

RESOLUTION NO. 2994

A RESOLUTION OF THE CITY OF WILSONVILLE ESTABLISHING LOCAL DISCHARGE LIMITATIONS TO CONTROL CONVENTIONAL, NON-CONVENTIONAL, AND TOXIC POLLUTANT DISCHARGES FROM NON-DOMESTIC INDUSTRIAL USERS OF THE CITY OF WILSONVILLE SANITARY SEWER SYSTEM AND REPEALING RESOLUTION NOS. 1267, 1504 AND 1888.

WHEREAS, the City's Environment Ordinance, commonly known as Wilsonville Code Chapter 8, establishes the legal authority for the enforcement of Department of Environmental Quality (DEQ) Pretreatment Regulations; and

WHEREAS, Wilsonville Code Section 8.001 authorizes the City's Public Works Director to develop and implement specific pollutant limitations and local limitations to control the discharge of wastewater containing restricted substances into the municipal sewer system; and

WHEREAS, the Oregon Department of Environmental Quality (DEQ) renewed the City of Wilsonville's National Pollutant Discharge Elimination Systems Wastewater Permit, #101888 effective September 1, 2020 ; and

WHEREAS, a condition of said permit is the City, in consultation with DEQ, must perform a technical evaluation of the local limits and update local limits, if necessary; and

WHEREAS, the City must submit those findings as a report to DEQ within 18 months after permit re-issuance unless DEQ authorizes or requires, in writing, an alternate time frame; and

WHEREAS, locally derived discharge limits must be defined as pretreatment standards under section 307(d) of the Act and must conform to 40 CFR 403.5(c) and 403.8(f)(4); and

WHEREAS, technically based local limits must be developed in accordance with the procedures established by DEQ and the Environmental Protection Agency's Local Limits Guidance; and

WHEREAS, the City's consultant completed a local limits reassessment and drafted a document entitled "Technically Based Local Limits Development Memorandum - June 21, 2022"; and

WHEREAS, DEQ has conducted a review of the City's local limits reassessment and determined the document meets EPA criteria and conditionally approved the proposed limits; and

WHEREAS, the proposed local limits include pollutants concentrations that are less stringent than the previous local limits and for this reason, the revision to the city's local limits is a Substantial Program Modification of the pretreatment program per 40 CFR Part 403.18(b)(2); and

WHEREAS, the City must conduct public notice of the local limits prior to adoption, consistent with 40 CFR part 403.11; and

WHEREAS, a public notice of request for approval of pretreatment program modifications was published in the Wilsonville Spokesman newspaper on August 11, 2022 instructing how to submit written comments and/or a request for a public hearing by September 15, 2022; and

WHEREAS, the public and impacted industries had the opportunity to review and comment on this evaluation with no objections being submitted; and

WHEREAS, Resolution No. 1267 adopted May 20, 1996, Resolution No. 1504 adopted September 21, 1998 and Resolution No. 1888 adopted July 19, 2004 previously established local discharge limitations pursuant to said authorizations; and

WHEREAS, Resolution Nos. 1267, 1504, and 1888 are no longer applicable and should be repealed.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council incorporated and adopts the above recitals and staff report accompanying this Resolution as if fully set forth in its findings.

Section 2. The City Council hereby repeals Resolutions No. 1504, Resolution No. 1267 and Resolution No. 1888.

Section 2. The City Council hereby adopts the document, Technically Based Local Limits Development Memorandum, dated June 21, 2022.

Section 3. In order to the control conventional, non-conventional and toxic pollutant discharges from industrial users to the City's sanitary sewer system, the following local limits shall apply:

<u>Pollutant</u>	<u>Daily Maximum Concentration</u>
Arsenic	1.84 mg/L
Cadmium	1.11 mg/L
Chromium, total	205 mg/L
Copper	10.6 mg/L
Cyanide	6.97 mg/L
Lead	0.810 mg/L
Mercury	0.407 mg/L
Nickel	10.1 mg/L
Silver	2.30 mg/L
Zinc	3.85 mg/L
pH (SU)	5.5-10.0

mg/L = milligrams per liter

Section 4. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 3rd day of October, 2022 and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBIT:

- A. [Technically Based Local Limits Development Memorandum – June 21, 2022](#)