

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance amending "Code of Ordinances, City of Lowell, Massachusetts" with respect to Chapter 272, entitled Water and Sewers, Article IV, Industrial Waste, by amending §272-73(B)(1), entitled "Compliance with Pretreatment Standards."

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

The City Council maintains the authority to regulate its sewer system by virtue of its police powers to protect public health and welfare pursuant to M.G.L. c. 40, §21 et. seq.

Pursuant to this authority, and as codified under §272-73(B)(1) of the City's Code of Ordinances, the City Council may establish "local limits" for the maximum allowable concentrations of constituent particulates in sewer discharge by industrial users, subject to prior public notice and approval by the United States Environmental Protection Agency (EPA). Local limits are defined under §272-19 of the City's Code of Ordinances as "Specific effluent pollutant concentrations developed by the POTW (publically owned treatment works) for an industrial user(s) in order to prevent any interference and/or pass-through of the POTW as mandated by 40 CFR 403.5(c)."

The City Council desires to update its local limits in order to reflect changes in the loading conditions at its publically owned treatment works.

These proposed updated local limits have been approved by the EPA, which conducted public notice for comment pursuant to 40 C.F.R. §403.18.

Updating the City's local limits is in the best interest of the health, safety, and welfare of the City and its residents by ensuring the proper treatment of industrial wastewater.

1. "The Code of Ordinances City of Lowell, Massachusetts," hereinafter called the "Code," adopted by the City Council on December 23, 2008, as amended, is hereby further amended with respect to Chapter 272, entitled Water and Sewers, Article IV, Industrial Waste, by amending §272-73(B)(1), entitled "Compliance with Pretreatment Standards" as follows:

§272-73. Compliance with pretreatment standards.

B(1) is hereby amended by inserting *or loadings* after the word *concentrations*, striking the current table following the first paragraph and inserting a new table, and inserting the following new paragraph after the new table: *The City may, at its sole discretion, implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users and other designated non-SIUs that correspond to the uniform concentration local limits shown in the table above.*

Paragraph B(1) shall now read as follows:

(1) Local limits. Industrial users shall comply with the following maximum allowable concentrations or loadings for the constituents listed below unless the industry is required to comply with a more stringent National Categorical Pretreatment Standard (40 CFR Chapter I, Subchapter N, Parts 405 to 471). The City has the right to adjust these local limits as necessary to reflect changes in the loading conditions at the POTW. Any changes in these limits must first be presented to the City Council for adoption into this article. All changes to the local limits must be approved by the EPA and go through public notice procedures prior to incorporation.

Pollutant ^(a)	Daily Maximum Discharge Limit (mg/L)	Maximum Allowable Industrial Loading ^(b) lbs/day
Arsenic	0.235	2.662
Cadmium	0.108	1.22
Chromium	4.53	102.56
Copper	3.47	52.42
Lead	0.685	7.768
Molybdenum	0.74	8.43
Mercury	0.028	0.321
Nickel	1.81	8.43
Selenium	0.23	20.55
Silver	0.98	2.61
Zinc	4.5	15.86

^(a) All Pollutants as Total and in mg/L unless otherwise specified.

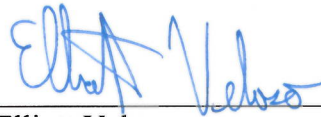
^(b) These limits are the total mass in pounds per day (lbs/day) that are available to allocate to SIUs and other designated non-SIUs. Allocations are at the sole discretion of the City.

The City may, at its sole discretion, implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users and other designated non-SIUs that correspond to the uniform concentration local limits shown in the table above.

2. All provisions of the Code of the City of Lowell, as amended, which are not inconsistent with this Ordinance, shall continue in effect, but all provisions of said Code inconsistent herewith are repealed.

3. This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 and 40A of the General Laws of the Commonwealth of Massachusetts.

APPROVED AS TO FORM:



Elliott Veloso
Assistant City Solicitor



MARK A. YOUNG
EXECUTIVE DIRECTOR

LOWELL REGIONAL WASTEWATER UTILITY

WASTEWATER COLLECTION AND TREATMENT



SERVING LOWELL
CHELMSFORD
DRACUT
TEWKSBURY
TYNGSBORO

MEMORANDUM

TO: Eileen Donoghue, City Manager
FROM: Mark A. Young, Executive Director *My. Y.*
DATE: June 7, 2018
SUBJ: Local Limits Ordinance

The city is required by the EPA to periodically review and revise its local limits for the discharge of pollutants from industrial users into its sewer system. The enclosed local limits update the original set of limits that were adopted in 1998.