

**Requirements for Liquid Waste Transporters
City of Texarkana, Texas**

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^{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.