

ORDINANCE 1959

AN ORDINANCE AMENDING CHAPTER 100 (REGULATION OF INDUSTRIAL WASTEWATER), CHAPTER 101 (REGULATION OF FAT, OIL, AND GREASE DISCHARGE BY FOOD SERVICE ESTABLISHMENTS) AND CHAPTER 102 (REGULATION OF HAULED WASTE) OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA.

BE IT ORDAINED, by the City Council of the City of Ankeny, Iowa, that:

Section 1. As part of the Second Amended and Restated Agreement for the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), each Participating Community is to enact industrial pretreatment ordinances in a form consistent in all respects with those approved by the WRA Board. These ordinances need to be updated at this time to reflect proposed changes by the WRA regarding the discharge of Fats, Oils and Grease into the Sanitary Sewer System by Food Service Establishments and to update the allowable limits of various pollutants that can be discharged into the sanitary sewer system. These limits are required and dictated by the Iowa DNR and need to be updated periodically.

Section 2. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.01 INTERPRETATION AND DEFINITIONS should be and the same is hereby amended by adding a new Item 34 and renumbering the subsequent following definition items:

34. “O & M” means Operation and Maintenance.

Section 3. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.01 INTERPRETATION AND DEFINITIONS should be and the same is hereby amended by deleting the last sentence of Definition 51. and replacing it with the following sentence:

A discharge with pH outside of the allowable range by more than one standard unit (S.U.) shall also be considered a slug.

Section 4. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.02 ABBREVIATIONS should be and the same is hereby amended by adding the following abbreviation to the list of abbreviations:

FOG.....Fat, oil and grease

Section 5. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.02 ABBREVIATIONS should be and the same is hereby amended by correcting the following abbreviation definition for NPDES:

NPDES.....National Pollutant Discharge Elimination System

Section 6. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.02 ABBREVIATIONS should be and the same is hereby amended by deleting the following abbreviation and definition from the listing:

TPH.....Total purgeable hydrocarbons

Section 7. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.02 ABBREVIATIONS should be and the same is hereby amended by adding the following abbreviation and definition to the end of the list of abbreviations:

VPH.....Volatile petroleum hydrocarbons

Section 8. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.08 DISCHARGE PROHIBITIONS should be and the same is hereby amended by adding the word “wipes” to the sixth line of the third prohibition as shown below:

“...grass clippings, rags, wipes, spent grains, spent hops, waste paper...”

Section 9. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.09 LOCAL LIMITS FOR SPECIFIC POLLUTANTS should be and the same is hereby amended by deleting the Maximum Allowable Pounds/Day table in Section 2 and replacing it with the revised table as shown below:

	Maximum Allowable Headworks Loading Pounds/Day	Maximum Allowable Industrial Loading Pounds/Day
Pollutant	Total	Industrial
Arsenic-T	7.58	3.81
Cadmium-T	3.65	2.16
Chromium-T	136.35	120.90
Copper-T	148.56	125.51
Cyanide-T	17.08	8.28
Lead-T	28.17	20.94
Mercury-T	0.999	0.747
Nickel-T	87.27	75.75
Silver-T	23.30	19.77
Zinc-T	360.59	283.53

Section 10. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.09 LOCAL LIMITS FOR SPECIFIC POLLUTANTS should be and the same is hereby amended by replacing the sentence at the bottom of the pollutant concentration table in Section 3.B. with:

An average daily flow greater than 5000 gallons or having an unusual concentration of flow.

Section 11. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.09 LOCAL LIMITS FOR SPECIFIC POLLUTANTS should be and the same is hereby amended by deleting the Pollutant Limits table in Section 3.C. and replacing it with the following updated table of values:

30-day Average Allowable Pounds/Day		
Pollutant	Daily Maximum (mg/l)	Monthly Average (mg/l)
Arsenic-T	0.38	0.25
Cadmium-T	0.08	0.05
Chromium-T	6.43	4.29
Copper-T	10.21	6.80
Cyanide-T	0.53	0.36
Lead-T	1.43	0.95
Mercury-T	0.042	0.028
Nickel-T	7.22	4.81
O&G-T	400.0	--
O&G-Mineral	100.0	--
Silver-T	1.30	0.87
TVPH	10.0	--
Zinc-T	19.64	13.09

Section 12. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.09 LOCAL LIMITS FOR SPECIFIC POLLUTANTS should be and the same is hereby amended by deleting all of Section 3.D. and replacing it with the following verbiage and updated table of values:

- D. Daily maximum pollutant limits for hauled waste. Wastes delivered to the WRF by truck or rail shall not exceed the following concentrations in any load or overall daily loading limits unless otherwise approved by the WRA Director:

Pollutant	Concentration (mg/l)	Loading (pounds/day)
COD	100,000	--
O&G-T	50,000	--
VPH	10.0	--
Arsenic-T	--	0.014
Cadmium-T	--	0.93
Chromium-T	--	24.74
Copper-T	--	23.71
Cyanide-T	--	0.29
Lead-T	--	6.70
Mercury-T	--	0.12
Nickel-T	--	3.71
Silver-T	--	0.26
Zinc-T	--	87.62

pH range shall be not lower than 5.0 or greater than 12.0.

Section 13. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.17 FEES should be and the same is hereby amended by correcting the 23rd and 24th entries in the Fee Table in Section 1.F. with:

Remove “TPH (OA-1)” and replace it with “VPH (OA-1)”

Remove “BETX and TPH (OA-1)” and replace it with “BETX and VPH (OA-1)”

Section 14. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.17 FEES should be and the same is hereby amended by removing the sentence in Section 1.L. and replacing it with the following sentence:

Fees for inspection of a food service establishment as defined in Section 101.02 of this Code, regulation of fats, oils, and grease discharge by food service establishments, shall be \$50 per visit.

Section 15. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.40 PERFORMANCE BONDS should be and the same is hereby amended by revising the first sentence to update the amount of the maximum bond as follows:

Replace:

“...but in no case shall the bond be required to be greater than \$25,000.00.”

With:

“...but in no case shall the bond be required to be greater than \$100,000.00.”

Section 16. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.41 REVOCATION OF PERMIT; TERMINATION OF SEWER SERVICE should be and the same is hereby amended by deleting the entire subsection 2.C. and replacing it with the following:

The decision and order of the WRA director to revoke the permit of a user may be appealed to the WRA appeal committee. Such appeal request shall be in writing, shall include the grounds for appeal including any factual findings which are disputed, and shall be delivered to WRA not less than 10 days after the director's entry of the order of revocation of permit and/or termination of sewer service. Such appeal request shall be considered delivered when placed in the mail, return receipt requested, addressed to:

WRA Appeal Committee
Des Moines Metropolitan Wastewater Reclamation Authority
3000 Vandalia Road
Des Moines, Iowa 50317

The chair of the appeal committee shall schedule the appeal and shall cause notice of the time, date and place of the hearing to be mailed to the appealing user. Such appeal shall be decided by majority vote of the appeal committee. If the appeal committee affirms the order of the WRA director revoking the permit and/or terminating sewer service, the appeal committee shall so state and order in its written decision.

Section 17. In Chapter 100 of the Municipal Code of the City of Ankeny, Iowa Section 100.41 REVOCATION OF PERMIT; TERMINATION OF SEWER SERVICE should be and the same is hereby amended by adding the following paragraph as subsection 2.B. and retitling the subsequent subsections as C. through G.:

Sewer service may be terminated by written order of the WRA director, specifying the grounds for such revocation and termination as outlined in 1.J. of this section, which order shall not take effect until hearing thereon as hereafter provided. Upon determining that grounds exist for an order to terminate sewer service, the WRA director shall cause a notice of hearing to be prepared, specifying the violation of 1.J. of this section which is deemed to have occurred, and the time, date and place that such hearing will be held. The notice shall be sent to the user by regular mail addressed to the user's address a minimum of ten days prior to the date set for hearing, and shall be deemed delivered when placed in the mail.

Section 18. In Chapter 101 of the Municipal Code of the City of Ankeny, Iowa Section 101.07 INSTALLATION OF GREASE INTERCEPTORS AND GREASE TRAPS should be and the same is hereby amended by removing the Grease Interceptor Sizing table and replacing it with the following updated Grease Interceptor Sizing Table:

Grease Interceptor Sizing

1. Peak meals per hour
 - a. Seating capacity of FSE _____
 - b. Occupancy of FSE _____ *
 - c. Seating or occupancy x meal factor of 1.3 (45 minute meal) or 1.0 (intermittent-use FSEs) = Peak meals per hour
- * Church: include all area(s) used for meal service
- * Assisted Living / nursing facility: equal to maximum number of residents (per State license)
2. Waste flow rate, gallons of flow
 - a. Commercial, equipped kitchen with dishwasher & one garbage disposal* 7
 - b. Commercial, equipped kitchen with dishwasher, no garbage disposal 6
 - c. Commercial, equipped kitchen with no dishwasher, one garbage disposal* 6
 - d. Commercial, equipped kitchen with no dishwasher, no garbage disposal 5
 - e. Single service kitchen** 2
- * Each additional garbage disposal, add one (1) gallon
- ** Single service kitchen = no garbage disposal, no dishwasher and all service is single use
3. Retention time, hours
 - a. Commercial kitchen 2.5
 - b. Single service kitchen 1.5
4. Storage factor
 - a. Commercial Kitchen up to 8 hours of operation 1
 - b. Commercial kitchen up to 12 hours of operation 1.5
 - c. Commercial kitchen up to 16 hours of operation 2
 - d. Commercial kitchen up to 20 hours of operation 2.5
 - e. Commercial kitchen up to 24 hours of operation 3
 - f. Single service kitchen 1.5

Peak Meals per Hour	X	Waste Flow Rate	X	Retention Time	X	Storage Factor	=	Calculated Interceptor Size
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Section 19. In Chapter 101 of the Municipal Code of the City of Ankeny, Iowa the entire Section 101.08 OPERATION, MAINTENANCE AND CLEANING OF GREASE INTERCEPTORS is hereby deleted and replaced by a new Section 101.08 titled OPERATION, MAINTENANCE AND CLEANING OF GREASE INTERCEPTORS AND GREASE TRAPS AND GREASE HAULER CERTIFICATION and reading as follows:

1. The owner or operator of an FSE which is required to pass wastewater through a grease interceptor or trap shall operate and maintain the grease interceptor or trap so that wastewater exiting the grease interceptor or trap shall not exceed four hundred (400) milligrams per liter of FOG.
2. The owner or operator of the FSE shall cause the grease interceptor or trap to be cleaned as hereinafter required when FOG and solids reach 25% of the design liquid

level of the grease interceptor or trap, or sooner if necessary to prevent carry over of FOG from the grease interceptor or trap into the city sanitary sewer system. Interceptors and traps shall be cleaned at three (3) month intervals or less. A longer cleaning interval must be approved by the WRA Director. If the owner or operator of the FSE, or an employee of the owner or operator, has a current grease hauler certification from the WRA indicating satisfactory completion of the course of training offered by the WRA on the cleaning of grease interceptors and traps, such person or persons may clean the grease trap in the facility included in such grease hauler's certification. Failure to adequately clean the grease trap, properly dispose of all grease trap waste, or maintain clean out records and measurements may result in revocation of a grease hauler certification pursuant to Chapter 102 of this Code of Ordinances. Alternatively, the owner or operator of an FSE may employ a waste hauler licensed by the WRA pursuant to Chapter 102 of this Code of Ordinances to clean the grease interceptor or trap, provided that the waste hauler personnel performing the cleaning has a current grease hauler certification from the WRA indicating satisfactory completion of the course of training offered by the WRA on the cleaning of grease interceptors and traps.

3. Any person who cleans a grease interceptor or trap shall do so in accordance with the following procedures and requirements. The person cleaning the grease interceptor or trap shall:

A. Completely empty and remove the contents (liquids and sludge) of all vaults of the grease interceptor or trap, and remove the grease mat and scrapings from the interior walls. As part of each cleaning of a grease interceptor or trap, the owner or operator of the FSE, or the licensed waste hauler employed by the FSE owner or operator, shall perform the following maintenance activities:

- (1) Check that the sanitary "tees" on the inlet and outlet sides of the grease interceptor are not obstructed, loose, or missing.
- (2) Verify that the baffle is secure and in place.
- (3) Inspect the grease interceptor or trap for any cracks or other defects.
- (4) Check that lids are securely and properly seated after completion of cleaning.

B. Not deposit waste and wastewater removed from a grease interceptor or trap back into the grease interceptor or trap from which the waste or wastewater was removed or into any other grease interceptor or trap, for the purpose of reducing the volume of waste and wastewater to be disposed of.

C. Not introduce enzymes, emulsifying chemicals, hot water or other agents into a grease interceptor or trap to dissolve or emulsify grease or as a grease abatement method. Introduction of bacteria as a grease degradation agent is permitted with prior written approval by the WRA director.

D. Dispose of waste and wastewater removed from a grease interceptor or trap at the WRF or at a facility approved for disposal of such waste by the WRA director. Waste and wastewater removed from a grease interceptor or trap shall not be discharged to any private sanitary or storm sewer or to the city sanitary or storm sewer system. The waste hauler shall provide a copy of the disposal receipt for all waste and wastewater removed from a grease interceptor or trap to the owner or operator of the FSE.

- E. Not use an automatic grease removal system to clean a grease interceptor without prior written approval of the WRA director, and if, the use of an automatic grease removal system is approved, shall operate same in a manner that the grease wastewater discharge limit, as measured from the system's outlet, is consistently achieved.
4. The WRA director may make exceptions to the above requirements, or may approve alternative operational requirements or cleaning and maintenance methods, provided that such exceptions or approvals shall be made in writing by the WRA director.
5. The WRA Director may issue a grease hauler certification upon satisfactory completion of the course of training offered by the WRA on the proper maintenance and cleaning of grease interceptors and traps, disposal procedures and record keeping. Such certification shall be for a period of 5 years and shall be in effect for the person receiving such training and for the FSE site for which such person is the owner, operator or employee thereof.

Section 20. In Chapter 101 of the Municipal Code of the City of Ankeny, Iowa Section 101.10 INSPECTION OF GREASE INTERCEPTORS AND RELATED SEWER EQUIPMENT should be and the same is hereby amended by removing Subsection 3. and replacing it with the following updated Subsection 3.:

3. Upon request by the WRA director's authorized representative, open any grease interceptor or grease trap for the purpose of confirming that maintenance frequency is appropriate, that all necessary parts of the installation are in place including, but not limited to, baffles and effluent tees, and that all grease interceptors, traps, and related equipment and piping is maintained in efficient operating condition.

Section 21. In Chapter 101 of the Municipal Code of the City of Ankeny, Iowa Section 101.13 NOTICE OF VIOLATION; ADMINISTRATIVE PENALTIES; CORRECTIVE ACTION ORDER should be and the same is hereby amended by revising subsection B. to read as follows:

Submit copies of the grease interceptor or grease trap maintenance log;

Section 22. In Chapter 101 of the Municipal Code of the City of Ankeny, Iowa Section 101.16 APPEAL OF CORRECTIVE ACTION ORDER OR CEASE AND DESIST ORDER should be and the same is hereby amended by updating the address under subsection 2. to read:

WRA Appeal Committee
Des Moines Metropolitan Wastewater Reclamation Authority
3000 Vandalia Road
Des Moines, Iowa 50317

Section 23. In Chapter 102 of the Municipal Code of the City of Ankeny, Iowa Section 102.01 DEFINITIONS should be and the same is hereby amended by revising the definitions of “Vehicle” and “Waste” to read as follows:

1. “Vehicle” means a commercial device equipped with a tank and used to remove or transport waste.
2. “Waste” means human excreta, water, scum, sludge, septage, FOG, food waste or grease solids, and non-hazardous industrial wastewaters and solids removed from public and private wastewater disposal systems, holding tanks, impervious vaults, portable or chemical toilets, or from devices used to trap grease resulting from food preparation. “Waste” also means liquid wastes resulting from spill clean-up.

Section 24. In Chapter 102 of the Municipal Code of the City of Ankeny, Iowa Section 102.08 STANDARDS OF DISPOSAL AT WRF should be and the same is hereby amended by removing the sentence in subsection 3. and replacing it with the following sentence:

Originate from mineral oil unless first treated to remove the oil and grease.

Section 25. In Chapter 102 of the Municipal Code of the City of Ankeny, Iowa Section 102.14 DENIAL, SUSPENSION AND REVOCATION OF LICENSE should be and the same is hereby amended by removing the second sentence of Subsection 1. and replacing it with the following:

The WRA director may deny, suspend or revoke the waste hauler license and/or grease hauler certification of any waste hauler who violates any provision of this division or any condition of its license, or who commits any of the following violations, or who does not meet the following requirements:

Section 26. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 27. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED at Ankeny, Iowa, this **18th** day of **February**, 2019.

Gary Lorenz, Mayor

ATTEST:

Debra M. Arend, Interim City Clerk
PUBLISHED IN THE
DES MOINES REGISTER
ON THE **22ND** DAY OF **FEBRUARY**, 2019

1st Con **1/21/19**
2nd Con **2/4/19**
3rd Con **2/18/19**