

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DIXON
REPEALING AND REENACTING SECTION 17.2.5 OF PART II OF CHAPTER
17 OF ARTICLE I OF THE DIXON CITY CODE AND ADDING SECTION
17.2.5.1 TO PART II OF CHAPTER 17 OF ARTICLE I OF THE DIXON CITY
CODE RELATING TO SEWER DISCHARGE LIMITS FOR COMMERCIAL
AND INDUSTRIAL DISCHARGERS**

**THE CITY COUNCIL OF THE CITY OF DIXON DOES HEREBY ORDAIN AS
FOLLOWS:**

SECTION 1: The City Council finds as follows:

1. The City of Dixon ("City") owns and operates the City's Wastewater Treatment Facility ("WWTF").
2. The WWTF is regulated by the California Regional Water Quality Control Board, Central Valley Region ("RWQCB").
3. On June 24, 1994, the RWQCB adopted Waste Discharge Requirements ("WDRs") under Order No. 94-187 applicable to the WWTF.
4. On June 24, 2005, the RWQCB adopted Cease and Desist Order ("CDO") No. R5-2005-0078, which required certain programs and projects, including improvements to the WWTF, to ensure compliance with the groundwater limitations of the WDRs.
5. CDO No. R5-2005-0078 states that the City's "effluent is relatively saline due to a saline and hard water supply." Further, it states that the City "believes that many residences and businesses use water softeners, and that the discharge of brine from the water softeners accounts for most of the excess salinity in the effluent."
6. The City was unsuccessful in satisfactorily implementing certain programs and projects within the timelines required under CDO No. R5-2005-0078.
7. The City and the City's wastewater consultant, ECO:Logic Engineers ("ECO:Logic"), have been working with the RWQCB for the past two years to obtain a revised CDO.
8. On September 11, 2008, the RWQCB rescinded CDO No. R5-2005-0078 and adopted CDO No. R5-2008-0136 to address water quality issues at the WWTF because the RWQCB asserts that the City is in violation of the groundwater limitations of the WDRs.

CERTIFIED AS A TRUE COPY

OF Ordinance No. 08-017

1 of 5

12-01-08

DATE CERTIFIED

Debra M. Blaman
CITY CLERK, CITY OF DIXON

9. The CDO No. R5-2008-0136 established immediate and temporary effluent limitations for sodium and chloride, two of the primary constituents of salinity, which are 330 milligrams per liter ("mg/l") for sodium and 340 mg/l for chloride.

10. The CDO No. R5-2008-0136 also established long-term final effluent limitations for sodium and chloride of 143 mg/l and 106 mg/l, respectively, by January 1, 2014.

11. The CDO No. R5-2008-0136 required the City to submit a salinity source study as described in California Health and Safety Code section 116786, by September 30, 2008, to identify sources of salinity prior to implementing regulations to control those sources.

12. The City's salinity source study, entitled *Wastewater Salinity Characterization and Regulatory Compliance* ("Study"), was completed by ECO:Logic and submitted to the RWQCB on September 30, 2008.

13. The Study identified chloride as a constituent of major concern because existing chloride effluent levels are the farthest above the final effluent limitations established in the CDO No. R5-2008-0136.

14. The Study also showed that approximately 1,520 pounds per day ("lbs/day") of chloride enters the WWTF ("total chloride load").

15. The Study concluded that approximately 215 (lbs/day), or 14.1% of the total chloride load, comes from commercial and industrial businesses. Further, approximately 130 lbs/day of the chloride coming from the commercial and industrial business may be controllable, which if controlled would reduce the total chloride load by approximately 8.6%.

16. The CDO No. R5-2008-0136 asserts that City has "caused pollution in violation of the groundwater limitations for chloride and sodium."

17. The CDO No. R5-2008-0136 requires the City to adopt an ordinance "establishing sodium and chloride limits for industrial and commercial users of the community sewer system" and the limits must be designed to achieve the final effluent limits set forth in the CDO No. R5-2008-0136.

18. Based on calculations performed by ECO:Logic, the City has determined that it is necessary that the City adopt more restrictive limits for sodium and chloride discharged into the community sewer system by industrial and commercial users in order for the City to achieve the final effluent limits set forth in the CDO No. R5-2008-0136 and thereby achieve compliance with the WDRs,

SECTION 2: Section 17.2.5 of Part II of Chapter 17 of Article I of the Dixon City Code is hereby repealed in its entirety and reenacted to read as follows:

17.2.5 Local Limits for All Dischargers

The local limits listed in Table 17.2.5.a are established to prevent pass through, interference, and short-circuiting at the wastewater treatment plant; and to protect against detrimental impacts to the environment, including the natural groundwater resource, in the vicinity of the wastewater treatment plant. No person shall discharge wastewater containing in excess of these local limits, unless specifically authorized by the Director, or his/her authorized designee, in the wastewater discharge permit.

The local limits listed in Table 17.2.5.a apply at the point where the wastewater is discharged into the publicly owned wastewater collection system. The concentration based local limits listed in Table 17.2.5.a shall be instantaneous peak limits, unless specifically stated otherwise. All concentration-based local limits for metallic substances are for "total" metal, unless indicated otherwise, and are the maximum allowable for any given sample.

Table 17.2.5.a

<u>Constituent</u>	<u>Limit</u>	<u>Constituent</u>	<u>Limit</u>
Conventional Constituents			
mg/l daily average BOD	250	mg/l peak BOD	400
um/hos/cm daily average electrical conductivity	1,300	um/hos/cm peak electrical conductivity	2,000
mg/l daily average suspended solids	250	mg/l peak suspended solids	400
mg/l total dissolved solids	800		
ml/l daily average settleable solids	15	ml/l peak settleable solids	25
Trace Elements and Miscellaneous Toxics			
mg/l arsenic	1.0	mg/l cadmium	0.7
mg/l chromium	0.4	mg/l copper	2.5
mg/l cyanide	1.0	mg/l lead	0.15
mg/l nickel	1.4	mg/l silver	0.3
mg/l zinc	1.3		
Organic Compounds			

mg/l organic solvents	2.0		
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To protect against detrimental impacts to the environment, including the natural groundwater resource, the Director may impose mass limitations in addition to, or in place of, the concentration-based local limits listed in Table 17.2.5.a.

SECTION 3: Section 17.2.5.1 of Part II of Chapter 17 of Article I of the Dixon City Code is hereby added to read as follows:

17.2.5.1 Additional Local Limits for Commercial and Industrial Dischargers

The additional local limits listed in Table 17.2.5.b are established for commercial and industrial dischargers to prevent pass through, interference, and short-circuiting at the wastewater treatment plant; and to protect against detrimental impacts to the environment, including the natural groundwater resource, in the vicinity of the wastewater treatment plant. The concentration based local limits listed in Table 17.2.5.b shall be instantaneous peak limits, unless specifically stated otherwise. The additional local limits apply at the point where the wastewater is discharged into the publicly owned wastewater collection system.

Table 17.2.5.b

<u>Constituent</u>	<u>Limit</u>	<u>Constituent</u>	<u>Limit</u>
Additional Constituents			
mg/l chloride	80	mg/l sodium	107

To protect against detrimental impacts to the environment, including the natural groundwater resource, the Director may impose mass limitations in addition to, or in place of, the concentration-based local limits listed in Table 17.2.5.b.

SECTION 4: Enforcement. The provisions of this Ordinance shall be enforced by the City Engineer and Public Works Director, or their designees, in accordance with the existing provisions of Part 10 of Chapter 17 of Article I of the Dixon City Code relating to Administrative Enforcement Remedies, of Part 11 of Chapter 17 of Article I of the Dixon City Code relating to Judicial Enforcement Remedies and of Part 12 of Chapter 17 of Article I of the Dixon City Code relating to Supplemental Enforcement Action, including but not limited to Section 17.11.1 relating to injunctive relief, Section 17.11.2 relating to civil penalties and Section 17.11.3 relating to criminal prosecution, for any violation of Chapter 17, as amended by this Ordinance.

SECTION 5: Severability. The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining

provisions, clauses, sentences, sections, words or parts thereof of this Ordinance or their applicability to other persons or circumstances.

SECTION 6: Effective Date. This Ordinance shall take effect and be enforced thirty (30) days following its adoption.

SECTION 7: Publication. The City Clerk shall cause this Ordinance to be published in the Dixon Tribune, a newspaper of general circulation within the City, within fifteen (15) days of its enactment.

The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of Dixon on the 10th day of November, 2008, and was adopted and enacted at a duly held regular meeting of the City Council held on the 25th day of November, 2008 by the following vote on roll call:

AYES: Alexander, Batchelor, Coppes, Smith, Courville

NOES: None

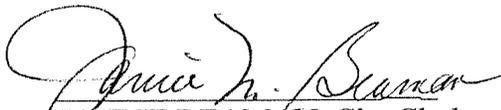
ABSTAIN: None

ABSENT: None

APPROVED:


MARY ANN COURVILLE, Mayor

ATTEST:


JANICE BEAMAN, City Clerk