, chemical, or biological condition of the POTW or the POTW's compliance with its permits. [Wastewater Treatment Code 12.5.1005.B.2.]
- D. The Executive Director may require financial assurance of an amount necessary to reimburse the costs incurred by Utilities and/or the City to return the wastewater treatment system to proper operation and compliance with regulatory requirements and its permits, and to restore the environment to the condition prior to noncompliance by the permittee. Activities for which financial assurance will be used include, but are not limited to, storage, confinement, perimeter protection, neutralization, recycling, dredging, excavation, collection of leachate or runoff, and on site treatment or incineration. Reimbursable costs may include engineering, administrative, legal, construction costs and interest. [Wastewater Treatment Code 12.5.1005.B.3.]

- E. Recovery for damage to the wastewater treatment system shall not be limited to the amount of financial assurance. (Ord. 99-163; Ord. 01-42; Ord. 10-82) [Wastewater Treatment Code 12.5.1005.B.4.]
- F. Liquid Waste Haulers who are permitted to use the CSWTP station must maintain insurance as required by Colorado Springs Utilities. Policy and coverage requirements may be found in Appendix A of this manual.
- G. Appropriate Certificates of Insurance covering Workman's Compensation or waivers of such shall be filed with the Department and kept current by the Authorized Company Representative.

## Section 8 – Liquid Waste Hauler Charges and Fees

- A. There shall be a disposal charge as provided in the wastewater tariffs (section 12.1.107 of this chapter) for permitted wastes discharged into the designated disposal facility. The charge shall be payable as provided in the tariffs subject to any rules for user charges for utility services, as provided in section 12.1.111 of this chapter. [Wastewater Treatment Code 12.5.1007.A.]
  - 1. Accounting and billing of each load discharged will be accomplished by use of an electronic card reading and printing device located at Utilities or by other means deemed appropriate by the Executive Director. [Wastewater Treatment Code 12.5.1007.A.1.]
  - 2. A charge for replacement of lost electronic pass cards shall be assessed as provided in the wastewater tariffs. Damaged or otherwise unusable pass cards shall be replaced free of charge. [Wastewater Treatment Code 12.5.1007.A.3.]
  - 3. Immediate suspension may occur upon failure to pay charges greater than deposit. Permit termination may occur for five (5) or more repeated late payments. (Ord. 99-163; Ord. 01-42) [Wastewater Treatment Code 12.5.1007.C.]
- B. Deposit Required – Permitted Liquid Waste Haulers are subject to a credit check. Depending on the information obtained from the credit check, a deposit may be required. If a deposit is required, it will be due two (2) weeks from the effective date of the permit. In lieu of a deposit, the Permittee may opt to obtain one of the following forms of financial assurance:
  - 1. EFT Electronic Funds (disposal fees are automatically debited from a bank account). This means of financial assurance may only be offered if the Permittee is a new customer.

2. Surety Bond
  3. Irrevocable Letter of Credit
- C. Annual permit fees are billed in May of each year. The fee is currently \$50.00.

## Section 9 – Enforcement

- A. Failure To Report: It shall be unlawful for any person to fail to report within the time periods required by this Article, by a control mechanism or expeditiously if not stated, to the Executive Director, any discharge which violates the requirements, prohibitions and limitations of this Article. [Wastewater Treatment Code 12.5.808.A.]
- B. Prohibited Procedural Actions Or Failure To Act: It is unlawful to not perform the requirements of this article. This includes, but is not limited to, failure to apply for permits or other control mechanisms when required by this article; failure to respond to questionnaires and requests for necessary information to determine application of or compliance with this article; submittal of incomplete questionnaires, reports, applications or plans; untimely submittal of questionnaires, applications, plans or reports; failure to comply with a final order of the Executive Director; failure to protect against accidental discharge of prohibited wastes; failure to provide notices to employees; monitoring as required; failure to prevent a slug discharge, failure to conduct sampling when requested in accord with conditions in the user's permit; failure to accurately report noncompliance; missing compliance dates; failure to immediately discontinue the discharge when ordered because of imminent harm or risk of harm; failure to certify per 40 CFR section 403.6(A)(2) when required. (Ord. 98-173; Ord. 99-162; Ord. 01-42) [Wastewater Treatment Code 12.5.808.B.]
- C. Enforcement actions will be carried out in accordance with Chapter 12 of the Wastewater Treatment Code and the Industrial Pretreatment Program Enforcement Response Plan.
- D. Please refer to the Wastewater Treatment Code, Chapter 12 for further information on enforcement.