

ARTICLE IV
Appendix “A”

**GREASE TRAPS, INTERCEPTORS, SEPARATORS, HOLDING
TANKS, AND TRANSPORTED WASTE**

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March 17, 1999

ORDINANCE NO. 63-99

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING ARTICLE 4, CHAPTER 29, CODE OF ORDINANCES, CITY OF TEXARKANA, TEXAS, REQUIRING THE INSTALLATION AND OPERATION OF GREASE TRAPS, INTERCEPTORS, SEPARATORS AND HOLDING TANKS, PROHIBITING THE DISCHARGE OF WASHINGS AND OTHER CONTAMINATED MATERIALS, DIRECTLY OR INDIRECTLY, INTO THE WATERS OF THE UNITED STATES, AND REGULATING THE TRANSPORTATION AND DISPOSAL OF LIQUID WASTES FROM SEPTIC TANKS, GREASE TRAPS, INTERCEPTORS, AND SEPARATORS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREOF; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

- Section 1.** That the Code of Ordinances be amended so as to amend Article IV of Chapter 29, by adding the Sections as set forth in Appendix "A" which is attached hereto and made a part hereof.
- Section 2.** That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) consecutive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.
- Section 3.** It is further provided that in case any provision of this Ordinance is invalidated by any Court of competent jurisdiction, the remaining provisions shall not be affected, impaired, or invalidated and shall continue in full force.
- Section 4.** All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such a conflict.
- Section 5.** That this Ordinance shall be in full force and effect immediately following its passage, approval and publication as provided by law.

Passed and Approved in Regular Session March 22, 1999.

Amended August 25, 2003: Section 29-51.6 (c)(1)(e) wording added
Sections 29-51.6 (c)(2)(e) added
Section 29-51.6 (c)(2)(f) added

ARTICLE IV
Appendix "A"

Grease Traps, Interceptors, Separators, Holding Tanks, And Transported Waste

Section 29-51.5. General Provisions

(a) Purpose & Policy

(1) Reasons for Establishment

- a. This Ordinance is established to prevent the discharge of grease, oil, flammable substances, sand and other harmful wastes into the sewer systems and the waters of the United States by requiring Users to provide a device to intercept and treat these wastes, to set forth uniform requirements for the installation and maintenance of grease traps, interceptors, and separators, to regulate the transportation of nonhazardous liquid waste in the territorial boundaries of the City of Texarkana, Texas, and to regulate the discharge of transported wastes into or at the Texarkana Publicly-Owned Treatment Works (POTW).

(2) Objectives

- a. The objectives of this Ordinance are:

- (i) To prevent the introduction of wastewaters containing oil and grease in amounts which may cause stoppages or obstruction of flow, or in any other way prevent or inhibit operation of the POTW, including the sanitary sewer collection system and the treatment plant;
- (ii) To prevent the introduction of pollutants into the POTW which may be incompatible with the POTW;
- (iii) To protect the water quality of streams, creeks and other waterways traversing the City;
- (iv) To enable the City of Texarkana, Texas to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, sludge disposal conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject; and
- (v) To protect the environment and the health, safety and welfare of the public and the POTW workers by regulating the pretreatment, the transport and the disposal of liquid wastes.

(3) City-operated Facilities Not Required

- a. Nothing herein shall compel the city to provide any facility where sand, oil, grease, or other wastes other than sanitary sewer may be treated or disposed.

(b) Definitions

- (1) Incorporation of Definitions by Reference
 - a. Unless a provision explicitly states otherwise, terms and phrases as defined in Article IV, Chapter 29 of the Texarkana, Texas Code of Ordinances shall apply.
- (2) Specialized Definitions
 - a. "Catch basin" shall mean a chamber or trench drain which admits drainage from a surface into a sewer drain.
 - b. "Grease trap" or "trap" shall mean a receptacle designed to collect and retain grease and fatty substances normally found in kitchen and similar wastes. A grease trap is installed in the drainage system between the kitchen or other point of production of the waste and the building sewer.
 - c. "Hazardous waste" shall mean a hazardous waste in accordance with Title 40 of the code of Federal Regulations, Part 261.3.
 - d. "Holding tank" shall mean a receptacle, not connected to the sanitary sewer, designed to hold objectional waste that is prohibited from being discharged into the sanitary sewer, the contents of which must be hauled to a disposal site.
 - e. "Incompatible wastes" shall mean wastes which have different processing, storage or disposal requirements.
 - f. "Interceptor" shall mean a receptacle designed and constructed to intercept, separate and prevent passage of sand, grit or other objectional solids into the drainage system to which it is connected. An interceptor may be integrated with a separator for vehicle wash bays or repair areas.
 - g. "Representative sample" shall mean a twenty-four-hour composite sample consisting of at least twelve (12) parts where the discharge is continuous. Where the discharge is not continuous, the sample shall be representative of all discharges occurring in a twenty-four-hour period. Grab samples shall be collected for pH, cyanide, total phenols, sulfides, oil and grease, total petroleum hydrocarbons, and volatile organics analyses.
 - h. "Sampling port" shall mean a manhole or other approved device installed in the building sewer specifically designed to facilitate sampling of the wastewater discharge.
 - i. "Separator" or "oil separator" shall mean a receptacle designed to remove oils and grease from wastewater by separation, usually by simple flotation or by chemical addition where the oils or greases are soluble or emulsified. For the purpose of this Ordinance, the term shall apply to oil separation units employed for vehicle wash facilities.
 - j. "Separator truck" shall mean a truck equipped with a tank or other liquid-holding container designed to separate the grease portion from the waste removed from a grease trap and to return the other liquid portion to the trap.
 - k. "Septic tank waste" shall mean waste from vessels such as septic tanks, chemical toilets, campers and recreational vehicle dump stations that are

not connected to the sanitary sewer, but contain wastes which may be treated at a municipal wastewater treatment plant.

(c) Administration

(1) Administration, Implementation and Enforcement

- a. Except as otherwise provided herein, the Control Authority shall administer, implement, and enforce the provisions of this Ordinance.

(d) General Requirements

(1) Applicability

- a. Unless otherwise stated herein, this Ordinance shall apply to all Users of the City's POTW whether the User discharges to the POTW through a sanitary sewer collection system or transports the waste or has the waste transported to the POTW Treatment Plant for transfer or disposal and whether such User has been issued a Wastewater Discharge Permit.
- b. This Ordinance shall apply to the operation of all vehicles for collection and transport of nonhazardous liquid wastes within the territorial boundaries of the City of Texarkana. This Ordinance is not intended to regulate the collection and transport of wastes which are hazardous in nature.
- c. The following types of establishments **may** be exempted from the requirements of this Ordinance:
 - (i) Private living quarters;
 - (ii) Bars and clubs serving drinks only and where no food is prepared;
 - (iii) Snow cone and shaved ice stands, provided no other type of food is prepared;
 - (iv) Grocery or convenience stores without food preparation, meat cutting or packaging, delicatessens or bakeries;
 - (v) Day care centers who primarily serve microwaved dishes, using single service items;
 - (vi) Confectionery stores which sell, exclusively, unpackaged sweets, confections, nuts, ice cream, yogurt, and variety food items;
 - (vii) Produce markets; and
- d. Mobile food establishments in a vehicle or trailer designed to be easily movable and not discharging to the sanitary sewer.

(2) Prohibited Discharges

- a. In addition to the prohibitions outlined in Article IV, Chapter 29, of the Code of Ordinances of the City of Texarkana, Texas the following prohibitions shall apply:
 - (i) A User shall not discharge or cause to be discharged plastics, paper, nonbiodegradable oils or other nonbiodegradable materials. Such items, when found in grease trap waste, shall be removed prior to cleaning the trap to prevent delivery to POTW or transfer station or disposal site controlled by the Control Authority.

- (ii) A User shall not discharge or cause to be discharged any waste oil or grease to any drains or grease trap, separator, or interceptor. Such waste shall be placed in a container specifically designed to hold such waste and either utilized by industry or disposed at suitable locations.
 - (iii) No person shall discharge or cause to be discharged at the POTW Treatment Works any wastewater (transported waste) having a pH less than 6.0 S.U. nor greater than 9.5 S.U.
- (3) Pretreatment of Wastes
 - a. Grease traps, interceptors, oil separators, or holding tanks shall be provided for the proper handling of wastes containing grease, flammable wastes, sand and other pollutants which may be harmful to the building drainage system, the public sewer or the POTW Treatment Works.
 - b. Any establishment not specifically exempted by this or other Ordinance which prepares food for on-site or off-site consumption shall be equipped with an adequately-sized grease trap.
 - (i) Such pretreatment facilities shall be protected from rainwater and runoff. Drainage from areas exposed to rainwater or runoff shall not be connected to the sanitary sewer.
 - (ii) Sand interceptors shall be provided for the pretreatment of wastewater from carpet cleaning and water extraction operations.
 - (A) Facilities operating vehicles specifically designed for carpet cleaning and extraction operations shall maintain a sand interceptor at the place of business and shall discharge wastewater from the operation through the interceptor at a rate which will assure efficient removal of the nonbiodegradable sand and grit.
 - (B) Such pretreatment facilities shall be protected from rainwater and runoff. Drainage from areas exposed to rainwater runoff shall not be connected to the sanitary sewer.
 - (C) Such wastewaters shall not be discharged onto public or private property, into any street or gutter or storm drain, into any natural or manmade waterway or into the sanitary sewer at any residence. Such wastewaters shall not be discharged to any sanitary sewer without pretreatment.
 - c. Vehicle wash facilities, including but not limited to automatic and hand wash facilities, detail shops, hand wash bays in service stations and other facilities, and similar installations shall be equipped with sand interceptors and oil separators and shall discharge to the sanitary sewer except where an appropriate direct discharge permit has been issued by the appropriate regulatory agency(ies).

- (i) Such pretreatment facilities shall be protected from rainwater and runoff. Drainage from areas exposed to rainwater or runoff shall not be connected to the sanitary sewer.
 - (ii) Vehicle washing is prohibited on driveways and other areas which may cause the wastewater to discharge onto the ground surface, into storm drains or roadway gutters, or into any waterway of the United States.
 - d. Work areas of machine shops or of any facility or part of a facility which manufactures, rebuilds, repairs, overhauls, or maintains motors, transmissions, hydraulic systems, or similar machinery and areas where fluids are changed shall not have floor drains or other devices draining into the sanitary sewer.
 - (i) Areas such as described above shall be physically separated, either by berm, separate building, or other suitable method, from any area having drains connected to the sanitary sewer.
 - (ii) Drainage from areas such as described above shall be discharged into a holding tank or shall be absorbed with suitable absorbent and shall be properly disposed.
 - (iii) Floor cleaning wash water from areas such as described above shall be excluded from the sanitary sewer except where pretreated to within the specifications of this or other applicable Ordinance.
 - e. Steam cleaning and chemical cleaning facilities shall not discharge to the sanitary sewer unless a facility or process is provided that will consistently produce an effluent that is in compliance with this or other applicable Ordinance, particularly in regard to grease, oils, organics, and other chemicals.
 - f. Where pretreatment or flow equalization facilities are provided for any waters or wastes, these facilities shall be maintained in satisfactory and effective operation by the owner or operator at his expense.
- (4) Sampling Ports
 - a. The Control Authority may require any Nondomestic User to install a suitable sampling port in the building sewer to facilitate observation, sampling, and measurement of the wastes and flows. Sampling ports shall be readily accessible to the Control Authority at all times.
 - (i) Sampling ports shall be easily accessible and safely located and shall be constructed in accordance with plans approved by the Control Authority. Sampling ports shall be subject to inspection by the Control Authority prior to use.
 - (ii) An appropriate sampling port shall be installed in the building sewer immediately downstream of the grease trap, interceptor, or separator.
 - (A) The sampling port shall be equipped with an access cover not less than twenty-four (24) inches in diameter, with a flow channel not less than four (4) inches in width and twelve (12) inches in length.

- (B) Sampling ports shall be installed and maintained by the owner or operator at his expense.
 - (iii) Sampling ports shall be constructed to exclude entry and exit of waters not discharged through the building sewer, i.e. to prevent infiltration/inflow and exfiltration/exflow.
 - b. The Control Authority may require the installation of a sampling port in the tank of any vehicle used to deliver transported waste to the Texarkana POTW. Such sampling port shall be easily accessible and shall facilitate sampling of the tank contents without causing the discharge of any of the contents of the tank.
- (5) Monitoring Requirements
 - a. Where required by any Permit or Order or otherwise ordered by the Control Authority, the Nondomestic User shall obtain representative samples of a wastewater discharge or proposed discharge for analysis. Specified analyses shall be conducted no less frequently than as outlined in the Permit or Order or other document issued by the Control Authority.
 - (i) Specific pollutants for which to analyze shall be determined by the Control Authority.
 - (ii) A qualified testing laboratory who adequately demonstrates acceptable quality control/quality assurance shall be employed to conduct analyses. This may be demonstrated through a state, professional or federal program or association.
 - (iii) Analyses may be conducted by qualified persons on-site only with prior written approval of the Control Authority. On-site laboratories conducting monitoring for compliance with this Ordinance shall be subject to the same requirements as commercial or contract laboratories.
 - (iv) All costs of monitoring shall be borne by the User.
 - b. The Control Authority may conduct sampling and analyses of the discharge of any Nondomestic User where deemed necessary to assure compliance with this or other applicable Ordinance. The Control Authority may randomly sample and analyze the discharge from any Nondomestic User and conduct surveillance activities in order to identify, independent of information supplied by the User, occasional and continuing compliance or noncompliance with the provisions of this or other applicable Ordinance.
 - c. All costs of analyses, including shipping charges, if any, of samples collected by the Control Authority shall be billed to the User.
 - d. All sampling and analyses shall be conducted in accordance with procedures outlined in 40 CFR 136 and amendments thereto, except where a particular method for analysis is prescribed in 40 CFR for a Federal Category or Subcategory or where specified in a Permit or other document issued by the Control Authority. For analysis of pollutants not listed in the Code of Federal Regulations, the method shall be determined by the Control Authority.

(6) Record-keeping Requirements

- a. Any User subject to record keeping requirements established in this Ordinance shall retain records of all information resulting from activities required by this or other applicable Ordinance or regulation for a period of not less than five (5) years.
 - (i) The User shall, upon request, make available for inspection and copying by the Control Authority, the Texas Natural Resource Conservation Commission, the Arkansas Department of Environmental Quality (Department of Pollution Control and Ecology) or the United States Environmental Protection Agency, all records of information obtained pursuant to any activities required by this Ordinance and any records of information obtained pursuant to activities undertaken by the User independent of such requirements.
 - (ii) Periods of retention shall be automatically extended for the duration of any litigation concerning the User or the City or where the User has been specifically notified of a longer retention time by the Control Authority, the Texas Natural Resource Conservation Commission, the Arkansas Department of Environmental Quality (Department of Pollution Control and Ecology) or the United States Environmental Protection Agency.
- b. The Nondomestic User shall maintain records of inspection, pumping and cleaning, and other maintenance activities of grease traps, interceptors, catch basins, holding tanks, including waste oil receptacles, and separators for a minimum of five (5) years. These records shall be made available to the Control Authority upon request for inspection and copying.
 - (i) Inspection records shall minimally contain the date the facility was inspected, who inspected the facility, the specific condition of the piping and other structures of the facility, and a description of any repairs recommended by the inspector and subsequently made to the facility.
 - (ii) Pumping, cleaning and disposal records shall minimally include the date the facility was cleaned, who cleaned the facility, the type and amount of material removed, who disposed the removed materials, the disposal site for the removed materials, an approved completed waste manifest which includes generation, transport and disposal information, and any other information as required by Federal, State, or Local regulations governing such operations.
 - (iii) Repair and maintenance records shall include a description of the maintenance or repair, the date of the maintenance or repair, and who performed the maintenance or repair. All repairs shall be made by a licensed plumber.
 - (iv) Holding tank disposal records shall minimally contain the date the facility was serviced, the specific type of waste disposed, the

amount of waste removed, the name of the person or firm who serviced the facility and the method of final disposal.

- c. The User shall maintain records of the cleaning of building sewer lines made necessary by excessive grease buildup. These records shall minimally contain the date and by whom the lines were cleaned, the known or suspected cause of the buildup, and actions taken to prevent recurrence.

(e) Protection of the POTW Collection System

(1) Discharge into the Collection System

- a. Discharge of waste shall be made into the POTW only at places designated for discharge.
- b. No person shall discharge or cause to be discharged any substance into a manhole, sewer cleanout or other opening which is part of the POTW unless specifically authorized by the Control Authority.
 - (i) Such authorization shall be made on a case-specific basis.
 - (ii) Such authorization shall be in writing in the form of a temporary Wastewater Discharge Permit. A fee of \$50⁰⁰ shall be charged for each temporary Permit.
 - (iii) Such discharge shall occur at the time and place designated by the Control Authority.
 - (iv) Such discharge shall be metered using a meter provided by or approved by the Control Authority. The User shall pay a treatment fee of \$0.05 per gallon, which shall become due upon the completion of the discharge.
 - (v) Such discharge shall not occur without display of the appropriate device as approved and issued by the Control Authority.

(2) Discharge of Imported Wastewater

- a. No person shall discharge or cause to be discharged any waste into the sanitary sewer which has been transported from another site onto a residential, commercial, or industrial site except as outlined in Section 29.51.5(d)(3) of this Ordinance.
- b. No person shall discharge or cause to be discharged any wastes from nondomestic sources into the sanitary sewer facilities at a residential or other domestic wastewater source.

Section 29-51.6. Grease Traps, Interceptors, Separators And Holding Tanks

(a) Applicability

(1) Removal of Pollutants

- a. This section shall apply to all facilities whose waste discharge contains or may contain grease, oil, sand, or other harmful pollutants originating from processes including but not limited to vehicle and equipment

washing, food preparation and serving, and carpet cleaning and water extraction.

(b) Grease Traps, Interceptors, Separators and Holding Tanks

(1) Users Required to Maintain Pretreatment Devices

- a. Grease traps, interceptors, separators, or holding tanks shall be provided for the proper handling of wastes containing grease, oil, sand, and other harmful pollutants which may interfere with the operation and maintenance of the POTW and shall be constructed and maintained in accordance with the provisions outlined in the Texarkana, Texas Code of Ordinances.
- b. All restaurants, institutions, cafeterias, or other establishments preparing or serving food, except those specifically exempted in Section 29-51.5(d) of this Ordinance, shall be required to install and maintain a grease trap for the efficient removal of oil and grease from the wastestream. The design and installation of such devices shall be subject to review and approval by the Control Authority.
- c. All vehicle wash areas shall be equipped with interceptors and oil separators for the removal of oils, grease, and sand and other solids. The design and installation of such devices shall be subject to review and approval by the Control Authority.
- d. It shall be the responsibility of the User to furnish, operate and maintain such pretreatment devices as necessary to produce an effluent in compliance with this or other applicable Ordinance.
- e. Holding tanks shall be provided for waste oils and other objectional waste that is prohibited from being discharged into the sanitary sewer. Such holding tanks shall be constructed to prevent leakage and splashing and shall be equipped with secondary containment to prevent spills during operation and cleaning. Such tanks shall be maintained to preclude odor and other nuisances and shall not be connected to the sanitary sewer or in any other way allowed to be discharged to the sanitary sewer.

(2) Existing Facilities

- a. Existing facilities required by this or other applicable Ordinance to maintain a grease trap, interceptor or separator not equipped with an adequately-sized treatment unit shall, within eighteen (18) months of the effective date of this Ordinance, install an adequately-sized grease trap, interceptor or separator in accordance with the specifications of this Ordinance.
- b. Existing facilities required by this or other applicable Ordinance to maintain a grease trap, interceptor or separator not equipped with the required pretreatment device for the type of business shall, within nine (9) months of the effective date of this Ordinance, install an adequately-sized grease trap, interceptor or separator in accordance with the specifications of this Ordinance.
- c. In any circumstance where, in the opinion of the Control Authority, the existing grease trap, separator, or interceptor or the absence of a grease trap,

separator, or interceptor poses a serious threat or an on-going problem to the sanitary sewer, is a public nuisance, or poses a threat to public health or to the environment, the Control Authority may require the grease trap, interceptor, or separator be installed or replaced on a more stringent compliance schedule.

(d) If a food establishment or any other facility requiring a grease trap, interceptor, or separator shall cease operation and shall be required to come into compliance with other city codes under Section 10-68.1, then such establishment or facility shall be required to comply with this article before reopening.

(3) New Businesses

a. New businesses required by this or other Ordinance to maintain a grease trap, interceptor or separator shall install such unit prior to commencement of discharge to the sanitary sewer.

(4) Request for Determination of Need

a. The Nondomestic User may request a determination from the Control Authority whether a new or upgraded grease trap, interceptor or separator will be required for his facility. The Control Authority may approve alternate treatment technologies for some types of wastes normally treated by a separator.

b. Where a User requests his facility not be required to install a grease trap, interceptor or separator, the Control Authority may require data demonstrating the User is able to comply with the limitations outlined in this or other applicable Ordinance. The User may be subject to periodic monitoring to demonstrate continued compliance.

c. Where a User requests the use of alternate technology, the Control Authority may require data demonstrating the User is able to comply with the limitations outlined in this or other applicable Ordinance. The User may be subject to periodic monitoring to demonstrate continued compliance.

d. Such approvals shall be made on a case-by-case basis.

e. The decision of the Control Authority shall be final.

(c) **General & Specific Specifications**

(1) General Specifications

a. Specifications outlined in this Section shall be considered minimum requirements only. It shall be the responsibility of each User to have a grease trap, interceptor, or separator designed and installed and maintained that will produce an effluent in compliance with the requirements of this or other applicable Ordinance.

(i) Grease traps, interceptors, and separators shall meet or exceed the more stringent of specifications and requirements set forth in this Ordinance and other applicable Local, State, or Federal requirements.

(ii) An existing grease trap, interceptor, or separator which is upgraded or replaced shall meet or exceed the specifications set forth in this Ordinance and other applicable Local, State, or Federal requirements.

(iii) Where a Nondomestic User required under this Ordinance to have a grease trap, interceptor, or separator will occupy an

- existing building, the grease trap, interceptor, or separator shall meet or exceed the requirements in this Ordinance and other applicable Local, State, or Federal requirements.
- b. Grease traps, interceptors, and separators shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and capable of withstanding the traffic load where installed.
 - c. Grease traps, interceptors, and separators shall be installed outside the building wherever possible. Where it is impossible to locate a grease trap outside the building, the trap shall be located in a mechanical room or other separate area where no food is stored or processed.
 - d. Grease traps, interceptors, and separators shall be located so as to be readily and easily accessible for cleaning and inspection of the pretreatment device and shall be equipped with easily removable covers.
 - (i) Manhole rings and covers, not less than twenty-four (24) inches in diameter, shall be installed in the lid of each compartment to facilitate easy access for cleaning and inspection. The manholes shall be placed so that all internal piping is accessible for maintenance and inspection. The cover shall be at or near, but not below the finished grade.
 - (ii) Where an existing interceptor or separator is located inside a vehicle wash bay, the first chamber shall be preceded by a grated catch basin with openings not greater than one-half ($\frac{1}{2}$) inch in diameter or shall be equipped with a grated cover with openings not greater than one-half ($\frac{1}{2}$) inch in diameter so that no solid material greater than one-half ($\frac{1}{2}$) inch may enter the chamber. The cover on the secondary chamber shall be water tight. Where the interceptor or separator is preceded by a grated catch basin, all covers on the separator shall be watertight.
 - e. Grease traps shall have a total liquid capacity of not less than seven hundred and fifty (750) gallons unless otherwise allowed in 29-51.6 (c)(2)(e) herein. Interceptors shall have a total liquid capacity of not less than fifty (50) gallons. Separators shall have a total liquid capacity of not less than five hundred (500) gallons. Grease traps and separators shall be constructed with a minimum of two (2) compartments.
 - (i) The primary compartment shall have a detention time *at peak flow* of not less than fifteen (15) minutes.
 - (ii) The secondary compartment shall have a detention time *at peak flow* of not less than five (5) minutes.
 - f. Plans for new grease traps, interceptors, and separators or modifications to existing grease traps, interceptors, and separators shall be submitted to the Control Authority and the Plumbing Inspector for review.
 - (i) A description of plumbing fixtures draining to the trap, the number of fixture units as determined by the Plumbing Inspector and the calculations used to determine the proposed capacity shall be included in the submittal.

- (ii) The Control Authority and the Plumbing Inspector shall be in agreement for approval of the final plans prior to the issuance of any required plumbing or construction permits and subsequent construction.
 - g. All grease traps, interceptors and separators shall be equipped with an approved sampling port immediately downstream of the treatment facility. Existing facilities without an approved sampling port shall be equipped with an approved sampling port within twenty-four (24) months of the effective date of this Ordinance.
 - (i) Sampling ports shall be easily accessible and safely located and shall be constructed in accordance with plans approved by the Control Authority. Sampling ports shall be inspected by the Control Authority prior to use.
 - (ii) Sampling ports shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
 - (iii) Sampling ports shall be constructed to exclude the entry of stormwater and groundwater and exit of wastewater (prevention of infiltration/inflow, exfiltration/exflow).
 - h. Grease traps, interceptors, separators and sampling ports shall be installed by a licensed plumber. Completed grease traps, interceptors, and separators shall be subject to inspection by the Control Authority and the Plumbing Inspector prior to connection to the sanitary sewer.
- (2) Grease Trap Specifications
- a. All liquid waste lines in food preparation and dishwashing areas, except lines from rest room facilities and garbage disposals and cooling unit condensate, ice maker, and soft drink dispenser drain lines, shall discharge through the grease trap.
 - b. The minimum size of grease traps shall be determined according to the number of fixture units draining through the trap, but shall, in no case, have a total liquid capacity of less than seven hundred and fifty (750) gallons.
 - (i) The total number of fixture units multiplied by one hundred and fifty (150) gallons shall determine the minimum total liquid capacity of the trap.
 - (ii) The primary chamber shall occupy three-fourths ($\frac{3}{4}$) of the total liquid capacity of the trap.
 - (iii) The dividing wall between each chamber shall completely divide the chambers (shall extend top to bottom) except where the specific design of the separator provides for underflow, in which case, the wall shall not be greater than twelve (12) inches from the bottom, between the chambers rather than the flow traveling through a pipe.
 - (iv) Fixture units shall be defined in accordance with the applicable plumbing code as adopted in Chapter 20 in the City of Texarkana, Texas Code of Ordinances.

- c. Grease traps shall be equipped with double cleanouts on the outside of the trap in both the influent (prior to the trap) and effluent (after the trap) pipes.
- d. The influent shall enter each chamber below the static water level in accordance with the specifications outlined in this paragraph. The effluent shall discharge from below the static water level of the chamber in accordance with the specifications outlined in this paragraph.
 - (i) The influent line into all chambers shall terminate no greater than eighteen (18) inches from the bottom of the chamber.
 - (ii) The effluent from all chambers shall discharge from the lower twelve (12) inches of the chamber.
 - (iii) There shall be no openings in any influent or effluent pipe that will allow liquid to enter or exit the chamber at any point other than the intake or discharge point of the pipe.
 - (iv) The static water level shall be maintained throughout the entire trap.
- e. Large capacity, passive, outdoor grease traps as specified in this ordinance are the preferred method of grease retention. However, in large industrial applications, situations where archeological or historical circumstances prevent the disturbance of the ground or a structure, or where there is an existing commercial establishment as of the effective date of this section that has no outside wall adjacent to the foundation within twenty-five (25) feet of its premises or there is another obstacle that in the opinion of the Control Authority prevents the installation of a standard grease trap, then the User may propose alternate treatment technologies.
 - (i) Alternate treatment technologies may include but are not limited to dissolved air flotation, system baffling, active devices, automated grease removal, electronic alarms and shut offs or any combination of devices and procedures that in the opinion of the Control Authority protect the Public Health, the integrity of the POTW and is capable of producing an effluent in compliance with the established Maximum Allowable Discharge Limit.
 - (ii) Proposals for the installation of alternate treatment technologies shall be made in writing and shall contain specifications and calculations necessary to demonstrate treatment capabilities. The proposal shall be signed by the User's registered professional engineer.
 - (iii) Alternate treatment technologies shall be approved by the Design Engineer of the Texarkana Water Utilities in writing prior to the commencement of installation. Approval by the Design Engineer in no way endorses the design, device, or its performance, or relieves the User from the responsibility to meet Maximum Allowable Discharge Limits.
 - (iv) Installed alternate treatment technologies shall consistently produce an effluent in compliance with applicable standards as demonstrated by analytical data. Additional treatment, where

- required to meet the Maximum Allowable Discharge Limit, shall be installed at the User's expense. Such additional treatment shall be approved prior to installation.
- f. The Control Authority may at its sole discretion allow existing Users with existing under-sized grease traps, having at least a 500 gallon two stage grease trap, a trial period specified by the Control Authority in which to demonstrate that the use of Best Management Practices, housekeeping procedures, and increased maintenance of the grease trap will cause the existing grease trap to consistently produce an effluent in compliance with established limitations.
- (i) The User shall maintain records of procedures, training, and exceptional maintenance necessary to demonstrate the conditions of the trial period are being met.
 - (ii) The User shall have an appropriate sample port before any trial period may begin.
 - (iii) At least six analyses shall be required within the trial period to demonstrate consistent compliance. Samples shall be collected at random times by the Control Authority. All costs for sampling and analyses shall be borne by the User.
 - a. A User who has demonstrated consistent compliance during the trial period may be allowed to continue to operate with the existing treatment device.
 - b. A User who has not been able to demonstrate consistent compliance shall be required to install a properly-sized treatment device.
- (3) **Interceptor and Separator Specifications**
- a. Automatic car or truck washes and coin-operated wash bays, drive-in or drive-through wash bays, hand wash bays and other areas where vehicles are washed shall be equipped with an interceptor and a two-stage separator. The interceptor and the separator shall function as separate units.
 - (i) An adequately-sized interceptor shall be provided for the removal of sand, grit and other objectional solids from the wastestream.
 - (ii) An adequately-sized, two-stage separator shall be provided for the removal of oil and grease from the wastestream.
 - (iii) Interceptors and separators shall be minimally sized in accordance with the specifications outlined in this Section. Minimum sizing for any interceptor or separator may be increased at the discretion of the Control Authority.
 - b. Interceptors shall have a minimum detention time of not less than five (5) minutes. The minimum size shall be in accordance with the specifications outlined in this Section.
 - (i) Interceptors may be located inside the wash bay and may be equipped with a grated cover provided the openings in the cover are not greater than one-half (1/2) inch. When located inside the wash bay, the Control Authority may require a larger capacity

interceptor be installed to facilitate efficient sand and grit removal. Covers shall be easily removable for cleaning and inspection.

- (ii) Where located outside the wash bay, the interceptor shall be equipped with solid, watertight covers on each chamber and shall be preceded by a catch basin, located inside the bay, equipped with a grated cover with openings not greater than one-half (1/2) inch. Covers shall be easily removable for cleaning and inspection.
 - (iii) The inlet and outlet lines shall be designed and installed to provide uniform flow and stilling in the interceptor and to preclude sand from passing through the interceptor.
 - (A) Where a downpipe is provided at the inlet, the pipe shall extend into the interceptor a distance not less than one-third (1/3) from the static water level to the bottom.
 - (B) The discharge pipe shall extend into the interceptor a distance not less than one-third (1/3) from the static water level to the bottom.
- c. Separators shall be located outside the wash bay and shall be equipped with solid, water-tight covers on all chambers. Covers shall be easily removable for cleaning and inspection. The influent shall enter each chamber below the static water level in accordance with the specifications outlined in this paragraph. The effluent shall discharge from below the static water level of the chamber in accordance with the specifications outlined in this paragraph.
- (i) The influent line into all chambers shall terminate no greater than eighteen (18) inches from the bottom of the chamber.
 - (ii) The effluent from all chambers shall discharge from the lower twelve (12) inches of the chamber.
 - (iii) There shall be no openings in any influent or effluent pipe that will allow liquid to enter or exit the chamber at any point other than the intake or discharge point of the pipe.
 - (iv) The static water level shall be maintained throughout the entire trap.
- d. Minimum sizing for interceptors shall be fifty (50) gallons per fixture unit (F.U.) draining into the interceptor, but not less than the minimum sizes outlined below.

Interceptors	Minimum Size
Manual hand wash bay or portable washer	50 gal. / F. U., but not less than 50 gal. / bay
Coin-operated self service wash bays	50 gal. / F. U., but not less than 50 gal. / bay
Automatic (drive-in & drive-through)	50 gal. / F. U., but not less than 50 gal. / bay

- e. Minimum sizing for separators shall be one hundred and fifty (150) gallons per fixture unit draining into the separator, but not less than the minimum sizes outlined below.

Separators	Minimum Size
Portable washer	greater of 500 gal. --or-- 150 gal. / F.U.

Separators	Minimum Size
Single coin-operated wash bay	greater of 500 gal. --or-- 150 gal./F.U.
Manual hand wash, single bay only	greater of 500 gal. --or-- 150 gal. / F.U.
2-4 coin-operated or manual hand wash bays	greater of 1000 gal. --or-- 150 gal. / F.U.
>4 coin-operated or manual hand wash bays	greater of 1000 gal. + 200 gal. / bay > 4 -- or -- 150 gal. / F.U.
Drive-through wash bay	greater of 500 gal. / bay --or-- 150 gal / F.U.

- (i) The primary chamber of the separator shall occupy three-fourths ($\frac{3}{4}$) of the total liquid capacity of the separator.
 - (ii) The dividing wall between each chamber shall completely divide the chambers (shall extend top to bottom) except where the specific design of the separator provides for underflow not greater than twelve (12) inches between the chambers rather than the flow traveling through a pipe.
- (4) **Holding Tank Specifications**
- a. Holding tanks shall be constructed and maintained to prevent discharge of waste cooking oils, motor oils and other oils and fluids that are prohibited from being discharged to the sanitary sewer.
 - b. Holding tanks shall not be connected to the sanitary sewer or in any other way be allowed to discharge to the sanitary sewer.
 - c. Holding tanks shall be provided with secondary containment and such containment shall be capable of containing not less than one hundred and ten percent (110 %) of the capacity of the holding tank or the capacity of the largest tank plus water from a maximum 24-hour/10 year rainfall event if exposed to rainwater, whichever is greater.
 - (i). Secondary containment shall be constructed so as to control spills or splashes during operation and maintenance and leaks.
 - (ii) Secondary containment shall not be connected to any sanitary sewer drain or storm drain and shall not be allowed to drain onto public or private property or to the waters of the United States.

(d) Operation and Maintenance

- (1) **Operation and Maintenance Responsibilities**
 - a. Grease traps, interceptors, separators and holding tanks shall be operated in a safe and secure manner at all times.
 - b. Areas surrounding grease traps, interceptors, separators and holding tanks shall be maintained to facilitate immediate access to the unit for cleaning and for inspection by the Control Authority at all times.
 - c. Grease traps, interceptors and separators shall be maintained in continuously efficient operation by the owner or operator at his expense and shall produce an effluent in compliance with this or other applicable Ordinance.
 - d. A User shall not remove any downpipes or otherwise alter a grease trap, interceptor or separator in any way which may allow oil, grease, sand, or other objectional materials to pass through the device into the sanitary sewer.

- e. Where the Utilities must clean associated public sewers caused by inappropriate operation or maintenance, inadequate design or installation, or inappropriate alteration of a grease trap, interceptor or separator, costs of such cleaning shall be billed to the User.
 - (i) In a case where several users are discharging to the same sewer line, all the Users shall be equally liable except where the User provides written proof his discharge could not have been a contributing factor.
 - (ii) Proof shall consist of demonstration of adequate sizing and installation, appropriate cleaning (as documented by manifests and inspection documentation) *and* valid analysis of a sample of the discharge collected within one (1) week of the sewer cleaning activities. Analysis of samples collected after sewer line cleaning will be accepted only where the grease trap, interceptor or separator has been properly maintained and was not cleaned within thirty (30) days of the sewer cleaning activities.
- f. A User shall not increase the use of water or in any other way attempt to dilute the wastestream in lieu of adequate treatment.
- g. The addition of hot water or the use of emulsifiers, chemicals, or other agents or devices that may cause oil, grease, or sand to pass through a treatment facility or into the sanitary sewer collection system is strictly prohibited.
- h. Areas surrounding a grease trap, interceptor, separator or holding tank shall be kept clean and free of grease and odors and other materials at all times.
 - (i) Materials shall not be splashed, spilled, allowed to overflow, or otherwise placed on the area surrounding a grease trap, interceptor or separator.
 - (ii) In the event materials are spilled, splashed, overflowed, or otherwise placed on the surrounding area, the generator or owner shall assure the materials are cleaned from the area and properly disposed.
- i. Grease traps, interceptors, separators and holding tanks shall be fully evacuated of all contents during cleaning. If the capacity of the trap, interceptor, separator or holding tank is greater than the capacity of the transport vehicle where full evacuation is not possible in a single load, then the transporter and the generator shall assure the contents are fully evacuated within twenty-four (24) hours.
 - (i) No liquid waste shall be returned to the trap, interceptor, separator or holding tank after or during cleaning, either from the same or other trap, interceptor, separator or holding tank.
 - (ii) During cleaning, grease residue shall be removed from piping and walls and the piping and walls shall be inspected to assure the integrity of the device is maintained.
- j. Materials removed from traps, interceptors, separators and holding tanks shall be utilized by industry, recycled, or disposed at a facility designated by or acceptable to the generator where the owner or operator

agrees to receive the wastes and the disposal facility has documentation showing the facility meets all requirements of the State. All wastes shall be disposed in a suitable manner in accordance with applicable Federal, State, and Local laws.

- k. Users required to maintain grease traps, interceptors, separators, or holding tanks shall establish a system of training designed to provide employees with appropriate instruction on the proper use of such facilities.
 - (i) Such training system shall provide employees at all levels of responsibility with a complete understanding of the operation and maintenance of the pretreatment device and the relation between appropriate waste disposal and efficient operation of the pretreatment device. Such system should include:
 - (A) the importance and methods of good housekeeping practices;
 - (B) acceptable waste disposal practices including proper disposal of different types of wastes;
 - (C) procedures for preventing prohibited discharges; and
 - (D) the proper response to and notifications in case of spills or other accidental discharges.
 - (ii) Periodic training sessions shall be conducted to assure the employee understands the essential elements of the system. New employees shall be trained immediately upon employment.
- (2) Grease Trap Treatment Products
- a. Use of grease trap treatment products, including bacteria, designed to digest the grease, is specifically prohibited without prior written consent of the Control Authority.
 - (i) Acceptance of such products for use may be considered only where a valid screening test, showing the product's ability to treat the waste and to produce an effluent in compliance with this Ordinance, has been performed in accordance with the methods outlined by the Control Authority.
 - (ii) Screening tests for grease trap treatment products shall be designed by the Control Authority.
 - (iii) The results of screening tests shall be subject to technical review by the Control Authority.
 - (iv) All costs of screening tests shall be borne by the User whether or not the product is accepted for use.
 - (v) If a product is accepted for use, each User shall obtain written permission from the Control Authority to use the product.
 - (vi) The Control Authority may revoke permission to use such products where the effluent from the trap or basin in which the product is used fails to meet the requirements of this Ordinance.
 - b. Use of accepted grease trap treatment products shall not relieve the User of minimum cleaning requirements set forth in this Ordinance.
 - c. Use of accepted grease trap treatment products may subject the User to monthly surcharge fees where such usage causes the effluent

concentrations to exceed the definition of Normal Domestic Wastewater. Surcharge fees may be levied for biochemical oxygen demand, chemical oxygen demand, total suspended solids, or ammonia.

(3) Inspection and Cleaning Schedules

- a. Inspection, cleaning, and other necessary maintenance of such facilities shall be conducted as often as needed to assure the discharge is in compliance with the provisions of this or other applicable Ordinance, but not less than once per ninety (90) days.
 - (i) The trap, interceptor or separator shall be cleaned as often as necessary, up to and including daily, to assure compliance with this or other applicable Ordinance.
 - (ii) In no case shall the accumulated grease, oil, or sand be allowed to occupy more than twenty-five percent (25%) of the capacity of the first stage.
- b. The physical condition of the trap, interceptor, or separator (piping, internal walls, sidewalls, etc.) shall be inspected by the User each time the facility is cleaned. Repairs, if needed, shall be made prior to further use.
 - (i) Repairs or modifications shall be approved by the plumbing inspector and shall not be made without the appropriate city permits.
 - (ii) Inspection shall be conducted by the plumbing inspector after repair and prior to refilling or use. A copy of the Inspection Tag issued by the plumbing inspector shall be maintained on-site by the User and a copy shall be sent to the Control Authority.
 - (iii) Documentation of repairs shall be submitted to the Control Authority within thirty (30) days of the date of repair or earlier if specified in a Notice of Deficiency or other Control Authority-issued document.
- c. Grease traps, interceptors, and separators shall produce an effluent in compliance with this Ordinance at the User's pumping schedule. Schedules inadequate to produce such effluent shall be upgraded to as often as necessary, up to and including daily, or the trap, separator, or interceptor shall be upgraded. Upgraded traps, separators, or interceptors shall meet all requirements set forth in this or other applicable Ordinance.
- d. A User shall have any trap, interceptor, or separator cleaned when ordered to do so by the Control Authority. Failure to comply within forty-eight (48) hours after the request shall be cause for the Control Authority to precipitate the cleaning and to bill the User for such costs plus any added costs incurred by the Utilities.

(4) Cleaning Schedule Extensions

- a. The User may apply to the Control Authority for an extension of the required cleaning frequency set forth in this Ordinance. A User who wishes to apply for a cleaning schedule extension shall notify the Control Authority, in writing, of the intent to apply for an extension.

- b. The Control Authority may grant an extension on a required cleaning frequency on a case-by-case basis where the User has demonstrated, with defensible analytical results, the specific trap will produce an effluent in consistent compliance with this Ordinance if such an extension is granted.
- c. The notification of intent to apply for an extension shall include:
 - (i) Facility information:
 - (A) The name and address of the facility;
 - (B) Name and telephone number of the facility contact;
 - (C) Normal business hours; and
 - (D) The type of business;
 - (ii) Treatment unit information:
 - (A) The type of treatment unit and the capacity, in gallons;
 - (B) A brief description of the treatment unit;
 - (C) The time(s) of day the greatest hydraulic and organic loadings to the treatment unit normally occur;
 - (D) The date of the most recent cleaning and inspection of the unit;
 - (E) A statement of the physical condition of the unit; and
 - (F) Where applicable, the name of any treatment products used and a copy of the Control Authority's approval letter for the use of the product;
 - (iii) A proposed sampling schedule, including:
 - (A) The date(s) the User proposes to collect the samples;
 - (B) The times each sample will be collected;
 - (C) The name and telephone number of the person who will collect the samples, including qualifications; and
 - (D) The name and telephone number of the laboratory which will analyze the samples;
 - (iv) Other information as may be requested by the Control Authority; and
 - (v) A signed Certification Statement as outlined in Section 6(B)(1) of this Ordinance.
- d. The User shall obtain approval of the proposed sampling schedule prior to initiation of the sampling and analyses. The User shall certify the sampling schedule will be carried out as submitted or as approved. The Control Authority shall reserve the right to modify a sampling schedule as deemed necessary.
- e. The User shall be required to provide analytical results for not less than four (4) oil and grease analyses for samples collected during peak flow periods through the unit during the normal working hours of a twenty-four-hour period.
 - (i) Samples shall be collected at an approved sampling port and shall be collected by a qualified person properly trained in the collection and handling of wastewater samples.
 - (ii) Samples shall be collected 70-75 days after the most recent cleaning.

- (iii) Samples shall be analyzed, separately, by a reputable laboratory using Approved Analytical Procedures.
 - (iv) The User shall submit a written request for a cleaning schedule extension, including:
 - (A) A copy of the cleaning and maintenance records for the treatment unit for the previous twelve months;
 - (B) A copy of the laboratory analytical reports, including quality control data and appropriate chains of custody; and
 - (C) A signed certification statement as outlined in Section 6(B)(1) of this Ordinance.
 - (v) Incomplete or unverifiable results shall not be considered.
- f. The Control Authority may grant extensions to the cleaning schedule as follows:
- (i) A thirty (30) day extension may be granted where the average oil and grease concentration of the analyses is less than 70% of the concentration limit and no single concentration exceeded 80% of the concentration limit.
 - (ii) A sixty (60) day extension may be granted where the average oil and grease concentration of the analyses is less than 55% of the concentration limit and no single concentration exceeded 65% of the concentration limit.
 - (iii) A ninety (90) day extension may be granted where the average oil and grease concentration of the analyses is less than 40% of the concentration limit and no single concentration exceeded 50% of the concentration limit.
 - (iv) In no case shall an extension greater than ninety (90) days be granted.
- g. Extensions granted shall begin on the date the samples for which results were submitted were collected as documented on the chain of custody.
- h. Where an extension has been granted, the unit shall consistently produce an effluent in compliance with the terms of this or other applicable Ordinance. The Control Authority shall reserve the right to collect and analyze samples of any User's discharge and may revoke, without notice, any extension where the Control Authority believes it is in the best interest of the proper operation of the POTW.
- (i) Where an extension has been granted and any sample analysis indicates an exceedance of the oil and grease limitation by twenty-five (25%) percent or more, the User shall immediately clean and inspect the trap and shall return to the original cleaning schedule. Where the User has been required to return to an original cleaning frequency, the User shall be required to submit a new request for extension if desired.
 - (ii) Where an extension has been granted and any sample analysis indicates an exceedance of the oil and grease limitation by any magnitude but less than 25%, the User shall immediately clean

and inspect the trap and shall increase the established cleaning frequency by at least thirty (30) days.

- (iii) Where an extension has been granted and the Utilities must clean associated public sewer lines and the stoppage is traceable to or known or suspected to be caused by the User's facility, the User shall immediately clean and inspect the trap and shall return to the original cleaning schedule. The User will be required to submit a new request for extension if desired.

Section 29-51.7. Transported Liquid Wastes

(a) Applicability

(1) Transport of Liquid Waste

- a. This section shall apply to the transport of liquid waste, including but not limited to septic tank waste, grease trap waste, separator waste, landfill leachate, water and wastewater treatment plant sludges, and chemical toilet waste within the territorial and extraterritorial boundaries of the City of Texarkana, Texas. This Section shall apply to all persons who collect or transport liquid waste whether or not the waste will be delivered to the Texarkana POTW for transfer or disposal.
- b. This Section shall apply to vehicles transporting wastes including, but not limited to, septic tank wastes, portable toilet wastes, grease trap and separator wastes, and sludges from private or other domestic water or wastewater treatment facilities.

(2) Transport of Hazardous Waste

- a. This Section shall not apply to the collection or transport of hazardous waste.

(b) Liquid Waste Transport Permits & Registrations

(1) General Permit & Registration Requirements

- a. The Control Authority shall be authorized to issue a Liquid Waste Transport Permit to any person who operates or wishes to operate a vehicle for the purpose of collecting or transporting liquid waste within the territorial and extraterritorial boundaries of the City of Texarkana, Texas. A fee of \$50⁰⁰ shall be charged for each Liquid Waste Transport Permit.
 - (i) Any person operating or wishing to operate a vehicle for the purpose of collecting or transporting liquid waste, except hazardous waste, within the territorial and extraterritorial boundaries of the City of Texarkana, Texas shall be required to obtain a Class L (Liquid Waste Transport) Permit from the Control Authority prior to operating the vehicle for transporting such wastes.
 - (ii) The Control Authority shall not issue a Class L Permit to any person who is not registered in and approved by the State for the collection or transport of wastes. Persons who operate a transport vehicle shall be required to maintain a valid registration from the state(s) in which the vehicle will be operated.

- (A) Operators of liquid waste transport vehicles operating in the State of Arkansas shall possess a valid Establishment Number issued by the appropriate state authority.
- (B) Operators of liquid waste transport vehicles transporting liquid waste in the territorial and extraterritorial jurisdiction of Texarkana, Texas shall possess a valid Transporter Registration Number issued by the Texas Natural Resource Conservation Commission except where such authorization is not required by the State.
- (iii) The Control Authority shall not issue a Class L Permit to any person who wishes to operate a separator truck or other vehicles designed to separate grease from the wastes removed from a grease trap or separator and return liquid to the trap. Such vehicles shall be prohibited from operating within the territorial and extraterritorial boundaries of the City of Texarkana, Texas.
- b. All liquid waste transporters delivering waste for transfer or disposal to the Texarkana POTW shall maintain a valid State of Texas-issued Transporter Registration Number issued by the Texas Natural Resource Conservation Commission except where such authorization is not required by the State and shall maintain a valid Liquid Waste Transport Permit and a valid Wastewater Discharge Permit.
 - (i) The Control Authority shall require all transporters of liquid transported waste for delivery to the Texarkana POTW to obtain a Class L and a Class NS, Type T Permit. Transporters may be credited the fee for the Class L Permit where both permits are required.
 - (ii) A separate Permit shall be issued for each vehicle; however, one application may be filed for a firm with multiple vehicles.
 - (iii) The Permit shall specify the type of waste authorized for delivery to the POTW.
 - (iv) The Control Authority shall not authorize wastes to be delivered to the POTW which have not been authorized for transport by the State, except where such authorization is not required by the State.
 - (v) Approval for delivery of wastes to the Texarkana POTW shall be granted only to those persons, firms, or corporations who have met all Federal, State, and local requirements for collection and transport of liquid wastes.
- c. Generators of nondomestic waste who wish to have the waste transported and discharged to the Texarkana POTW shall apply to the Control Authority for permission to conduct such activities.
 - (i) The Control Authority may require generators of nondomestic transported liquid waste to obtain a Wastewater Discharge Permit.
 - (ii) The Control Authority shall review the application for the discharge of nondomestic transported liquid waste and may allow the disposal of such wastes on a case-specific basis.

(2) Liquid Waste Transport Permit Requirements

- a. Any person currently operating within the City who is required to obtain a Class L (Liquid Waste Transport) Permit shall apply to the Control Authority on an approved form within sixty (60) days of the effective date of this Ordinance.
 - (1) Any person currently operating within the territorial and extraterritorial boundaries of the City of Texarkana, Texas who is required to obtain a Class L (Liquid Waste Transport) Permit shall not operate more than one hundred and twenty (120) days after the effective date of this Ordinance without a Class L Permit except where the appropriate and complete application was filed on or before sixty (60) days of the effective date of this Ordinance and the Permit was not issued through no fault of the applicant.
 - (2) Failure to obtain the required Permit within the specified time limit shall subject the operator to the enforcement provisions set forth by the City of Texarkana, Texas Code of Ordinances.
- b. Any person wishing to operate within the territorial and extraterritorial boundaries of the City of Texarkana, Texas who is required to obtain a Class L Permit shall apply to the Control Authority on an approved form not less than ninety (90) days prior to the anticipated date of beginning operation. Operation of the vehicle shall not commence prior to the issuance of the appropriate Permit.
 - (1) A separate Permit shall be issued for each vehicle; however, one application may be filed for a firm with multiple vehicles.
 - (2) The Permit shall specify the type of waste authorized for transport in each vehicle and shall be maintained in the permitted vehicle at all times.
- c. A Permit issued by the Control Authority excludes the transport of wastes that are hazardous in nature.
- d. Any violation of the terms and conditions of a Permit shall be deemed a violation of this Ordinance and shall subject the Permittee to the enforcement provisions set forth by the City of Texarkana, Texas Code of Ordinances.
- e. The Permit shall be maintained as an accurate representation of the Permittee's activities. Failure to maintain the Permit as an accurate representation shall be cause for enforcement action.
- f. It is the Permittee's responsibility to be familiar with the contents and requirements of the Permit and with all Federal, State, and Local regulations and requirements applicable to the collection, transport, and disposal of nondomestic wastes and to comply with those requirements and regulations, whether or not the requirements are contained in the Permit.
- g. Obtaining a Permit does not relieve a Permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, or Local law.

(3) Requirements for Liquid Waste Transport Vehicles

- a. All vehicles used or proposed to be used for collecting and transporting liquid waste shall meet or exceed all applicable Federal, State and Local vehicle requirements for transport of liquid waste and shall be submitted to the Control Authority for inspection.
- b. All pumps, tanks, valves and hoses shall be constructed and maintained so as to prevent leakage, spillage or splashing onto the outer surfaces of the tank or equipment and onto areas surrounding the receptacle being cleaned.
 - (i) Vehicles and equipment used for collection and transport of liquid wastes shall be constructed, operated, and maintained to prevent loss of liquid or solid materials and shall be maintained in sanitary condition to prevent health nuisances, such as odors and insect breeding, and safety hazards to the operating personnel and the public.
 - (ii) All parts of the truck shall be easily cleanable and shall be constructed to prevent the accumulation of solids or liquids on the vehicle.
 - (iii) Racks used for carrying equipment on the vehicle shall be made of metal.
 - (iv) The liquid tank shall be made of metal construction throughout that is welded and shall be watertight and splash proof.
 - (A) The liquid waste tank shall be an integral part of the vehicle used to transport the waste; portable or other temporarily-installed containers are prohibited.
 - (B) The tank shall be equipped with a site gauge which shall be maintained in such a manner so it can be determined whether the vehicle is loaded and the volume in the tank.
 - (I) The gauge or other approved measuring device shall accurately measure the contents of the tank at varying depths of material in the tank. The gauge shall not be required to read in gallons or liters, but shall show the percentage of the tank capacity filled.
 - (II) The gauge or other approved measuring device shall be a permanent part of the tank and shall not be removable. Where an external tube gauge is used, valves shall not be installed in the tube or the tank which would allow the tank to contain liquid but not be indicated in the gauge.
 - (C) The tank shall be equipped with a leakproof gate valve, minimum of two and one-half (2 $\frac{1}{2}$) inches in diameter.
 - (I) If needed, a compatible hose of sufficient length and design to facilitate discharge into the designated point without splashing, spraying, or spilling onto the surrounding area shall be provided.

- (II) Valves shall be prominently marked and shall be easily visible and readily accessible.
 - c. The liquid waste transport vehicle shall be prominently marked in block letters on both sides of the vehicle as outlined below. All markings shall be permanently affixed and clearly visible from a distance of not less than fifty (50) feet. Where a State or Federal regulation requires larger markings, additional markings, or specific placement of the markings, that requirement shall prevail.
 - (i) Where the vehicle will be operated in the State of Arkansas, markings shall be placed in letters at least four (4) inches in height on both sides of the tank.
 - (ii) Where the vehicle will be operated in Texas, and will not be operated in Arkansas, the markings may be placed on the tank or the vehicle. The markings shall be placed on both sides of the tank or vehicle in letters not less than two (2) inches in height.
 - (iii) Markings on the liquid waste transport vehicle shall include:
 - (A) The name and telephone number of the firm or owner;
 - (B) The capacity of the tank, in U.S. gallons;
 - (C) The Arkansas Establishment Number, where applicable;
 - (D) The Texas Transporter Registration Number, where applicable;
 - (E) The Class L Permit Number; and
 - (F) The Class NS, Type T Permit Number, where applicable.
 - d. Where a Federal, State or Local authority issues a decal or other authorization sticker to the registrant, the decal or sticker shall be displayed at the designated place on the vehicle at all times.
 - e. The company name and telephone number, authorization stickers and registration and permit numbers shall be removed from the vehicle, by the Permittee, when it is no longer under the control of the Permittee. The Class L and Class NS, Type T Permit numbers shall be removed when the vehicle is no longer authorized by the Control Authority to operate or to discharge.
- (4) Inspection of Liquid Waste Transport Vehicles
- a. The Control Authority shall reserve the right to inspect any liquid waste transport vehicle at any time as deemed necessary and to refuse to issue a Permit to or suspend or revoke the Permit for any User whose vehicle does not consistently meet minimum Federal, State or Local requirements.
 - b. Where the liquid waste transport vehicle must pass a State inspection, the Control Authority may require the submission of a copy of the inspection report.
 - (i) When requested, the Permittee or applicant shall submit documentation to the Control Authority demonstrating the vehicle has been inspected and accepted for operation by the appropriate state authority. Where the vehicle will be operated in more than one state, the vehicle shall be accepted for operation by all appropriate authorities.

- (ii) If a vehicle fails to pass inspection, the vehicle shall not be used to collect or transport waste until the vehicle is reinspected and passes the inspection.
 - (iii) Where a vehicle is altered after passing inspection, the vehicle shall be subject to reinspection by the Control Authority. It shall be the responsibility of the owner to notify the Control Authority that such alterations have been made. Failure to notify the Control Authority of such alterations shall be cause for suspension or revocation of all local Permits.
- c. The Control Authority may suspend or revoke local Permit(s) of any liquid waste transport vehicle not meeting the requirements set forth in this or other applicable Ordinance. Upon proof the vehicle meets the requirements, the Control Authority may reinstate the Permit(s) or require the Permittee to submit a new application.

(c) Disposal of Transported Liquid Wastes

(1) Acceptance of Liquid Waste for Disposal

- a. Liquid waste shall not be accepted at the POTW except from transporters with all necessary Federal, State and Local permits, licenses and registrations.
 - (i) Transported liquid wastes may be discharged to the POTW only at the location(s) designated by the Control Authority and at such times as are established by the Control Authority.
 - (ii) Any person found to be discharging any waste into the sanitary sewer system except at the designated location shall be subject to penalties as outlined in the Texarkana, Texas Code of Ordinances.
- b. The delivery and disposal of transported waste to the Texarkana POTW Treatment Works shall be subject to all applicable requirements established in this or other applicable Ordinance.
 - (i) Grease trap, separator, interceptor, and holding tank wastes shall not be delivered for disposal into the POTW. If available, food service grease trap wastes may be delivered to a transfer station or other apparatus specifically designed for such waste on the property of the Control Authority for treatment or holding and transfer to an appropriate disposal or reuse facility.
 - (ii) The Control Authority shall reserve the right to collect, and have analyzed, samples of each transported waste load to ensure compliance with the applicable standards. Costs of such sampling and analyses shall be borne by the Permittee.
 - (iii) The Control Authority may require results of analyses of any waste prior to delivery of the waste to the POTW, especially in the case of nondomestic waste. The Control Authority shall determine the analyses required. Costs of such analyses shall be borne by the Permittee.
- c. Contents of the liquid waste transport vehicle shall not be discharged without an on-duty POTW operator present.

- (i) A completed Transported Waste Manifest for each generator and documentation of all required Permits shall be presented to the operator prior to discharge.
 - (ii) Acceptance or rejection of a waste load shall be based upon Standard Operating Procedures established for the discharge of transported liquid wastes to the POTW.
 - (iii) The contents of the liquid waste transport vehicle shall be subject to field analyses such as pH and temperature and visual and odor testing prior to discharge to the POTW.
 - (A) Transported waste proposed for discharge shall be within the pH range of 6.0 to 9.5 Standard Units.
 - (B) Transported waste proposed for discharge shall have a temperature less than 40 degrees Celsius (104 degrees Fahrenheit);
 - (C) Transported waste proposed for discharge shall not have an immoderately oily appearance.
 - (D) Transported waste shall not possess any solvent-like, petroleum-like, or other odor that is not characteristic of normal domestic waste.
 - (iv) All liquid waste transport vehicle discharges shall be subject to random sampling for conventional pollutants (ammonia as nitrogen, carbonaceous or total biochemical oxygen demand, chemical oxygen demand, total suspended solids, total oil and grease) and random sampling for toxic substances and other noncompatible pollutants. Costs of sampling and analyses shall be borne by the Permittee.
- d. Delivery of any liquid transported waste to the POTW Treatment Plant found to contain toxic or other noncompatible or prohibited pollutants may result in enforcement action as provided in the Texarkana, Texas Code of Ordinances including fines, restitution for damages and suspension or revocation of the Permit(s).
 - e. An appropriate fee shall be paid for each load of transported septic tank or chemical toilet waste, or water or wastewater treatment plant sludge delivered to the POTW Treatment Plant. This charge shall be \$35⁰⁰ per 1000 gallons based on the capacity of the vehicle, whether or not the vehicle is filled to capacity at the time of delivery. This charge may be adjusted on an as-needed basis to reflect changes in the cost to treat such waste.
 - f. An appropriate fee shall be paid for the delivery of nondomestic waste to the POTW Treatment Plant at a location designated by the Control Authority. Such charge shall be \$0.10 per gallon and shall be based on the capacity of the transport vehicle, whether or not the vehicle is filled to capacity at the time of delivery. This charge may be adjusted on an as-needed basis to reflect changes in the cost to treat such waste.
- (2) Rejection of Liquid Waste Loads
 - a. A transported waste load may be rejected for reasons including, but not limited to, the following:

- (i) The waste may cause, alone or in conjunction with other wastes, fire or explosion hazards in the POTW Treatment Plant or has a closed-cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21;
 - (ii) The temperature of the waste is greater than or equal to 40 degrees Celsius (104 degrees Fahrenheit);
 - (iii) The waste may cause corrosive structural damage to the POTW Treatment Plant;
 - (iv) The waste may cause obstruction in flow within the POTW Treatment Plant;
 - (v) The waste may interfere with normal operation of the POTW Treatment Plant;
 - (vi) The waste may inhibit biological or physical activities within the POTW Treatment Plant;
 - (vii) The waste may be untreatable by the normal treatment process, is incompatible with the treatment processes or the waste is mixed with incompatible wastes;
 - (viii) The waste emits any solvent-like, gasoline-like, or petroleum-like odor;
 - (ix) The waste may pose a hazard to the POTW, the POTW workers, the receiving stream of the POTW, or to the environment;
 - (x) The sample collected from the tank's contents appears to contain abnormal amounts of oils or greases;
 - (xi) The pH of the sample collected from the tank's contents is less than 6.0 or greater than 9.5 Standard Units.
- b. In the event the waste is rejected due to unacceptable pH, the Permittee may adjust the pH of the waste to within the acceptable range and return the waste to the POTW for disposal.
- (i) The waste shall be thoroughly mixed after the addition of pH-adjusting agents.
 - (ii) Wastes originally rejected for pH shall be subject to pH testing at intervals during the discharge and may be ordered halted if the pH is not properly adjusted.
- c. In the event a transported waste load is rejected, the POTW operator shall complete the applicable section on the Transported Waste Manifest or other document as appropriate.
- (i) The Transporter shall sign the applicable statement on the Transported Waste Manifest or other document acknowledging the rejection of the waste for disposal at the POTW.
 - (ii) The Permittee shall dispose the rejected load in an acceptable and legal manner and shall provide documentation of the final disposal to the Control Authority prior to subsequent discharges to the POTW.
 - (iii) Failure to provide documentation of proper disposal may result in enforcement action, including revocation of the Permit(s).

(3) Incompatible Wastes

- a. Mixing of incompatible wastes within the same container is prohibited.
 - (i) The transporter shall not mix chemical toilet wastes and septic tank or other type waste in the same load.
 - (ii) Transporters shall not use the same container or pumping equipment to collect or transport incompatible waste, grease trap waste, interceptor or separator waste, or other nondomestic waste, and septic tank waste or chemical toilet waste, without first emptying and cleaning the container and equipment of all previously-handled wastes.
 - b. The transporter shall not attempt to deliver liquid wastes which are incompatible with the POTW Treatment Plant processes for discharge into the POTW.
- (4) Cleanup and Notifications of Leaks and Spills
- a. In the event of a spill, splash, spray, or leak or other unauthorized or accidental discharge of wastes during collection or transport or disposal, the collector or transporter shall take immediate action to contain and clean the discharged or spilled materials in order to protect human health and the environment.
 - (i) If a spill, splash, spray, or leak occurs during collection, transport or discharge, the vehicle operator shall immediately clean and properly dispose the spilled, splashed, sprayed, or leaked wastes at his expense.
 - (ii) Appropriate cleanup action may include, but is not limited to, diking the discharge or spill area, cleaning the spilled or discharged materials, or taking other action, as may be required or approved by federal, state and local officials having jurisdiction, so the waste no longer poses a risk to the public health or the environment.
 - b. Liquid waste shall be prevented from entering waterways, including storm sewers. In the event a waste enters a waterway, the collector or transporter shall take immediate action to minimize the potential for damage to the environment.
 - (i) In the event a liquid waste enters a waterway or otherwise contaminates waters, the spill shall be contained and cleaned so as to prevent further contamination and hazards to health and the environment.
 - (ii) All costs of such cleanup and subsequent disposal shall be borne by the collector or transporter.
 - c. In the event of a spill, splash, spray, or leak or other unauthorized or accidental discharge of wastes during collection or transport or disposal, the vehicle operator shall make notifications to authorities as appropriate.
 - (i) Appropriate notification may include, but is not limited to, notifying local law enforcement and health officials, or notifications, as may be required by federal, state and local officials having jurisdiction.

- (ii) In the event a liquid waste enters a waterway or otherwise contaminates waters, the spill shall be reported to the appropriate authority as required by State or Federal regulations.
- (iii) The vehicle operator may, at the discretion of the Control Authority, be required to report spills to the Control Authority.
- d. Where a spill, splash, spray, or leak occurred during collection, transport, or discharge, the owner shall make necessary repairs or modifications to the vehicle prior to subsequent operation of the vehicle.
 - (i) The vehicle shall be subject to inspection by the Control Authority after such repairs or modifications.
 - (ii) Vehicles found not to meet minimum requirements shall not be authorized to operate within the territorial and extraterritorial boundaries of the City.

(d) Transported Waste Recordkeeping Requirements

(1) Transported Waste Manifests

- a. Records shall be maintained for each individual collection, transport and disposal of liquid wastes.
 - (i) Such record shall be in the form of a Transported Waste Manifest issued by the Control Authority.
 - (ii) A separate manifest shall be completed for each generator. In the case of portable toilet waste, multiple toilet units may be manifested on the same document provided the units are located on the same property and are rented or leased by the same person.
 - (iii) The Transported Waste Manifest shall include:
 - (A) Generator Information (completed by the generator at the time the waste is collected):
 - (I) Complete name, street and mailing address, telephone number and signature of the person who generated the waste;
 - (II) Type of facility from which the waste was collected;
 - (III) Type of waste collected;
 - (IV) Date the waste was collected;
 - (V) Capacity of the facility from which the waste was collected.
 - (B) Transporter Information (completed by transporter (driver) on-site and prior to transport):
 - (I) Name, address and telephone number of the Transporter;
 - (II) Transporter Registration Number (and Establishment Number where the waste was collected in Arkansas), and local Permit numbers of the Permittee;

- (III) Amount, in gallons, of waste collected;
 - (IV) Date and time the waste was transported;
 - (V) Name and signature of responsible person collecting and transporting the waste.
 - (C) Disposer Information (completed by disposer at time of delivery of waste for disposal):
 - (I) Name, address and telephone number of the disposer;
 - (II) Identification (site registration number, where applicable, location, and operator) of the facility receiving the waste for disposal;
 - (III) Date and time the waste was delivered for disposal;
 - (IV) Amount, in gallons, of waste received;
 - (V) Results of field analyses; and
 - (VI) Name and signature of the facility representative acknowledging receipt of the waste at the disposal facility.
 - (D) Where a waste is delivered to a transfer or holding facility for later transfer, a section shall be included on the Manifest which contains such information as:
 - (I) Name of the holding or transfer site;
 - (II) Address and telephone number of the transfer or holding site;
 - (III) Site permit or registration number,;
 - (IV) Date and time the waste was deposited for holding or transfer;
 - (V) Quantity of waste received;
 - (VI) Name and signature of the person accepting the waste for holding or transfer; and
 - (VII) Other information as may be required by applicable laws and regulations.
- b. Manifesting of transported wastes shall be required whether or not the waste is delivered to the Texarkana POTW Treatment Works or any other site controlled or owned by the City.
 - (i) For wastes to be delivered to the Texarkana POTW, the Transported Waste Manifest books shall be purchased from the Control Authority.
 - (A) The books shall consist of five-part tickets, sequentially numbered, which shall be used to document the generation, transportation and disposal of applicable wastes.
 - (B) Writing on all copies shall be easily readable.
 - (C) The Transporter shall assure the proper distribution of each part of the Manifest.
 - (ii) A transporter shall not use any manifest issued by the Control Authority with the Control Authority's name, address, logo or

- permit numbers for waste intended for disposal at any other disposal site.
- (iii) Where the transporter does not deliver wastes to the Texarkana POTW for transfer or disposal, manifests other than those purchased from the Control Authority may be employed.
 - (A) The manifests shall have a minimum of five parts and shall be approved by the Control Authority prior to use within the territorial and extraterritorial jurisdiction of the City.
 - (B) Manifests not purchased from the Control Authority shall contain all the required information outlined in Section 29-51.7(d)(1)a.(iii) of this Ordinance and shall meet all manifesting requirements of the State.
 - (C) In no case shall manifests of less than five (5) copies be approved.
 - c. The first two sections of the manifest shall be completed at the time of collection and before the vehicle is moved from the generator's property. The remainder of the manifest shall be completed at the time of transfer or disposal as appropriate.
 - (i) The Manifest shall be completed and signed by the generator at the time of waste collection.
 - (ii) The Manifest shall be completed and signed by the Transporter at the time of waste transport.
 - (iii) The Manifest shall be completed and signed by the Disposer at the time of disposal.
 - (iv) Where the waste is transferred to a holding facility for transfer, the appropriate section shall be completed upon transfer.
 - d. Appropriate copies of the manifests, unless otherwise stated on the approved manifest, shall be distributed as follows:
 - (i) The fourth copy with the generator information and signature (first section) and the transporter information and signature (second section) completed shall be retained by the generator at the time the waste is collected. The remaining four parts shall be retained in the manifest booklet and shall have all required information completed and signed by the appropriate parties prior to further distribution.
 - (ii) The original (first part) with all required information and signatures completed shall be retained by the disposer at the time of disposal.
 - (iii) The second part with all the required information and signatures completed shall be returned by the transporter to the generator within fifteen (15) days after the waste has been disposed.
 - (iv) The Transporter shall retain the third copy with all the required information and signatures completed in his files.
 - (v) The fifth part shall be delivered to the Control Authority within fifteen (15) days of the end of the calendar month in which the disposal occurred.

- (vi) Where the waste was deposited at a transfer station, additional parts may be required for appropriate records retention and maintenance.
 - e. Where the transporter does not deliver transported waste to the Texarkana POTW, the Permittee shall submit a copy of completed manifests for all wastes collected from any facility whose wastewater is directly or indirectly discharged into the Texarkana POTW Treatment Plants to the Control Authority on a monthly basis.
 - (i) These copies shall be a part of the original manifest. Photocopies are not acceptable.
 - (ii) These copies shall be submitted to the Control Authority within fifteen (15) days of the end of the calendar month in which the waste was transported, with all the required information completed and legible.
 - f. All copies of the Manifests shall be retained by the respective recipients for a minimum of five (5) years and shall be made available to the Control Authority, the State, and the EPA upon request for inspection and copying. This period shall be automatically extended for the duration of any litigation concerning the generator, the transporter, the disposer, the transfer station operator or owner, or the Control Authority, or where any involved party has been specifically notified by the Control Authority or the State or the EPA of a longer retention period.
- (2) Discrepancies in Quantity or Type of Waste
- a. A facility which receives waste shall note any significant discrepancies on each copy of the manifest.
 - (i) A significant discrepancy is an obvious difference between the quantity or type of waste designated on the manifest and the quantity or type of waste actually received, which can be discovered by inspection or waste analysis.
 - (ii) Significant quantity difference shall include variations greater than 10% in weight or variations greater than 15% in gallons.
 - b. Upon discovering a significant discrepancy, the transporter shall attempt to reconcile the discrepancy with the waste generator or the owner or the operator of the receiving facility.
 - (i) A report describing the results of the attempt to reconcile discrepancies shall be submitted to the Control Authority within fifteen (15) days of the date of delivery of the waste.
 - (ii) This paragraph shall not relieve the transporter from obligations to report discrepancies to the appropriate state agency.
- (3) Operating Logs
- a. An acceptable daily log of operation shall be maintained by the Transporter, in his vehicle, at all times and shall be made available for inspection and copying by the Control Authority at any reasonable time.
 - (i) An acceptable log shall document activities associated with the operation of the transport vehicle on a per-day basis, shall be hard bound and have sequentially numbered (preprinted) pages.
 - (ii) An acceptable log shall include, minimally:

- (A) Legal name of the operator of the vehicle;
 - (B) Date of operation;
 - (C) Results of daily visual inspection of the vehicle prior to use;
 - (D) Specific type(s) of waste transported;
 - (E) Addresses of facilities from which waste was collected and amount of waste collected at each site;
 - (F) Amount of waste transported per load to disposal;
 - (G) Number of discharges (disposals) and final disposal site(s) of the waste;
 - (H) Total amount of waste collected;
 - (I) Total amount of waste transported to disposal;
 - (J) Documentation of spills, leaks, or other inappropriate discharge, actions taken to cleanup and minimize damage, and repairs or alterations made to the vehicle; and
 - (K) Cleaning activities conducted at end of the workday.
- (4) Records Retention Periods
- a. The retention period for all records pertaining to the generation, collection, transport, and disposal of transported waste shall be not less than five (5) years.
 - b. Periods of retention shall be automatically extended for the duration of any litigation concerning the Transporter or the City or where the User has been specifically notified of a longer retention time by the Control Authority, the Texas Natural Resource Conservation Commission, the Arkansas Department of Environmental Quality (Department of Pollution Control and Ecology) or the United States Environmental Protection Agency.
- (e) **Requirements for Generators of Transported Wastes**
- (1) Use of Registered Transporters
 - a. A generator shall not allow liquid waste to be collected by any transporter without a valid Texas Transporter Registration Number (and Arkansas Establishment Number where the waste is collected in Arkansas) and a Class L Permit issued by the Control Authority.
 - b. Where disposal will be the Texarkana POTW Treatment Plant, the transporter shall additionally possess a Class NS, Type T Wastewater Discharge Permit.
 - c. Where the waste is not collected in and will not be transported into the State of Texas, the transporter will not be required to possess a Texas Transporter Registration Number.
 - (2) Removal of Waste from Generator's Property
 - a. A generator shall not allow liquid waste in combination with hazardous waste to be removed from the premises by a Transporter operating under any Permit authorized by the Control Authority.
 - b. A generator shall not allow wastes to be removed from his facility without appropriate manifesting of the waste.
 - (3) Disposal of Transported Waste

- a. The generator shall inquire as to and approve of the disposal site prior to allowing removal of the waste from his property and shall assure the waste will be properly and legally disposed.
- b. The Generator, along with the Transporter, shall be responsible for improperly disposed wastes.
- c. The Generator, along with the Transporter, may be held liable for increased operating costs or damages to the POTW Treatment Plant resulting from the discharge of the waste.

(4) Retention of Manifests

- a. The generator shall retain his copies of the completed Transported Waste Manifest at the site the waste was generated for a minimum of five (5) years.
- b. The generator shall maintain all records pertaining to the disposal of transported waste at the site the waste was generated, for a minimum of five (5) years.
- c. All records pertaining to the generation, collection, transport, or disposal of transported wastes shall be made available to the Control Authority for inspection and copying upon request.

(f) Reporting Requirements

(1) General Reporting Requirements

- a. Any Nondomestic Users shall provide appropriate reports to the Control Authority as the Control Authority may require in order to protect the POTW, to protect property and person and the environment, and to meet regulatory requirements.
- b. All reports shall be submitted to the Control Authority on or before the date specified by the Control Authority and shall be certified by the Authorized Representative of the User.
 - (i) Written reports submitted to the Control Authority shall be deemed submitted on the date postmarked. For reports which are not mailed, postage paid, into a mailing facility serviced by the United States Postal Service, the date of receipt shall govern.
 - (ii) All reports, applications and other related data submitted to the Control Authority under this Ordinance shall include a certification statement signed by the facility's Authorized Representative. The certification statement shall read as follows:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true,

accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."

- (iii) All reporting requirements outlined in Article IV, Chapter 29 of the Texarkana, Texas Code of Ordinances shall apply.
- (2) **Specific Reporting Requirements**
- a. Where a Transporter is required to submit an annual report to the Texas Natural Resource Conservation Commission (TNRCC), the Transporter shall submit a copy of the annual report submitted to the TNRCC to the Control Authority at the same time the report is submitted to the State.
 - b. A Transporter not required to submit an annual report to the TNRCC shall submit an annual report to the Control Authority outlining activities conducted during the previous reporting period of June 1 through May 31 on or before June 15 of each year.
 - c. The annual report of activities shall include:
 - (i) The amounts and types of wastes collected during the reporting period;
 - (ii) The disposition of such wastes;
 - (iii) The name and address of each disposal facility; and
 - (iv) The amounts and types of waste delivered to each disposal facility.

Section 29-51.8. Powers and Authorities of Control Authority

(a) Inspection of Property and Records

- (1) **Access to Property and Records**
 - a. The Control Authority shall be allowed ready access, without delay, to all parts of the premises of a Nondomestic User for the purpose of inspection, sampling, records examination and copying, surveillance, and monitoring during any reasonable time in accordance with the Texarkana, Texas Code of Ordinances.
 - b. The Control Authority shall be allowed ready access, without delay, to a liquid waste transport vehicle for the purpose of inspection, sampling, records examination and copying, and monitoring during any reasonable time in accordance with the Texarkana, Texas Code of Ordinances.
 - c. Representatives of the United States Environmental Protection Agency and the Texas Natural Resource Conservation Commission and the Arkansas Department of Pollution Control and Ecology shall have the same rights of entry and inspection as described for the Control Authority in Paragraphs (a)(1)(a.) and (b.) above.
- (2) **Authority to Order Repairs, Upgrades, or Replacement**
 - a. The Control authority shall have the authority to order repairs be made to any liquid waste transport vehicle to assure compliance with this or other Ordinance or applicable regulation.

- b. The Control Authority shall have the authority to order repairs, upgrades or replacement be made to any pretreatment device or sampling port, whether fixed on land or contained in or on a mobile unit.

(b) Enforcement Provisions

(1) Suspension or Revocation of Permits or Authority to Discharge

- a. The Control Authority may suspend or revoke a Class NS, Type T Wastewater Discharge Permit and/or a Class L Permit for any of, but not limited to, the following reasons:

- (i) Use of nonregistered, unlicensed or unsafe vehicles or nonregistered or unlicensed vehicle operators;
- (ii) Mixing of incompatible wastes for the purpose of deception;
- (iii) Dilution of waste for the purpose of deception;
- (iv) Discharge of wastes without a POTW operator present or prior to approval by the operator;
- (v) Failure to halt a discharge when ordered to by the operator on duty;
- (vi) Failure to maintain the vehicle as required by Federal, State or Local laws and regulations, including markings, equipment and overall condition including ability to discharge at the designated point in a sanitary manner;
- (vii) Discharge of wastes within the Texarkana POTW except at the designated discharge point;
- (viii) Rejection of more than three (3) loads during the life of the Transported Waste Permit;
- (ix) Failure to document final disposal of a rejected load;
- (x) Providing false or inaccurate information on the source or composition of the waste;
- (xi) Failure to remain current on charges for transported waste delivery;
- (xii) Loss or failure to renew State certifications, registrations, or permits;
- (xiii) Failure to maintain correct and accurate records as required by this or other applicable Ordinance;
- (xiv) Failure to maintain the Permit as an accurate representation of the operation;
- (xv) Falsification of any related documents;
- (xvi) Failure to provide reports or documentation as required; or
- (xvii) Improper operation of the transport vehicle which may pose a threat to human health or the environment.

- b. The Control Authority may suspend or revoke a Nondomestic User's authorization to discharge into the sanitary sewer for any of, but not limited to, the following reasons:

- (i) Failure to install, upgrade, repair or maintain a pretreatment device;
- (ii) Causing or contributing to stoppage or other malfunction in the POTW;

- (iii) Failure to maintain correct and accurate records as required by this or other applicable Ordinance;
 - (iv) Providing false or inaccurate information to the Control Authority;
 - (v) Falsification of records for the purpose of deception; or
 - (vi) Failure to provide reports as required.
- (2) Vehicle Impoundment
 - a. The Control Authority shall be authorized to cause a transported waste vehicle to be impounded which is being operated in violation of this Ordinance and may authorize holding of the vehicle until the violation is corrected.
 - b. The Control Authority may suspend or revoke the Permit(s) for the impounded vehicle. Upon correction of the violation, the Control Authority may reinstate the Permit(s) or require the Permittee to submit a new application.
- (3) Public Nuisance
 - a. Any nondomestic source who allows grease trap, separator, interceptor or holding tank wastes or sludges or other prohibited wastes to be deposited into the POTW collection system, whether through discharge, improper installation, improper operation or maintenance of a grease trap, separator, interceptor, or holding tank, failure to install an adequately-sized grease trap, separator, or interceptor, failure to provide proper containment or other intentional or unintentional action shall be subject to enforcement actions as provided by this or other applicable laws or regulations. Such actions may be declared a public nuisance.
 - b. Any person who allows grease trap, separator, interceptor or holding tank wastes or sludges or other prohibited wastes to be deposited into a street, gutter, storm sewer, or onto public or private property, whether through discharge, improper installation, improper operation or maintenance of a grease trap, separator, interceptor, or holding tank, failure to install an adequately-sized grease trap, separator or interceptor, failure to provide proper containment, or other intentional or unintentional action shall be subject to enforcement actions as provided by this or other applicable laws or regulations. Such actions may be declared a public nuisance.
- (4) Incorporation of Enforcement Provisions
 - a. Enforcement provisions outlined in Ordinance No. 228-95 of the Texarkana, Texas Code of Ordinances are hereby incorporated by reference.