

City of Sioux Falls



CITY OF SIOUX FALLS
PUBLIC WORKS

Providing a Better Quality of Life for You!

Administration

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8600 F: 367-8114

Engineering/Real Estate

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8601 F: 367-4310

Environmental

1017 East Chambers Street
Sioux Falls, SD 57104-7200
T: 605-367-8276 F: 367-4886

Fleet Management

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8240 F: 367-8239

GIS

132 North Dakota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8651 F: 367-8113

Landfill

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8162 F: 367-8167

Light

2000 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-373-6979 F: 373-6974

Street

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8255 F: 367-8200

Utility Billing

1201 North Western Avenue
P.O. Box 7401
Sioux Falls, SD 57117-7401
T: 605-367-8131 F: 367-7341

Water Maintenance

668 West Algonquin Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8810 F: 367-7883

Water Purification

2100 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-373-6940 F: 373-6941

Water Reclamation

4500 North Sycamore Avenue
Sioux Falls, SD 57104-9612
T: 605-367-8188 F: 367-8484

December 20, 2018

CERTIFIED MAIL 7017 0530 0000 1018 3798

Mr. Dustin Hansen
Sioux Falls Regional Landfill
PO Box 7402
Sioux Falls SD 57106

Dear Mr. Hansen:

Subject: **Issuance of Specialty Wastewater Discharge Permit #RL05A**
Sioux Falls Regional Sanitary Landfill, Sioux Falls, SD

Transmitted herewith is the Specialty Wastewater Discharge Permit (SWDP) for the above referenced project. This SWDP has been issued by the City of Sioux Falls Industrial Pretreatment Program pursuant to the authority granted by Chapter 53 of the Code of Ordinances of Sioux Falls. The discharge of specialty wastewater into the Sioux Falls Publicly Owned Treatment Works is hereby allowed, subject to any and all provisions of this SWDP.

The SWDP contains Discharge Action Levels, Monitoring and Reporting Requirements, General Conditions, and Specific Permit Conditions. Enclosed is your company's SWDP No. **RL05A**. The SWDP Number shall be included on all correspondence regarding this permit. Please make sure that this SWDP is kept on site. Also, assure that appropriate staff review and have thorough knowledge of its conditions.

If you have any questions or need interpretation of any condition of this SWDP, please contact my office at (605) 367-8276.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Berg".

Andrew Berg
Environmental/Stormwater Manager

Enclosure

c: Mark Cotter, Director of Public Works (enclosure)
Mark Perry, Wastewater Superintendant (enclosure)
Paul Bengford, Assistant City Attorney (enclosure)
Pretreatment SIU Permit File (enclosure)

SPECIALTY WASTEWATER DISCHARGE PERMIT (SWDP)

RL05A
SWDP Number

Sioux Falls Regional Landfill
(hereinafter referred to as PERMITTEE)

Sioux Falls Landfill, Sioux Falls, SD
Address of Industry or Location of Sewer Service

PERMITTEE is authorized to discharge wastewater into the City of Sioux Falls Publicly Owned Treatment Works (POTW) at locations designated herein in accordance with the terms and conditions set forth herein.

This Specialty Wastewater Discharge Permit (SWDP) is granted in conformance with plans, specifications, and/or other data submitted in support of the WASTEWATER DISCHARGE PERMIT APPLICATION, all of which are made a part of this SWDP.

PERMITTEE shall reapply for a SWDP a minimum of thirty (30) days prior to expiration of the existing SWDP. All applications shall be in the form prescribed by the City of Sioux Falls.

This SWDP becomes effective on January 1st, 2019 and shall expire on December 31st, 2022.



Andrew Berg
Environmental/Stormwater Manager



Date Signed

I. INSPECTION AND SAMPLING FACILITIES

Approved inspection and sampling facilities shall be installed at each discharge point into the City sanitary sewer system, unless otherwise specified. Sampling facilities will allow representative flow-proportionate monitoring of the total wastewater discharged. Sampling equipment is recommended and may be required by the City. The sampling facilities shall be maintained substantially as approved at all times.

II. DISCHARGE POINT(S)

Permitted discharge must be transported by an approved Liquid Waste Hauler to the City of Sioux Falls Equalization Basin for disposal.

III. ACCIDENTAL DISCHARGES

The PERMITTEE shall notify the Wastewater Superintendent, Environmental Manager, or Pretreatment Coordinator at 367-8276 or 367-8198 immediately upon becoming aware of the occurrence of a "slug" or accidental discharge of prohibited materials as established by City regulations. The notification shall include location, date, and time of discharge, type of material, concentration, volume, and proposed or implemented corrective actions.

IV. PERMIT TRANSFER

This Specialty Wastewater Discharge Permit is issued to the PERMITTEE for a specific operation and location. This SWDP is not transferable to any other location. This SWDP may be transferred to a new owner or operator if all requirements established in Sub-Chapter 53.063 of the Code of Ordinances of Sioux Falls are complied with.

V. REVOCATION OR MODIFICATION OF PERMIT

- A. The Environmental Manager may **MODIFY** this SWDP for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
 2. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
 3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 4. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
 5. To address any approved modification requests submitted by the PERMITTEE;
 6. Violation of any terms or conditions of the wastewater discharge permit;
 7. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 8. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 9. To correct typographical or other errors in the wastewater discharge permit.

- B. The Environmental Manager may **REVOKE** SWDP for good cause, including, but not limited to, the following reasons:
1. Failure to notify the Environmental Manager of significant changes to the wastewater prior to the changed discharge;
 2. Failure to provide prior notification to the Environmental Manager of changed conditions pursuant to Sub-Chapter 53.070 of City Ordinance;
 3. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 4. Falsifying self-monitoring reports;
 5. Tampering with monitoring equipment;
 6. Refusing to allow the Environmental Manager or authorized representative timely access to the facility premises and records;
 7. Failure to meet effluent guidance levels;
 8. Failure to pay fines;
 9. Failure to pay sewer charges;
 10. Failure to meet compliance schedules;
 11. Failure to complete a wastewater survey or the wastewater discharge permit application;
 12. Failure to provide advance notice of the transfer of business ownership of permitted facility; or
 13. Violation of any terms of the SWDP.

VI. DISCHARGE ACTION LEVELS

A. Action Levels

These action levels apply at **Monitoring Point(s) RL01, RL02 and RL03**, described in Section VII. A. of this SWDP.

1. Specific Action Levels:

<u>Parameter</u> ³	<u>Units</u>	Daily ¹ <u>Maximum</u>	Instantaneous ² <u>Maximum</u>
a. Arsenic	mg/L	0.23	0.46
b. Cadmium	mg/L	0.06	0.12
c. Copper	mg/L	2.71	5.42
d. Lead	mg/L	1.00	2.00
e. Molybdenum	lbs/day	-- ⁴	-- ⁴
f. Nickel	mg/L	0.79	1.58
g. Selenium	mg/L	0.15	0.30
h. Silver	mg/L	3.38	6.76
i. Zinc	mg/L	10.00	20.00
j. pH	SU	----	5.0-12.0
k. Flow	GPD ⁵	140,000	-----
l. BTEX ⁶	mg/L	N/A	0.75

¹ Daily maximum is a limit indicating the maximum allowable discharge of a pollutant, monitored by a composite sample, during a 24-hour period which corresponds to the designated monitoring period.

² Instantaneous maximum is a limit indicating the maximum concentration of a pollutant, monitored by a grab sample, allowed to be discharged at any specific time.

³ All limits apply at the point where the wastewater is discharged to the POTW. All concentrations and limits for metallic substances are for "total" metal unless indicated otherwise.

⁴ There will be no mass based limit for Molybdenum for this permit, although any detection of molybdenum during future monitoring may cause a modification of permit.

⁵ Flow limits are in gallons per day (GPD) for daily maximum.

⁶ BTEX shall mean the total of Benzene, Toluene, Ethylbenzene, and Xylene found in any given sample.

2. Prohibitive Discharges

- a. General Prohibitions: PERMITTEE shall not introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- b. Specific Prohibitions: PERMITTEE shall not introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flash point of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having a pH less than 5.0 or more than 12 or otherwise causing corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference;
 - (4) Pollutants, including oxygen-demanding pollutant (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
 - (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (8) Trucked or hauled pollutants, except at discharge points designated by the Director of Water/Wastewater;
 - (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life or to prevent entry into the sewers for maintenance or repair;
 - (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent;
 - (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
 - (12) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - (13) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test; or
 - (14) Fats, oils, or greases of animal or vegetable origin in amounts which will cause obstruction of the flow in sanitary sewers.
 - (15) Light water foaming agents in quantities that will cause foaming problem in POTW.

- c. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged into the POTW.

VII. MONITORING REQUIREMENTS

A. Monitoring Point(s):

PERMITTEE is authorized to discharge wastewater into the City of Sioux Falls sanitary sewer system through the monitoring points listed below:

<i>Monitoring Point</i>	<i>Location and Description</i>
MPRL01	Monitoring Point RL01 will consist of the Emergency Cell Holding Tank Leachate. The monitoring point will be prior to loading leachate into an approved Liquid Waste Hauler.
MPRL02	Monitoring Point RL02 will consist of the leachate from the East Area Leachate Pre-Subtitle D Pond. The monitoring point will be prior to loading leachate into an approved Liquid Waste Hauler.
MPRL03	Monitoring Point RL03 will consist of the leachate from the West Area Leachate Subtitle D Pond. The monitoring point will be prior to loading leachate into an approved Liquid Waste Hauler.

B. General Self-Monitoring Requirements

1. From the period beginning on the effective date of the SWDP until the SWDP expires, the PERMITTEE shall monitor each of the Monitoring Point(s) for the listed parameters. At a minimum, the PERMITTEE is required to perform collection and analysis of wastewater samples with the frequency and type of measurement indicated. Samples or measurements shall be representative of the discharge during normal operating conditions and shall be taken at the monitoring points specified in this SWDP. Equipment or instrumentation used for self-monitoring must be maintained and calibrated according to the manufacturer's specifications. Maintenance and calibration records must be retained on site and be available for inspection.
2. All sampling, handling and preservation of samples and laboratory analysis of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring requirement of this permit or by Environmental Manager.
3. Permittee must maintain records documenting all sampling activities including proper sample labeling, log book sampling, chain of custody procedures, and other documentation related to sampling.

4. Sampling, analysis, and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions.

C. Self-Monitoring Requirements for *Monitoring Point RL01, RL02 and RL03*

1. Action Level Monitoring:

<u>Parameter</u>	<u>Units</u>	<u>Monitoring Frequency</u>	<u>Sample Types</u>
a. Total Metals ¹	mg/L	1/6 Months	Grab ²
b. BTEX ³	mg/L	1/6 Months ⁴	Grab
c. VOC's ⁵	mg/L	1/6 Months	Grab
d. Semi-VOC's ⁶	mg/L	1/6 Months	Grab
e. Dioxins/Furans ⁷	mg/L	1/Year	Grab
f. Pesticides ⁸	mg/L	1/Year	Grab
g. TSS	mg/l	1/ Month	Grab
h. BOD	mg/L	1/ Month	Grab
i. COD	mg/L	1/ Month	Grab
j. NH-3	mg/L	1/ Month	Grab
k. TKN	mg/L	1/ Month	Grab
l. TDS	mg/L	1/ Month	Grab
m. TOC	mg/L	1/ Month	Grab
n. pH	SU	1/ Month	Grab
o. HEM	mg/L	1/6 Months	Grab
p. HEM-SGT	mg/L	1/6 Months	Grab
q. Flow ⁹	gpd	Continuous	Meter
r. PFC's ¹⁰	ug/l	1/Year	Grab

¹ Total Metals include: As, Cd, Cr, Cu, Pb, Hg, Mo, Ni, Se, Ag, Zn

² Grab sample means a discrete sample collected or measured from a wastewater stream over a period of time not to exceed 15 minutes.

³ BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and xylenes.

⁴ If any visible petroleum sheen is observed in treatment system the monitoring should be performed daily.

⁵ VOC's means Volatile Organic Compounds and shall be monitored by EPA Method 624.

⁶ Semi VOC's means Semi Volatile Organic Compounds and shall be monitored by EPA Method 625.

⁷ Dioxins and Furans shall be monitored by EPA Method 1613.

⁸ Pesticides shall be monitored by EPA Method 608.

⁹ PERMITTEE shall monitor for Total Flow from all monitoring points each month. Flows must be monitored continuously by the PERMITTEE using a totalizing flow meter or other acceptable method approved by Environmental Manager. The meter or other approved method shall be installed, calibrated, and maintained to ensure its accuracy is consistent with accepted engineering standards and capabilities.

¹⁰ PFC's means Perfluorochemicals.

VIII. EMERGENCY: IMMEDIATE CESSATION OF DISCHARGE AND NOTIFICATION REQUIREMENT

- A. If at any time the PERMITTEE has knowledge of one of the following, the PERMITTEE must immediately cease discharge and immediately notify the Industrial Pretreatment Program at 367-8276, 367-8198 or 911.
 - a. Visual discharge of free petroleum product
 - b. Prohibitive Discharge as described in Section VI. A. 2 of SWDP occurs
 - c. Action levels established in Section VI. A. 1. of SWDP is exceeded
- B. PERMITTEE shall post a permanent notice on an employee bulletin board or other prominent place advising employees how to notify the Industrial Pretreatment Program in the event of an emergency discharge described in VIII. A. of this part.

IX. REPORTING REQUIREMENTS

A. Self-Monitoring Reports

PERMITTEE shall report all self-monitoring sampling results for the pollutant parameters monitored during the preceding month. Forms provided by the Environmental Division shall be used for reporting. Equivalent forms may be used if approved by the Environmental Manager.

If the PERMITTEE monitors any regulated pollutants at designated permit sampling point(s) more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA, or as specified in this permit, the results of such monitoring shall be included with the self-monitoring report. If there is no discharge during the entire reporting period, monitoring reports shall be submitted designating "NO DISCHARGE."

B. Submittal of Reports

PERMITTEE shall submit reports to the following address:

Environmental/Stormwater Manager
City of Sioux Falls
Environmental Division
1017 East Chambers Street
Sioux Falls, SD 57104-1201

C. Report Due Dates

1. Monitoring results obtained during any month shall be reported on the following Monthly Self-Monitoring Reports. PERMITTEE shall use forms provided by the CITY. Equivalent forms may be used if approved by Environmental Manager.
 - a. Monthly Self-Monitoring Report must be received or postmarked no later than the **15th** of the following month.
 - b. If there is no discharge during the entire monitoring period, monitoring reports shall still be submitted designating "no discharge" and any available results or data.

D. Certification

All applications and reports submitted to the City of Sioux Falls must contain the following certification statement and be signed by an Authorized Representative of the PERMITTEE as required within this section:

"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 and imprisonment for knowing violations."

E. Authorized Representative

1. For the purpose of this section, an authorized representative shall be defined as follows:
 - a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or,
 - b. The manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. A general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
3. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State, or local governmental entity, or their agents.
4. A duly authorized representative of the individual designated in paragraph (1), (2), or (3) of this section if:
 - a. The authorization is made in writing by the individual described in paragraph (1), (2), or (3);
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - c. The written authorization is submitted to the City.
5. If an authorization under paragraph (4) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (4) of this section must be submitted to the City prior to or together with any reports to be signed by an authorized representative.

X. OTHER CONDITIONS AND REQUIREMENTS

A. Records Maintenance

1. PERMITTEE must maintain records of all information resulting from any monitoring activities for a minimum period of **three years**. All calibration, maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and all data used to complete the permit must be maintained by the PERMITTEE. All records subject to Administrative enforcement or litigation activities shall be retained and preserved by the PERMITTEE until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired. Such record will include for all samples:
 - a. The date, exact place, method, and time of sampling and the names of person or persons taking the samples;
 - b. The date the analyses were performed;
 - c. Who performed the analyses;
 - d. Analytical technique/methods used; and
 - e. The results of such analysis.
2. Records shall be made available for inspection and copying by the City or its representatives at any time.

B. Hazardous Waste Notification

The PERMITTEE shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the PERMITTEE discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place within 180 days of the effective date of the rule. Industrial users who commence discharging after the effective date of the rule shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40

CFR 403.12 (j). The notification requirement in this section does not apply to pollutants already reported under self-monitoring requirements of 40 CFR 403.12 (b), (d), and (e). Time limits for notification and other regulatory requirements are contained in 40 CFR Part 403.12 (p) (1), (2), (3), and (4).

C. Bypass of Treatment Facilities

1. Bypass not exceeding action levels. The PERMITTEE may allow any bypass to occur which does not cause effluent action levels in this SWDP to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. and 3. of this section.
2. Notice:
 - a. Anticipated bypass. If the PERMITTEE knows in advance of the need for a bypass, it shall submit prior notice at least 30 days before the date of the bypass to the Environmental Manager.
 - b. Unanticipated bypass. The PERMITTEE shall submit notice of an unanticipated bypass to the Environmental Manager within 24 hours after becoming aware of it.
3. Prohibition of bypass:
 - a. Bypass is prohibited. However, the Environmental Manager may defer enforcement action against a PERMITTEE if the following conditions are met:
 - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. Potential economic loss will not necessarily render an alternative infeasible. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) PERMITTEE submitted notices as required under Sec. X.C.2.
 - b. The Environmental Manager may approve an anticipated bypass, after considering its adverse effects, if it is determined the bypass meets the three conditions listed above in paragraph 3.a. of this section.

D. Proper Operation and Maintenance

The PERMITTEE shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the PERMITTEE to achieve compliance with the conditions of this SWDP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a PERMITTEE only when the operation is necessary to achieve compliance with the conditions of the SWDP.

E. Notification of Process Changes

PERMITTEE shall notify the Environmental Manager immediately upon becoming aware of any process change, whether same be a termination of an existing process or addition of a new process, that affects the volume or the characteristics of the wastewater discharged.

F. Right of Entry

Duly authorized employees of the City shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharges entering the sanitary sewer system. Authorized employees may obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

G. Dilution Prohibition

Industrial user shall not increase the use of process water or in any manner dilute a discharge as a substitute for adequate treatment to achieve meet any Action Levels.

H. Industrial Pretreatment Fees

Industrial user is subject to the fees established in Sub-Chapter 110.036 of the Code of Ordinances of Sioux Falls

I. Reapplication

If user desires to continue discharge after expiration of this SWDP, reapplication shall be made at least 30 days before this SWDP expires. During the interim period between expiration of this SWDP and the reissuance of a new SWDP (if such period should occur) all requirements and conditions contained in this SWDP shall remain fully in effect until the next SWDP is issued.

J. Federal and/or State Laws

Nothing in this SWDP is intended to affect any pretreatment standards or prohibitions established by State or Federal Law.

L. Confidentiality

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from manager's inspections and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of manager, that the release of such information would divulge trade secrets entitled to protection under applicable state law. Effluent monitoring data shall be available to the public without restriction.

M. Severability

If any provision, paragraph, word or section of this SWDP is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words or sections shall not be affected and shall continue in full force and effect for life of SWDP.

XI. COMPLIANCE SCHEDULE

- A. There is no compliance schedule for this PERMITTEE.

XII. SPECIAL CONDITION(S)

A. Daily Observation Records Required

1. PERMITTEE is required to observe wastewater daily for changed conditions, presence or absence of sheen, free product or any other visual or physical evidence of possible contamination or non-compliance issues.
2. PERMITTEE is required to keep written daily logs documenting these observations.

B. Action Levels

1. Any exceedance of the Action Levels set forth in this SWDP will not result in a violation of that parameter. Action Levels will be used to determine whether the City of Sioux Falls may need to cease the discharge, modify conditions of the discharge to the City of Sioux Falls or categorize the PERMITTEE as a Significant Industrial User which would require formal permitting in accordance with Sub-Chapters 53.050 and 53.051 of the Code of Ordinances of Sioux Falls.