

**ORDINANCE MODIFICATIONS
INFORMATIVE SUMMARY 2009-2010**

1. Current: 1.15, If any provision, paragraph, section, sentence, or part of these rules is invalidated by any court or competent jurisdiction...

Proposed: 1.15, If any provision, paragraph, section, sentence, or part of these rules is invalidated by any court of competent jurisdiction...

2. Current: 1.25, Nothing contained in these rules shall be construed as prohibiting the *Commission* or *GBMSD* from adopting any emergency rule in order to preserve the public health, safety, or welfare. Such emergency rules shall be effective only for the period authorized by Wis. Stats. §200.45(1)(c), as amended from time to time.

Proposed: 1.25, Nothing contained in these rules shall be construed as prohibiting the *Commission* or *GBMSD* from adopting any emergency rule in order to preserve the public health, safety, or welfare. Such emergency rules shall be effective only for the period authorized by Wis. Stats. §200.45(1)(c), as amended from time to time.

Any references to Wisconsin statutes, the Wisconsin Administrative Code, or federal law, including without limitation, the Federal Water Pollution Control Act, include any amendments to those laws as may be passed from time to time.

3. Current: NA

Proposed: 1.32, The following documents are incorporated by reference: Standard Methods for the Examination of Water and Wastewater and Recommended Standards for Wastewater Facilities adopted by the Great Lakes-Upper Mississippi River Board of State Public Health and Environmental Managers (also known as "Ten States Standards")

4. Current: Chapter 2, Definition of Act, The Federal Water Pollution Control Act, known as The Clean Water Act, (33 U.S.C. 1251 et seq.), as amended.

Proposed: Chapter 2, Definition of Act, The Federal Water Pollution Control Act, known as The Clean Water Act, (33 U.S.C. § 1251 et. seq.), as amended.

5. Current: Chapter 2, Definitions, **Baseline Monitoring Report**

Proposed: Chapter 2, Definitions, **Baseline Monitoring Report (Industrial Wastewater Discharge Permit Application)**

6. Current: Chapter 2, Definition of BOD, Wisconsin Administrative Code §NR219.
Proposed: Chapter 2, Definition of BOD, Wisconsin Administrative Code NR Ch. 219.
7. Current: Chapter 2, Definition of Categorical Pretreatment Standard, ... as set forth in 40 CFR 400, et. seq.
Proposed: Chapter 2, Definition of Categorical Pretreatment Standard, ... as set forth in 40 C.F.R. § 400, et. seq.
8. Current: Chapter 2, Definitions, **Domestic Wastewater** - *Wastewater* from single or multiple-family dwellings which contain no *pollutants* exceeding the limitations or prohibitions contained in these rules.
Proposed: Chapter 2, Definitions, **Domestic Wastewater** - *Wastewater* from single or multiple-family dwellings.
9. Current: Chapter 2, Definitions, **Hauled Waste Permit** - A written permit issued by *GBMSD* to a *hauler* that sets forth the terms and conditions under which the *hauler* may discharge *hauled waste* into the *GBMSD sewerage system* at a *GBMSD* owned *receiving station*.
Proposed: Chapter 2, Definitions, **Hauled Waste Permit** - A written permit issued by *GBMSD* to a *hauler* that sets forth the terms and conditions under which the *hauler* may discharge *hauled waste* into the *GBMSD sewerage system*.
10. Current: Chapter 2, Significant Industrial User (2)(A), discharges a flow of 25,000 gallons per day or more of process *wastewater* into the *GBMSD sewerage system* (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);
Proposed: Chapter 2, Significant Industrial User (2)(A), discharge an average flow of 25,000 gallons per day or more of process *wastewater* (excluding sanitary, noncontact cooling and boiler blowdown wastewater) into the *GBMSD sewerage system*.
11. Current: Chapter 2, Definition of POTW (Publicly Owned Treatment Works), A *wastewater treatment facility* as defined in Section 212 of the *Act*.
Proposed: Chapter 2, Definition of POTW (Publicly Owned Treatment Works), A *wastewater treatment facility* is a treatment works as defined in § 212 of the *Act* or in Wisconsin Administrative Code NR § 211.03(11).

12. Current: Chapter 2, Definitions, **Principal Executive Officer** -
- (1) A president, secretary, treasurer, or vice-president in charge of a principal business function of a corporation, if the *user* is a corporation;
 - (2) A general partner, proprietor, or member if the *user* is a partnership, proprietorship, or a limited liability company;
 - (3) The personal representative or trustee if the *user* is an estate or trust; or
 - (4) An authorized representative of the individual designated above, if:
 - (a) such representative is responsible for the overall operation of the facilities from which the discharge originates,
 - (b) the authorization is in writing, and
 - (c) the written authorization is submitted to *GBMSD*

Proposed: Chapter 2, Definitions, **Principal Executive Officer** – As defined in NR 211.15(10).

13. Current: Chapter 2, Definition of Record, A *record* includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recording, tapes (including computer tapes), computer printouts, and optical disks.

Proposed: Chapter 2, Definition of Record, A *record* includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recording, tapes (including computer tapes), computer printouts, digital or electronic documents, e-mail correspondences and optical disks.

14. Current: Chapter 2, Definition of Toxic Substance (2), ... Administrator of the Environmental Protection Agency under the provisions of 301(a) of the *Act*.

Proposed: Chapter 2, Definition of Toxic Substance (2), ... Administrator of the Environmental Protection Agency under the provisions of 307(a) of the *Act*.

15. Current: Chapter 2, Definition of WPDES (Wisconsin Pollutant Discharge Elimination System) Permit, ... navigable waters of the *State* pursuant to Wis. Stats. §238.

Proposed: Chapter 2, Definition of WPDES (Wisconsin Pollutant Discharge Elimination System) Permit, ... navigable waters of the *State* pursuant to Wis. Stats. §283.

16. Current: 3.05, A petition for annexation pursuant to Wis. Stats. §200.26(2) shall be accompanied by such information as required by law and as may be required by the *Commission* in order for the *Commission* to act on the petition.
- Proposed: 3.05, A petition for annexation shall be accompanied by such information as required by law and as may be required by the *Commission* in order for the *Commission* to act on the petition.
17. Current: 4.10(2), ... or *customer's* standard specifications approved by the *WDNR*.
- Proposed: 4.10(2), ... or *customer's* standard specifications.
18. Current: 4.12, ... Only a *customer* shall have the right to connect a *lateral*, private sewer or *collector* to the *GBMSD sewerage system*. A *customer* shall not connect a *lateral*, private sewer, or *collector* to the *GBMSD interceptor system* without obtaining a *GBMSD connection permit*. Such connection to the *GBMSD sewerage system* shall be performed in the presence of a *GBMSD* inspector. *GBMSD* may establish a fee for a *GBMSD connection permit* to cover its cost of providing such inspection. Such fee shall be payable upon the application for a *GBMSD connection permit*.
- Proposed: 4.12, ... Only a *customer* shall have the right to connect a *lateral*, private sewer or *collector* to the *GBMSD sewerage system*. A *customer* shall not connect a *lateral*, private sewer, or *collector* to the *GBMSD interceptor system* without obtaining a *GBMSD connection permit*. Such connection to the *GBMSD sewerage system* shall be performed in the presence of a *GBMSD* inspector. *GBMSD* may establish a fee for a *GBMSD connection permit* to cover its cost of providing such inspection. Such fee shall be payable upon the application for a *GBMSD connection permit*. Failure to obtain a *GBMSD connection permit* will require excavation at the customer's expense. This is not an expense incurred by *GBMSD*. Refer to Chapter 10 of the *GBMSD Sewer Use Ordinance* for penalties.
19. Current: 4.20(11), ... or *customer's* standard specifications approved by the *WDNR*.
- Proposed: 4.20(11), ... or *customer's* standard specifications.
20. Current: 4.20(2), be constructed by a qualified contractor.
- Proposed: 4.20(2), be constructed by a qualified contractor and a licensed plumber.
21. Current: 4.35, Liquid waste containing excessive amounts of grease, flammable wastes, sand, or other harmful ingredients...
- Proposed: 4.35, Liquid waste containing excessive amounts of grease, flammable

wastes or sand...

22. Current: 4.50, easements, record drawings and specifications, shop drawings, and geotechnical information.
- Proposed: 4.50, easements, record drawings and specifications, shop drawings, and geotechnical information prior to closing on the acquisition.
23. Current: 4.60, No building, structure, wall or other above-ground obstruction, including additional fill material, shall be placed, erected, installed, or permitted over or within an easement of any *GBMSD interceptor* without prior written approval of *GBMSD*.
- Proposed: 4.60, No building, structure, wall or other above-ground obstruction, including additional fill material, shall be placed, erected, installed, or permitted over or within an easement of any *GBMSD interceptor* without prior written approval of *GBMSD*. Violation of this section may result in *GBMSD* requiring removal of the obstruction at the persons expense and/or penalties under Chapter 10 of the *GBMSD Sewer Use Ordinance*, or both.
24. Current: 4.70, No *person* shall open or enter the *GBMSD interceptor system* without prior authorization from *GBMSD*. The request for authorization shall include the reason, date, time, and duration of entry.
- Proposed: 4.70, No *person* shall open or enter the *GBMSD interceptor system* without prior authorization from *GBMSD*. The request for authorization shall include the reason, date, time, and duration of entry. Violations may result in penalties under Chapter 10 of the *GBMSD Sewer Use Ordinance*.
25. Current: 5.05, In the event *GBMSD* determines that an *interceptor segment* serves or is intended to serve only one *customer*, *GBMSD* shall have the option of offering to transfer such *interceptor segment* with any available related *records* to the *customer* being served by that *interceptor segment*. If such transfer occurs, the *customer* will thereafter be responsible for future operation and maintenance of the transferred *interceptor segment*. Should the *customer* not accept *GBMSD*'s offer to transfer the *interceptor segment* to the *customer*, then *GBMSD* may abandon the *interceptor segment*.
- Proposed: 5.05, In the event *GBMSD* determines that an *interceptor segment* serves or is intended to serve only one *customer*, *GBMSD* shall have the option of requiring the transfer of such *interceptor segment* with any available related *records* to the *customer* being served by that *interceptor segment*. If such transfer occurs, the *customer* will thereafter be responsible for future operation and maintenance of the transferred

interceptor segment. If the *customer* refuses the transfer of the *interceptor segment*, then *GBMSD* may abandon the *interceptor segment*.

26. Current: 5.15, ... Charges for exceeding *allocated interceptor capacity* are set forth in Section 9.45.

Proposed: 5.15, ... Charges for exceeding *allocated interceptor capacity* are set forth in Section 9.25 and Section 10.10.

27. Current: 6.05(7), any *wastewater* having color, the discharge of which is prohibited by the *WDNR*.

Proposed: 6.05(7), any *wastewater* containing color that would cause a detrimental effect or create an obvious plume or colorization in the Fox River or is prohibited by the *WDNR*.

28. Current: 6.05(12), any *wastewater* having a *pH* lower than 5.0 s.u. or higher than 10.0 s.u., with the following exceptions:

Proposed: 6.05(12), any *wastewater* having a *pH* lower than 5.0 s.u. or higher than 11.0 s.u., with the following exceptions:

29. Current: 6.10, *pH* variances are not transferable and *industrial users* shall request a *pH* variance at any new location if the *industrial user* or its discharge location is relocated.

Proposed: 6.10, *pH* variances are not transferable or assignable and *industrial users* shall request a *pH* variance at any new location if the *industrial user* or its discharge location is relocated.

30. Current: 6.15, A *user* shall not discharge *wastewater* into the *GBMSD sewerage system* containing *pollutants* in amounts exceeding both the concentration and mass limitations stated below; except for mercury and acrylonitrile for which a *user's wastewater* shall not exceed the concentration limitations set forth below. These limitations apply to a normal sampling event as determined by the *Pretreatment Program Coordinator*. Where federal, *State*, or local regulations outline different limitations for the same *pollutant*, the more stringent limitation shall apply. (Table of local limits will be relocated to the Technical Support Document).

Proposed: 6.15, A *user* shall not discharge *wastewater* into the *GBMSD sewerage system* that contains *pollutants* in amounts exceeding limitations identified in the Local Limits Summary Table of the Technical Support Document. Local limits apply to a normal sampling event as determined by the *Pretreatment Program Coordinator*. Where federal, *State*, or local

regulations outline different limitations for the same pollutant, the more stringent limitation shall apply.

In the event an SIU exceeds the local limit established for mercury (Hg), the SIU will be placed on a compliance schedule to develop Best Management Practices (BMPs). Both the compliance schedule and BMP development will be established on a case by case basis. BMPs as an alternative limit will be in lieu of the mercury numeric local limit. GBMSD will provide guidance to the SIU during this process. The final SIU BMP document will be presented to the GBMSD Pretreatment Program Coordinator for review and approval. Upon approval, the BMP document will become an appendix in the SIU Industrial Wastewater Discharge Permit as an alternative to the numeric limit. This alternative limit is effective until the end of the permit cycle.

With the Permit Renewal Application that is necessary to renew an Industrial Wastewater discharge Permit, the SIU will be required to request an alternative BMP limit for mercury for the new permit cycle. The SIU will have a specified period of time to review their BMP document and determine if any language or practices need to be changed or updated to reflect current BMP practices for that specific business type.

31. Current: 6.35, ... maintained at the *user's* expense... shall be reviewed by *GBMSD*... shall in no way relieve the *user* from...
- Proposed: 6.35, maintained at the *industrial user's* expense... shall be submitted for review to *GBMSD*... shall in no way relieve the *industrial user* from...
32. Current: 6.40, The *Executive Director* and applicable *customer* shall be notified upon completion of the corrective action.
- Proposed: 6.40, The *Executive Director* and applicable *customer* shall be notified in writing upon completion of the corrective action.
33. Current: 7.10, ... all costs associated with issuing a limited term permit.
- Proposed: 7.10, ... all costs associated with issuing and maintaining a limited term permit.
34. Current: 7.20, If an *industrial user* does not agree with this determination, it may appeal the categorical classification determination under this rule. If an *industrial user* does not agree with the results of the appeal under this rule, further appeals may be made to the *WDNR* and *USEPA*.
- Proposed: 7.20, If an *industrial user* does not agree with this determination, it may

appeal the categorical classification determination under this rule to the WDNR per Wisconsin Administrative Code §NR211.33.

35. Current: NA
- Proposed: 7.25, new paragraph prior to the last paragraph - If the Industrial Wastewater Discharge Permit of an SIU is not renewed prior to its expiration date, the SIU shall continue to operate following the terms and conditions contained in the expired permit until GBMSD reissues the permit.
36. Current: 7.28, Detailed plans showing the *pretreatment* facilities and operating procedures shall be submitted for review and use by *GBMSD*.
- Proposed: 7.28, Detailed plans showing the *pretreatment* facilities and operating procedures shall be submitted to *GBMSD*.
37. Current: NA
- Proposed: 7.30, last paragraph, Some industrial users may be an integral part of the *GBMSD* billing program. Refer to 9.10 for additional requirements.
38. Current: 7.30, *GBMSD* shall have access to the *significant industrial user's* facility at all times.
- Proposed: 7.30, *GBMSD* shall have safe access to the *significant industrial user's* facility at all times.
39. Current: 7.32, All measurements, tests, and analyses of discharges shall be conducted in accordance with procedures outlined in Wisconsin Administrative Code §NR219 from representative samples taken at the designated sample points.
- Proposed: 7.32, All measurements, tests, and analyses of discharges shall be conducted in accordance with procedures outlined in Wisconsin Administrative Code §NR219 from representative samples taken at the designated sample points.
- SIUs shall provide access and a safe working environment for *GBMSD* personnel to perform necessary duties within the SIU facility site.
40. Current: 7.35, *GBMSD* may inspect the facilities and examine process *records* of any *significant industrial user* to determine compliance with the requirements of these rules. Such inspections will be conducted at least once per year.

Proposed: 7.35, *GBMSD* may inspect the facilities and examine process *records* of any *significant industrial user* to determine compliance with the requirements of these rules. Such inspections will be conducted at least once per year.

SIUs shall provide access and a safe working environment for *GBMSD* personnel to perform necessary duties within the SIU facility site.

41. Current: NA

Proposed: 7.45, new paragraph - Any SIU that owns and operates a wastewater effluent flowmeter must calibrate the instrument annually in accordance with manufacturer's specifications and provide proof of calibration to *GBMSD* no later than January 15 of the following year.

42. Current: 7.65, No *industrial user* may discharge any hazardous waste (as defined in 40 CFR Part 261) without prior written approval from *GBMSD*. If any hazardous waste is discharged to the *GBMSD sewerage system*, without *GBMSD's* prior written approval, the *industrial user* shall immediately notify *GBMSD*. Leaving a message in *GBMSD's* voice mail system does not satisfy this notification requirement. The initial notice of a hazardous waste discharge shall be followed by a written notice to *GBMSD* from the *industrial user* with five (5) business days. If the *industrial user* does not meet the Very Small Quantity Generator exclusions, the *industrial user* must also notify the *USEPA* Region V Waste Management Division Director and the *WDNR* Bureau of Solid Waste Management in writing. Such notification must include the name of the hazardous waste, the approximate volume of the waste, the *USEPA* hazardous waste number, and the type of discharge (continuous, batch, or other).

For industries discharging more than one hundred (100) kilograms of hazardous waste per calendar month to *GBMSD*, the notification shall also contain the following information to the extent such information is known and readily available to the *industrial user*:

- (1) an identification of the hazardous constituents contained in the waste.
- (2) an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month.
- (3) an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months.

All notifications must take place no later than ten (10) days after the discharge of the hazardous waste commences.

Industrial users are exempt from the hazardous waste notification requirement during a calendar month in which they discharge fifteen (15) kilograms or less of non-acute hazardous waste. Discharge of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e) requires a one-time notification.

Proposed: 7.65, No *industrial user* may discharge any hazardous waste (as defined in 40 C.F.R. § 261.3) without prior written approval from *GBMSD*. If any hazardous waste is discharged to the *GBMSD sewerage system*, without *GBMSD's* prior written approval, the *industrial user* shall immediately notify *GBMSD*. Leaving a message in *GBMSD's* voice mail system does not satisfy this notification requirement. The initial notice of a hazardous waste discharge shall be followed by a written notice to *GBMSD* from the *industrial user* within five (5) business days. Industrial users are advised that NR 211.17 contains requirements for contacting EPA and DNR in the event of a discharge of hazardous waste.

43. Current: 7.75(4), (4) a *significant industrial user* shall submit a written report to *GBMSD* within five (5) days of the beginning of the *industrial bypass* containing:

Proposed: 7.75, A *significant industrial user* shall submit a written report to *GBMSD* within five (5) days of the beginning of the *industrial bypass* containing:

44. Current: 7.80, Except as provided above, *significant industrial users*...

Proposed: 7.80, *Significant industrial users*...

45. Current: 7.90, In addition to any penalties set forth in Chapter 9, below, any *significant industrial user* shall be subject to the following enforcement and penalties:

(1) any *user* found by *GBMSD* to have met the criteria of the *pretreatment* enforcement response plan for a minor violation shall be issued a written notice of noncompliance. A notice of noncompliance shall identify the nature of the violation and any enforcement action associated with the violation or further violations.

(2) any *user* found by *GBMSD* to have met the criteria of the *pretreatment* enforcement response plan for a major violation shall be issued a written notice of violation. A notice of violation shall identify the nature of the violation and any enforcement action associated with the violation or further violations.

(3) any *user* found to be in significant noncompliance as defined in 40 CFR 403 and NR 211 shall be subject to enforcement action as defined in the same regulation.

- Proposed: 7.90, In addition to penalties set forth in Chapter 10, any *significant industrial user* shall be subject to enforcement and penalties outlined in the Enforcement Response Plan found in the Technical Support Document.
46. Current: 8.30, ... from time to time in accordance with prudent business practices.
- Proposed: 8.30,... from time to time in accordance with prudent business practices. Haulers shall have on file with GBMSD at all times a current policy of comprehensive general public liability insurance. Violations may be subject to penalties under Chapter 10 of the *GBMSD Sewer Use Ordinance*.
47. Current: NA
- Proposed: 9.10, last paragraph, GBMSD may require specific means and methods of accurate metering and sampling of wastewater for any user determined to be an integral part of the GBMSD billing program.
- 48 Current: NA
- Proposed: 9.20-second paragraph, For facilities serving more than one municipal customer, a reasonably computed distribution of wastewater units will be allocated to each customer. GBMSD shall be the sole authority for determining a reasonably computed allocation of the units.
49. Current: 9.25, Examples of miscellaneous charges include, but are not limited to, the following:...
- Proposed: 9.25, Examples of miscellaneous charges related to the GBMSD sewerage system include:
50. Current: 9.50(1), ... with a maximum total daily flow greater than or equal...
- Proposed: 9.50(1), ... with an average total daily flow greater than or equal...
51. Current: 10.10, There shall be levied against any *customer* that exceeds its total allocated capacity a surcharge called the *unreasonable endangerment surcharge*. The *unreasonable endangerment surcharge* shall apply whenever flow discharged from the *customer* exceeds its total allocated capacity in any *interceptor segment*, regardless of fault, except in the instances where the *excess flow* is caused by revolution or substantial civil disorder, war or act of national enemies, or natural disorders, including earthquake, flood, tornado, lightning strike, hail, and wind. The *unreasonable endangerment surcharge* shall be three (3) times the daily billing assignable to the service area tributary to the *GBMSD interceptor*

in which capacity was exceeded. The *unreasonable endangerment surcharge* shall be applied for each calendar day in which a *customer's* flow exceeds its total allocated capacity in any *interceptor segment*, and shall not be less than a minimum *unreasonable endangerment surcharge* as determined by *Commission* resolution for each calendar day in which exceedance occurs. The *unreasonable endangerment surcharge* is in addition to, and not in lieu of, other *GBMSD* charges or any fines or other penalties that may be applicable by or pursuant to these rules, and is an element of billing in the same manner as other elements of billing.

Proposed: 10.10, A *customer* that has paid an *unreasonable endangerment surcharge* may apply for reimbursement toward the cost of corrective construction to the *customer's collection system*. Corrective construction must be for the purpose of reducing *infiltration* and *inflow* entering the *customer's collection system*. The costs of corrective construction do not include the costs of infiltration/inflow studies, sewer system evaluation surveys, facilities planning, design, bidding, or other costs expended in preparation for actual construction. The reimbursement amount will be limited to the *unreasonable endangerment surcharge* payment or the corrective construction cost, whichever is less. A request for reimbursement must be accompanied by documentation of the corrective construction completed and its associated costs. *GBMSD* will be the sole determinant of whether the request qualifies for reimbursement.

52. Current: 10.15, Such review shall be in accordance with the requirements of Wis. Stats. §66.902(2)(b).

Proposed: 10.15, Such review shall be in accordance with the requirements of Wis. Stats. § 200.45(2)(b).

53. Current: 10.20, ... pursuant to the authority of provisions of Wis. Stats. §66.24(1)(d)...

Proposed: 10.20, ... pursuant to the authority of provisions of Wis. Stats. § 200.11(1)(d)...

54. Current: 11.05, A request under Wis. Stats. §19.35(1)(a) to (f) is deemed sufficient if it reasonably describes the requested *record* or the information requested. Therefore, the request must include reasonable limitations as to subject matter or length of time represented by the *record*.

Proposed: 11.05, A request is deemed sufficient if it reasonably describes the requested *record* or the information requested. Therefore, pursuant to Wis. Stats. § 19.35(1)(h), the request must include reasonable limitations as to subject matter or length of time represented by the *record*.

55. Current: 11.10, ... and Chapter 12 of the Wisconsin Administrative Code are met.
Proposed: 11.10, ...and Wisconsin Administrative Code ADM Ch. 12 are met.
56. Current: 11.10, ... copying of the *record* under Wis. Stats. §19.35(1)...
Proposed: 11.10, ... copying of the *record* under Wis. Stats. § 19.35(1)(a)-(f)...
57. Current: NA
Proposed: **Chapter 12 - Amalgam Management at Dental Offices**

12.05 General

This section applies to any dental office that places or removes mercury amalgam. If work in a dental office is limited to work that does not involve placing or removing mercury amalgam, such as orthodontics, periodontics, oral and maxillo-facial surgery, endodontics, or prosthodontics, then this section does not apply.

All dental offices shall implement best management practices for mercury amalgam as established by the Wisconsin Dental Association.

12.10 Amalgam Separator Installation

Within the shortest reasonable time, but not later than July 1, 2011, each dental office that places or removes mercury amalgam shall install an amalgam separator that meets the criteria of the International Standards Organization (ISO 11143). Dental offices shall install, operate, and maintain the amalgam separator according to instructions provided by the manufacturer. The amalgam separator shall have a design and capacity appropriate for the size and type of vacuum system.

On or before October 1, 2011, each dental office shall submit a report that certifies that the installation of the amalgam separator(s) is complete, including the installation date, the manufacturer, and the model name or number.

Any dental office that cannot install an approved amalgam separator by this date shall notify GBMSD by letter prior to the required date with an explanation for the delay. The letter shall also provide an installation schedule, and identify the manufacturer and the model name of the amalgam separator that will be installed. GBMSD will review and approve any installation schedule beyond July 1, 2011.

If a dental office has provided a letter identifying the inability to install an amalgam separator by October 1, 2011, then the dental office shall notify GBMSD of the completion of installation within five days after completion.

12.15 Records Keeping

Each dental office that owns and operates at least one amalgam separator shall maintain and keep current an operation and maintenance manual at its office complete with manufacturers recommendations and standard operating procedures for removing and properly disposing of captured mercury amalgam. All records associated with amalgam separators need to be maintained for a minimum of three (3) years.

12.20 Reporting Requirements

On or before August 1, 2011, and annually thereafter, each dental office shall provide GBMSD with a report using forms provided by GBMSD. Reporting information will include at a minimum:

- (1) Dates of routine maintenance for the amalgam separator.
- (2) The names and addresses of contractors used to remove mercury amalgam waste.
- (3) The dates, volumes, and destination of any mercury amalgam waste shipped.
- (4) Certification that best management practices for mercury amalgam as established by the American Dental Association are being implemented.
- (5) Certification that the amalgam separator was installed and is being operated and maintained in accordance with instructions provided by the manufacturer.
- (6) Any updates to the amalgam separator operations and maintenance manual.

12.25 Inspections

Dental offices shall allow GBMSD access for inspections of amalgam separator equipment, manuals, and records.

Inspections shall occur during the normal operating schedule of the dental office. GBMSD shall inspect dental offices according to appointments made in advance wherever possible.

58. Current: NA

Proposed: Index to the Technical Support Document

- A. Pretreatment Enforcement Response Plan
- B. Local Limits Summary Table
- C. Local Limits Development Report 2008
- D. Compliance Schedule Due to Changes in Local Limitations
- E. Determination of the Inclusion of Local Limitations in Individual SIU Permits
- F. Determination of Mass Based Local Limits
- G. De Pere Facility WPDES Permit
- H. Green Bay Facility WPDES Permit

59. Current: NA

Proposed: Part D of the Technical Support Document, GBMSD will periodically recalculate local limits. When GBMSD lowers a local limit to make it more stringent, SIUs with historical effluent data indicating they will not be able to meet the new, more stringent local limit, will be granted a compliance schedule. Compliance schedules will be developed on a case by case basis and will be enforced during the planning and construction of new pretreatment facilities. A compliance schedule will allow an SIU to conduct normal business operations and be exempt from enforcement for the pollutant(s) of concern established by GBMSD. This exemption will be for the duration of the compliance schedule or until the SIU can demonstrate that they meet the new local limit over a 90 day period of time. In no case will a compliance schedule exceed 36 months.

60. Current: NA

Proposed: Part E of the Technical Support Document, The Local Limits Development Report 2008 identifies the background concentration for each pollutant for which there is a calculated local limit. If an SIU discharges wastewater with a pollutant concentration above the background concentration, GBMSD will include that pollutant, with its corresponding local limit, in the SIU's Industrial Wastewater Discharge Permit. An SIU's discharge is considered to be above the background concentration if concentrations above background have been detected in two consecutive samples or in greater than forty percent of samples collected in a calendar year.

SIUs are only required to conduct self-monitoring for those local limits identified in their Industrial Wastewater Discharge Permit and self-monitoring that is required for categorical pollutants.

61. Current: NA

Proposed: Part F of the Technical Support Document, SIUs may request a mass based local limit in lieu of a concentration based local limit. This request must be made in writing to the GBMSD Executive Director. The request will be evaluated in accordance with the criteria contained in Part B of the Technical Support Document. GBMSD will only review a request for a mass based local limit if the SIU can demonstrate significant reduction in wastewater discharged to the GBMSD sewerage system through the implementation of water conservation practices. A significant reduction must be greater than 20 percent of the long term average daily flow during days of typical operation. The SIU is also required to show how this reduction in flow will negatively impact facility effluent concentrations and why a mass based local limit is necessary. If these criteria are satisfied, GBMSD will review the request and respond to the SIU in writing within 90 days.

A mass based local limit will be calculated by multiplying the local limit in mg/L by 8.34 and then multiplying by the long term average daily flow in MGD of the SIU.

6.15, An SIU may request a mass based local limit in lieu of a concentration based local limit as outlined in Part E of the Technical Support Document.

62. Current:

	Concentration mg/L	Mass Pounds/24 hrs.
Arsenic (Total)	0.5	0.2
Cadmium (Total)	2.0	0.8
Chromium (Total)	10.0	4.0
Copper (Total)	5.0	2.0
Cyanide (Total)	5.0	2.0
Lead (Total)	0.5	0.2
Mercury (Total)	0.02	-
Nickel (Total)	10.0	4.0
Zinc (Total)	15.0	6.3
Acrylonitrile	1.0	-

Proposed: Part B of the Technical Support Document.

	Concentration mg/L
Arsenic (Total)	0.56
Cadmium (Total)	0.23
Chromium (Total)	3.76
Copper (Total)	2.78
Lead (Total)	1.80
Mercury (Total)	0.0004
Nickel (Total)	3.24
Zinc (Total)	3.21
Acrylonitrile	1.0