

ORDINANCE NO. 228.2014

AN ORDINANCE BY KERSHAW COUNTY TO AMEND CHAPTER 13 PUBLIC UTILITIES AND TO AMEND ARTICLE I. IN GENERAL, SECTION 13-1 TO ADD DEFINITIONS AND OTHER MATTERS RELATED THERETO AND TO AMEND ARTICLE IV USE OF PUBLIC SEWERS BY ADDING SECTION 13-157 TANK TRUCK TRANSPORTER/HAULED WASTE DISCHARGES TO PUBLICLY OWNED TREATMENT WORKS AND TO ESTABLISH POLICIES AND PROCEDURES AND OTHER MATTERS RELATED THERETO

FILED FOR RECORD
2014 OCT 27 AM 10:45
JOYCE HODDINSON
CLERK OF COURT
KERSHAW COUNTY, S.C.

WHEREAS, hauled waste may cause adverse impacts to wastewater treatment plants because it is usually more concentrated than typical domestic wastewater and may not be equalized when discharged.

WHEREAS, adverse impacts may include pass through, interference, sludge contamination, and hazards to Publicly Owned Treatment Works (“POTWs”) personnel.

WHEREAS, in order to help prevent hauled wastes from causing problems, POTWs need to adequately control the discharge of hauled waste to their treatment plants.

WHEREAS, many POTWs with pretreatment programs have already developed controls for hauled waste and the control of hauled waste at these POTWs can result in the disposal of hauled waste to POTWs without controls, usually smaller POTWs like those in Kershaw County.

WHEREAS, this shift in disposal of hauled wastes to smaller POTWs can result in negative impacts at those plants and to the surrounding community.

NOW, THEREFORE, BE IT ORDAINED by the Kershaw County Council that:

Chapter 13 Public Utilities is amended to amend Article I. In General, Section 13.1 Definitions and Article IV Use of Public Works Section 13-157. Tank Truck Transporter/Hauled Waste to POTWs as follows:

The following definitions should be inserted:

Sec. 13-1. Definitions

Hauled Waste. Any water and/or waste which has been removed and transported from any pit, sump, holding tank, septic tank, wastewater treatment facility or industrial facility.

Indirect Discharge. Introduction of pollutants from a non-domestic source into a publicly owned waste-treatment system.

Permit. Form that is filled out by the Waste Hauler and submitted to Kershaw County for the approval of authorization to discharge wastes.

Publicly-owned treatment works (POTW). A treatment works as defined by the Act, which is owned by the county. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of domestic and industrial wastewater. It includes sewers, pipes, and other conveyances only if they convey wastewater to the POTW treatment plant. "POTW" shall also include any wastewater system that conveys wastewater to the POTW from persons or users of the county's POTW who are located outside the county.

POTW director or director. The person designated by the county to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this article.

Waste Hauler. The User authorized by the Control Authority to pick-up, transport, and dispose of wastes at the POTW's designated disposal station. A source of Indirect Discharge.

ARTICLE IV. USE OF PUBLIC SEWERS

Insert in its entirety the following

Sec. 13-157. Tank Truck Transporter/Hauled Waste Discharges to the POTW

The contents of a tank truck operated by a SC DHEC licensed and County permitted Waste Hauler may be discharged to the POTW in accordance with this Section. The POTW is authorized to accept hauled waste originating within the County. Additionally, the POTW Director may grant approval to accept hauled waste from locations outside of the County. Such approval shall be subject to special conditions or restrictions, additional fees and applicable inter-jurisdictional agreements.

(a) Discharge of Hauled Waste

- (1) No person shall discharge hauled waste or cause hauled waste to be discharged to any POTW, public sewer facility, or private sewer tributary to any public sewer except as authorized by this ordinance.
- (2) No toxic materials or petroleum based grease and oils shall be accepted. Haulers who knowingly, or unknowingly, discharge materials that adversely impact the sewer systems shall be held financially responsible for the remediation or increased operating costs incurred as a result of the impact. Under no circumstance may hauled waste which is hazardous waste, as defined in 40 CFR 261, S.C. Code 44-56-20(6) or DHEC South Carolina Hazardous Waste Management Regulations 261.3, be discharged to the POTW.
- (3) Septic tank waste shall not be comingled with any other form of hauled waste prior to discharge to the POTW.
- (4) Hauled waste of commercial or industrial origin or hauled waste of unusually high strength may be discharged only if the original source of the waste has received written approval from the Control Authority in accordance with Section 13-135 of this ordinance.
- (5) Any industrial facility discharging industrial waste to the POTW by means of a waste hauler may be subject to the requirements of obtaining a permit.

(b) Waste Hauler Discharge Permit: Only County permitted waste haulers may discharge hauled waste to the POTW.

- (1) Any person wishing to obtain authorization to discharge hauled waste to the POTW shall submit a completed Waste Hauler Discharge Permit Application on a form provided by the County. Forms can be obtained from the POTW Director or the County's web site.
- (2) Upon approval a non-refundable Waste Hauler Discharge Permit will be issued to the Hauler for a period not to exceed one year.
- (3) Any violations of the terms and conditions of the Waste Hauler Discharge Permit and policies and procedures established for hauled waste disposal shall be deemed a violation of this ordinance and shall subject the Waste Hauler to sanctions and enforcement actions as set out by this ordinance.
- (4) Obtaining a Waste Hauler Discharge Permit does not relieve a permittee of its obligations to comply with all federal, state, and local requirements and laws.
- (5) Any person who has been granted authorization to discharge hauled waste to the POTW shall annually provide proof to the County of general liability insurance in the amount of \$1,000,000.00 and vehicle liability insurance in the amount of \$500,000.00 and provide proof of insurance that names Kershaw County as an insured, additional insured or loss payee.
- (6) The County may rescind a Permit to discharge hauled waste if the Hauler is found to be in violation of the provisions of this ordinance or other County ordinances.

(c) Waste Discharge Location

- (1) Any hauled waste which is acceptable to the POTW Director may be discharged only at the County's Hauled Waste Receiving Station located at:

Kershaw County Wastewater Treatment Plant
Renew Road
Lugoff, S.C.

- (2) Under emergency conditions, as determined by the POTW Director, hauled waste may be discharged at such alternate locations and under such conditions as the POTW Director determines are appropriate.

(d) Hauled Waste Tracking and Samples

- (1) No person shall discharge or cause to be discharged hauled waste without presenting a completed Hauled Waste Tracking form to the POTW Operator at the time of discharge. The Hauled Waste Tracking form shall be on a form provided by the County and shall fully identify the source and nature of the waste.
- (2) Hauled waste subject to the prior approval provisions of paragraph (a)(4) of this Section may be discharged only upon verification by the POTW Operator that such prior approval has been granted.

- (3) A sample of each load of hauled waste to be discharged may be collected by the POTW Operator and appropriate screening analyses performed prior to discharge being allowed. The sample will be retained and submitted to the POTW's laboratory for such further analyses as deemed necessary to determine its compliance with the requirements of this Ordinance.
- (e) **Conditions of Discharge:** Any person granted authorization to discharge hauled waste at the point designated herein and in possession of a proper Hauled Waste Tracking form agrees to be bound by the following conditional obligations and duties:
- (1) The Waste Hauler agrees to indemnify the County for any and all damage and expenses which may be suffered by it by reason of any or all of the Waste Hauler's acts done in the County and against any claims related thereto, including but not limited to, the discharge of hauled waste that violates any standard of the County's sewer use ordinance.
 - (2) The Waste Hauler will, in the event of spills or leakage of hauled waste on the POTW's premises, as a result of Waste Hauler's acts or faulty equipment, appropriately clean, to the satisfaction of the POTW Operator on duty, the area involved.
- (f) **County Refusal of Waste:** The County has the right to refuse to accept the discharge of any hauled waste brought to the Hauled Waste Receiving Station if, in the opinion of the POTW Operator on duty, based on a review of the Hauled Waste Tracking Form, POTW records and the screening analyses:
- (1) The waste does not meet the conditions under which a prior approval was granted, or
 - (2) The waste could cause operational and/or maintenance problems, be detrimental to the health of POTW employees or cause violations of the POTW's National Pollutant Discharge Elimination System ("NPDES") Permit or any other County, State or Federal environmental laws and/or regulations.
- (g) **Discharge at Other Locations Unlawful:** The discharge of hauled waste into any POTW facility, manhole or other location not approved for such discharge shall be considered unlawful.
- (h) **Fees for Discharge of Hauled Waste**
- (1) Waste Haulers shall pay septage fees and charges as established by ordinance of Kershaw County. The fee for each discharge will be calculated based upon the metered total volume of waste discharged. Waste Haulers will be billed by the County monthly.
 - (2) All hauled waste discharged which originates from an area located outside Kershaw County is subject to an "Out of Service Area" fee.
 - (3) The original source of a hauled waste of unusually high strength, subject to the prior approval provisions of this ordinance, shall pay an additional fee pursuant to

Section 13-4 of this ordinance. This additional fee shall be billed by the County to the original source following receipt of the waste.

- (i) Charge for Late Payment: If any charges billed are not paid by the due date indicated on any bill rendered, then an additional late payment charge, based on the percentage established by ordinance for late payments of wastewater user charges, is hereby imposed for each month or portion thereof the bill remains unpaid beyond the due date.
- (j) Termination of Service for Nonpayment
 - (1) When any Waste Hauler monthly charge has not been paid and has been delinquent for more than fifteen days, the County may refuse to accept any further waste discharges from that Waste Hauler.
 - (2) When any bill rendered to a source of hauled waste subject to the high strength waste charges in Section 13-4 of this ordinance has not been paid and has been delinquent for more than fifteen days, the County may refuse to accept any further waste discharges from that Waste Hauler.

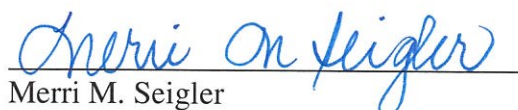
THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THIRD READING.

ADOPTED by Kershaw County Council this 17th day of June, 2014.

KERSHAW COUNTY COUNCIL



ATTEST:



Merri M. Seigler
Clerk to County Council

First Reading: May 13, 2014
Second Reading: May 27, 2014
Public Hearing: June 17, 2014
Third Reading: June 17, 2014

Kershaw County Utilities Department
Septage Receiving Facility
Hauled Waste Disposal Policies & Procedures

Operational Hours and After Hours Disposal

Kershaw County Septage Receiving Facility (SRF) operation is undertaken by Utilities Department. The SRF operational hours are:

Monday - Friday **7:45 am - 5:00 pm**

Sat & Sunday **Only four hours each day (Must Call Ahead)**

After hours dumping is available in emergency cases. Haulers are required (if known in advance) to call SRF personnel on duty at (803) 424 4036 after business hours and give an approximate time of their arrival. Any hauler requesting the option to dump outside of the normal septage facility operational hours will be charged an *additional fee* for after hour's disposal and it will be noted on the Septage Receiving Receipt.

Waste Disposal Procedures

Hauled waste disposal at the SRF shall be in accordance with the established procedures.

Enforcement actions will be taken on non-compliance to the established procedures. A formal Notice of Violation (NOV) will be issued for non-compliance and will be subject to a penalty and/or fine as stipulated in the Kershaw County SUO and may result in the revocation of your companies Hauled Waste Discharge Permit with Kershaw County and termination of waste disposal privileges at the SRF. Procedures for hauled waste disposal are listed below.

- Only permitted liquid wastes, (septic tank waste, , portable toilet waste, pre-approved industrial waste (with analysis report), are accepted at SRF. *Non-permitted waste loads will be rejected.*
- **No commingled waste will be accepted at the facility. e.g. industrial waste cannot be commingled with septic tank waste.**
- Submit the completed Waste Tracking Form (waste manifest) to SRF personnel at the POTW. *Absolutely no dumping before authorization.*
- Waste Tracking Forms should be filled out with complete customer information (Including street address, and City). *Failure to do this will result in truck load refusal and/or enforcement action.*
- Waste Discharge Hoses must be long enough to connect to SRF.
- All drivers shall enter waste discharge bay in a manner to accommodate other trucks waiting to dump. *Avoid traffic blockage as much as possible.*
- All spilled waste in paved discharge areas must be hosed down after every dump.

- Wash hoses must be coiled and hung back on hose rack after each use.
- Vehicle vacuum pump oil blow-down discharge is strictly prohibited.
- Newspaper or small trash items should be discarded in the dumpster and not on the dumping bays.
- Truck washing is prohibited at the liquid discharge bays. This includes the practice of inserting the reuse wash hoses into the rear waste discharge ports.
- Work gloves, latex gloves, and any other personal protective items for cleaning should be discarded in the trash cans or dumpster and not on the ground after use.