

**Details of the revisions made in the City of Detroit’s Sewer Use Ordinance (SUO) No. 34-96
by the latest SUO 08-05 effective**

The Following revisions have been made to Section 56-3-58.1:

- Added the following new definitions & renumbered the remaining definitions
- 1) *Available cyanide* – means the quantity of cyanide that consists of cyanide ion (CN); hydrogen cyanide in water (HCNaq); and the cyano-complexes of zinc, copper, cadmium, mercury and silver, determined by EPA method OIA-1677, or other method designated as a Standard Method or approved under 40 CFR 136.
 - 2) *Best Management Practices (BMP)* – means programs, practices, procedures or other directed efforts, initiated and implemented by a User, which can or does lead to the reduction, conservation or minimization of pollutants being introduced into the ecosystem, including but not limited to the Detroit sewer system. BMPs include, but are not limited to, equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw material, and improvements in housekeeping, maintenance, training, or inventory control, and may include technical and economic considerations.
 - 3) *Quantification Level* - means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.
 - 4) *Total PCB*- means the sum of the individual analytical results for each of the PCB aroclors 1016, 1221, 1232, 1242, 1248, 1254, and 1260 during any single sampling event with any aroclor result less than the quantification level being treated zero.
 - 5) *Total Phenolic Compounds* - means the sum of the individual analytical results for each of the phenolic compounds of 2- chlorophenol, 4-chlorophenol, 4-chloro-3-methylphenol, 2,4-dichlorophenol, 2,4 dinitrophenol, 4-methylphenol, 4-nitrophenol, and phenol during any single sampling event expressed in mg/l.

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• **The Following changes have been added to Section 56-3-59.1:**

(b) *Specific pollutant prohibitions.* No user shall discharge wastewater containing any of the following in excess of the following limitations:

1) *Compatible pollutants:* See Appendix C.

2) *Non-compatible pollutants.* No user shall discharge wastewater containing in excess of:

	mg/l
Arsenic (As)	1.0
Cadmium (Cd)	See Appendix C
Chromium (Cr).....	25
Copper (Cu).....	2.5
Cyanide (Available).....	1.0
Iron (Fe).....	1,000
Lead (Pb)	1.0
Nickel (Ni).....	5.0
Silver (Ag).....	1.0
Zinc(Zn).....	7.3
Total Phenolic Compounds.....	1.0 or See Appendix B

All limitations are based on samples collected over an operating period representative of an industrial user’s discharge, and in accordance with 40 CFR Part 136.

a) The limitations for Total PCB is Non-detect – Total PCB shall not be discharged at detectable levels, based upon U.S., EPA Method 608, and the quantification level shall not exceed 0.2 µgm/l, unless a higher level is appropriate because of demonstrated sample matrix interference. Where one or more samples indicate detectable levels of Total PCB, the user shall be required to demonstrate compliance. For purposes of this section, this demonstration may be made using analytical data shown that the Total PCB concentration is below the detection level, or submission of a BMP in accordance with 56-3-66.1 (d).

b) The limitation for Mercury (Hg) is Non-detect, Mercury (Hg) shall not be discharged at detectable levels, based upon U.S. EPA Method 245.1, and the quantification level shall not exceed 0.2 µgm/l, unless a higher level is appropriate because of demonstrated sample matrix interference. Where one or more samples indicate detectable levels of Mercury, the user shall be required to demonstrate compliance. For purposes of this section, this demonstration may be made using analytical data showing that the mercury concentration is below the detection level, or submission of a BMP in accordance with 56-3-66.1 (d).

All limitations are based on samples collected over an operating period representative of an industrial user’s discharge, and in accordance with 40 CFR Part 136.

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- 3) *Compliance Period* - within thirty (30) days of the effective date of this ordinance, the Department shall notify all existing industrial users operating under an effective wastewater discharge permit of the requirement to submit a compliance report within 180 days after the effective date of this ordinance. The Compliance Report shall demonstrate the user's compliance or non-compliance with these limitation, and in the event of non-compliance, include the submission of a plan and schedule for achieving compliance with the stated limitation. In no event shall a compliance schedule exceed eighteen (18) months from the effective date of this Ordinance.

An Industrial User who does not demonstrate compliance may petition the Department for a second extension as part of an Administrative Consent Order. The Department, shall include appropriate monitoring, reporting, and penalties into an Administrative Consent Order that relates to a second extension, and shall enter into such an agreement only upon a good-faith showing by the Industrial User of the actions taken to achieve compliance with this provision.

- (o) *Pollution prevention.* The Department shall encourage and support industrial users to develop and implement pollution prevention programs designed to eliminate or reduce pollutant contributions beyond the levels required by this division. The Department may require an industrial user to implement pollution prevention initiatives, or BMP, as part of an enforcement response, or as necessary to comply with its NPDES permit.

• **Made following changes to section 56-3-66.1 and renumbered remainder of text:**

(d) Where one (1) or more of the measurements taken for nay pollutant defined in Section 56-3-59.1 (b) of this code during a six (6) month period exceed by any magnitude the daily maximum non-detect ordinance limit for the same parameter, the industrial user may develop and implement pollution prevention initiatives, or a BMP as part of its response. The Department may, as part of an Administrative Order, also require development of a BMP as part of an enforcement response. Upon approval of the Department, these pollution prevention initiatives, or BMP, shall be made an enforceable part of the Wastewater Discharge Permit.

Industrial user shall provide, at six (6) month intervals, analytical results and a certifications in support of its implementation of an approved pollution prevention initiatives, or BMP. Upon demonstration of compliance, the industrial user may request to be relieved of this implementation requirement.

Added New Appendix B to Ordinance

Appendix B

An Industrial user may elect, in lieu of the Total Phenols Limitation specified in section 56-3-59.1(b)(2), to substitute specific limitations for each of the eight individual phenolic compounds identified under the Total Phenols limitation. The following specific limitations, expressed in mg/l, shall be applied in lieu of the Total Phenols limitation, upon election;

2-Chlorophenol.....	2.0 mg/l
4-Chlorophenol.....	2.0 mg/l
4-Chloro-3-Methylphenol.....	1.0 mg/l
2,4-Dichlorophenol.....	5.5 mg/l
2,4-Dinitrophenol.....	2.0 mg/l
4-Methylphenol.....	5.0 mg/l
4-Nitrophenol.....	15.0 mg/l
Phenol.....	14.0 mg/l

Following election, the Wastewater Discharge Permit shall be modified to incorporate these substituted parameters and an Industrial User shall be responsible for monitoring and reporting compliance with these parameters.

Added New Appendix C to Ordinance

Appendix C – Interim Discharge Limitations

No user shall discharge wastewater containing any of the following pollutants in excess of the following interim pollutant discharge limitations:

- (1) Compatible Pollutants;
 - a. Any Fats, Oil or Grease (FOG) in concentrations greater than 1,500 mg/l based on an average of all samples collected within a twenty-four hour period.
 - b. Any Total Suspended Solids (TSS) in concentrations greater than 7,500 mg/l.
 - c. Any Biochemical Oxygen Demand (BOD) in concentrations greater than 7,500 mg/l.
 - d. Any phosphorus (P) in concentrations greater than 250 mg/l.

Unless otherwise stated. All limitations are based upon samples collected over an operating period representative of a User’s discharge, and in accordance with 40 CFR Part 136.

- (2) Non-Compatible Pollutants

Cadmium (Cd).....	1.0 mg/l
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