

ORDINANCE NO. 2021-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING FLAGSTAFF CITY CODE TITLE 7, HEALTH AND SANITATION, CHAPTER 7-02, WASTEWATER REGULATIONS BY REPLACING SECTION 7-02-0001-0042 WITH NEW LANGUAGE REGULATING SCAVENGER WASTE AND GREASE HAULERS, AND ADDING SECTION 7-02-0001-0042.1 WITH NEW LANGUAGE REGULATING SCAVENGER WASTE DISCHARGE PERMITS; ESTABLISHING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff maintains and operated water reclamation plants; and

WHEREAS, it is important to keep the operations of Flagstaff's water reclamation plants in good working order and condition; and

WHEREAS, limitations of the types of waste that can be discharged into the Flagstaff's water reclamation plants already exist; and

WHEREAS, from time to time it becomes necessary and prudent to make amendments to the limitations of types of waste, and permitting of waste that can be discharged in the Flagstaff's water reclamation plants; and

WHEREAS, said amendments to Flagstaff City Code Section 7-02-001-0042 regulating limitations on scavenger waste and grease haulers as well as scavenger waste permits are now deemed necessary and prudent to protect the good working order and condition of the Flagstaff water reclamation plants.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That the following language be deleted from Flagstaff City Code Section 7-02-001-0042:

~~7-02-001-0042 SEPTIC TANK AND SCAVENGER WASTE HAULERS~~

~~A. — Authorized Waste Haulers. Only those persons or companies whose principal source of business is within Coconino County shall be authorized to discharge scavenger wastes into the sewerage system.~~

~~B. — Permit to Discharge. All authorized persons or companies, as defined in subsection (A) of this section, wishing to discharge scavenger wastes into the sewerage system must first obtain a scavenger waste discharge permit from the Finance Director. Permit applications shall include information on the company ownership, locations, identification, license number of all trucks to~~

~~be used for delivery of waste to City sewerage facilities and any other pertinent information as may be desired by the City. It shall also include truck capacity and other information pertinent to discharge to the sewerage system. Permit applications shall be signed by a responsible owner or manager of the company applying for permission to discharge. All waste haulage equipment operated by companies with permits shall be registered with the Finance Director and shall be identifiable by display of the license plate number.~~

~~1. The permit provided for in this section shall be issued by the Finance Director to all applicants who comply with the terms and conditions set forth in this section upon the payment of a permit fee, as follows:~~

~~a. For each vehicle utilized for the transportation of wastes for disposal into the sewerage system: five dollars (\$5.00).~~

~~b. The permit issued as provided for in this section shall expire one (1) year after the date of issue. It shall be the responsibility of the hauler to seek renewal of their permit annually, at least thirty (30) days prior to the expiration date of the previous permit.~~

~~c. Revocation of Permit. Noncompliance with any part of this section or subsequent regulations shall subject the permit holder to revocation of permit to utilize the services of the City sewerage system for disposal of scavenger wastes. Reissuance of permit to discharge after revocation shall be at the discretion of the Director and may be subject to such conditions as he/she deems appropriate.~~

~~G. Regulations. The Director may establish such regulations as are deemed necessary to control the discharge of scavenger wastes so as to prevent incidences of overloading, interference or pass-through at the water reclamation plant and/or interference, damage, etc., to the wastewater collection systems. All discharges shall comply with the Prohibited Substances restrictions set forth in Section 7-02-001-0007. The water reclamation plant does not accept hazardous waste as defined by the Resource Conservation and Recovery Act and the Code of Federal Regulations.~~

~~D. Each load to be discharged into the City wastewater system, shall be manifested in a form and format provided by the City of Flagstaff.~~

~~E. Provisions of Services. Normal wastes from septic tanks, sewage treatment plants, etc., may be discharged routinely. Permission to discharge other wastes that are not readily biodegradable or are not known to be compatible to the operations of water reclamation plants shall be refused. Special request must be made to the Director prior to discharge of any materials of questionable acceptability. Some specific reasons for refusal of service shall include:~~

~~1. Material deleterious to treatment plant operation or operators such as oils, greases, gasoline, toxics, volatile solvents, sand, metallic particles, or paints.~~

~~2. Materials which would cause unusual expense in handling and treatment (i.e., blood, etc.), unless prior arrangements have been made for the payment of additional cost of service.~~

~~3. Materials which would inhibit the performance of the treatment plant such as acids, plating wastes, or toxic materials.~~

~~F. Fees and Charges. Fees and charges for treatment of formal scavenger wastes shall be based on the costs of providing such services and on the expected overall average characteristics of such discharges, which shall be designated as five thousand four hundred (5,400) mg/L BOD and twelve thousand (12,000) mg/L SS.~~

~~G. The waste hauler will be financially responsible for any damage to, or interference with the POTW, or for any expense to the City (including testing) caused by the discharge from the hauler. The waste hauler and/or generator will be charged for all expenses in monitoring and handling their discharge.~~

~~H. Waste haulers may not discharge unless a plant operator is present and has approved the discharge. The operator may refuse to accept any discharge if it is suspected to contain wastes which are considered unacceptable to the City water reclamation plants.~~

~~I. The waste hauler shall have sampling outlets (approved by the Division) on each truck for proper sampling of contents. The waste hauler shall be subject to random sampling/monitoring by the City.~~

~~J. Waste haulers will position their trucks at the direction of the plant operator to prevent spills. Any traces of the hauler's discharge must be removed by the hauler immediately.~~

~~K. The discharge of scavenger wastes shall be permitted only at the locations and during such hours as shall be established by the Water Services Director. The discharge of scavenger wastes to the sewerage system at any other location is forbidden.~~

~~L. Septic tank and scavenger waste haulers shall be subject to the enforcement guides set forth in Section 7-02-001-0019.~~

~~M. Provision of false information by either the generator or the hauler shall also be considered a violation of this Code and subject to the provisions of Sections 7-02-001-0017 and 7-02-001-0019. (Ord. 1693, 05/07/1991; Ord. 2003-04, Amended, 04/04/2003; Ord. 2018-32, Amended, 12/04/2018. Formerly 7-02-001-0040)~~

SECTION 2. That the following language replace the deleted language Flagstaff City Code Section 7-02-001-0042:

7-02-001-0042 SCAVANGER WASTE AND GREASE HAULERS

A. Scavenger Waste is defined as sewage or human excreta that is removed from a septic tank or other on-site wastewater treatment facility, privy, sewage vault, river can, rocket can, or fixed or transportable chemical toilet or other similar units.

B. Grease is defined as Fats, Oils and Grease (FOG); organic polar compounds derived from animal and/or plant sources as detectable in cooking oils, food scraps containing grease, butter or oil, lard or tallow, meat fat, grease and juices, gravies, sauces, shortening and dairy products.

C. Authorized Scavenger Waste Haulers. Only scavenger wastes generated within Coconino County shall be authorized to discharge into the sewerage system.

1. The Water Services Director shall require haulers of scavenger waste to obtain a scavenger waste discharge permit.
 2. Septage haulers shall not discharge mixed loads of grease and septic tank or scavenger waste or any other type of waste. Scavenger waste haulers may discharge loads only at locations designated by the Director and at such times as are established by the Director. The Director may collect samples of each hauled load to ensure compliance with applicable standards. The Director may require the scavenger waste hauler to provide a waste analysis of any load prior to discharge. The discharge of hauled septic tank waste is subject to all other requirements of this chapter.
 3. The Director shall establish hours for operation and acceptance for discharging of scavenger waste. The hours of operation shall be available on the Flagstaff Water Services web site and posted at the entrance gate of the water reclamation plant.
 4. Septage haulers are required to weigh in before and after discharging to the water reclamation plant or POTW, provided a scale is available.
 5. Discharge of scavenger waste at hours other than those established by the Director shall be at the discretion of the plant operator and will be subject to a fee set forth in section 3-10-001-00086. Scavenger waste haulers must provide a completed City waste-tracking or manifest form for every load, prior to entering the water reclamation plant. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names, addresses and phone number of sources of waste, and volume and characteristics of waste. Scavenger waste haulers shall maintain records of all waste-tracking or manifest forms for at least five (5) years.
- D. Authorized Grease Haulers. Grease will only be accepted for discharge into the designated grease receiving station from generators that have written acceptance by the Director and will be subject to the following conditions:
1. The Director shall require grease haulers to obtain a scavenger waste discharge permit.
 2. Grease haulers shall not discharge mixed loads of grease and septic tank or scavenger waste or any other type of waste. Grease haulers may discharge loads only at locations designated by the Director and at such times as are established by the Director. The Director may collect samples of each hauled load to ensure compliance with applicable standards. The Director may require the grease hauler to provide a waste analysis of any load prior to discharge. The discharge of hauled grease is subject to all other requirements of this chapter.
 3. The Director shall establish hours for operation and acceptance for discharging of grease. The hours of operation shall be available on the Flagstaff Water Services web site and posted at the entrance gate of the water reclamation plant.
 4. Grease haulers are required to weigh in before and after discharging to the water reclamation plant or POTW, provided a scale is available.
 5. Discharge of grease at hours other than those established by the Director shall be at the discretion of the plant operator and will be subject to a fee set forth in section 3-10-

001-0008.

6. Grease haulers must provide a completed City waste-tracking or manifest form for every load, prior to entering the water reclamation plant. This form shall include, at a minimum, the name and address of the grease hauler, permit number, truck identification, names, addresses and phone number of sources of waste, and volume and characteristics of waste. Grease haulers shall maintain records of all waste-tracking or manifest forms for at least five (5) years.

SECTION 3. That the following language be under new Flagstaff City Code Section 7-02-001-0042.1:

7-02-001-0042.1 SCAVENGER WASTE DISCHARGE PERMITS

A. All authorized persons or companies, as defined in section 7-02-001-0042, wishing to discharge scavenger wastes or grease must first obtain a scavenger waste discharge permit for each vehicle that will haul scavenger waste or grease from the Director. Vehicle permit applications shall be provided by the City and must include the following information:

1. Business Name
2. Business Phone Number
3. Name of Business Owner or Responsible Party
4. Business Physical Location
5. Business Mailing Address
6. Business Email Address
7. Name(s) of Operator(s)
8. Operator Phone Number(s)
9. Vehicle Information
 - a. Year/Make/Model
 - b. License Plate Number/State
 - c. Tank Capacity
 - d. Type of Hauled Waste(s)
 - e. ADEQ License Number
10. Any additional information as required to meet applicable Federal and/or State regulations or as deemed necessary to prevent incidences of overloading, interference or pass-through at the water reclamation plant and/or interference, damage, etc., to the wastewater collection systems.

B. The permit provided for in this section shall be issued by the Director to all applicants who comply with the terms and conditions set forth in this section as follows:

1. For each vehicle utilized for the transportation of scavenger wastes or grease for disposal into the sewerage system, payment or prorated portion of the annual fee as established per City Code Section 3-10-001-0008 License Fees.
2. Once permits are obtained, all waste haulage equipment operated by companies with permits shall be registered with the Management Services Division and shall submit documentation that fee has been paid and shall be identifiable by display of the license plate number.
3. The permit issued as provided for in this section shall expire January 2nd of each year and not more than one (1) year after the date of issue. It shall be the responsibility of the hauler to seek renewal of their permit, at least thirty (30) days prior to the expiration date.
4. Noncompliance with any part of this section or subsequent regulations shall subject the permit holder to revocation of permit to utilize the services of the City sewerage system for disposal of scavenger wastes or grease. Reissuance of permit to discharge after revocation shall be at the discretion of the Director and may be subject to such conditions as deemed appropriate.
5. The Director may establish regulations as are deemed necessary to control the discharge of scavenger wastes so as to prevent incidences of overloading, interference or pass-through at the water reclamation plant and/or interference, damage, etc., to the wastewater collection systems. All discharges shall comply with the Prohibited Substances restrictions set forth in Section 7-02-001-0007.
6. The water reclamation plant does not accept hazardous waste as defined by the Resource Conservation and Recovery Act and the Code of Federal Regulations.
7. The waste hauler will be financially responsible for any damage to, or interference with the Publicly Owned Treatment Works (POTW), or for any expense to the City (including testing) caused by the discharge from the hauler. The waste hauler and/or generator will be charged for all expenses in monitoring and handling their discharge.
8. Waste haulers may not discharge unless a plant operator is present and has approved the discharge. The operator may refuse to accept any discharge if it is suspected to contain wastes which are considered unacceptable to the City water reclamation plants.
9. The waste hauler shall have sampling taps or outlets (as approved by the Water Services Division) on each truck for proper sampling of contents. The waste hauler shall be subject to random sampling/monitoring by the City.
10. Waste haulers will position their trucks at the direction of the plant operator to prevent spills. Any traces of the hauler's discharge must be removed by the hauler immediately.
11. Waste haulers shall not bypass any control device while discharging to the City

Water Reclamation Plant or POTW.

12. Waste haulers cleaning trucks at the water reclamation plant shall be subject to a truck clean out fee set forth in section 3-10-001-0008. Truck cleanout shall be empty prior to clean out. Septic tank and scavenger waste haulers shall be subject to the enforcement guides set forth in Section 7-02-001-0019.

13. Provision of false information by either the generator or the hauler shall also be considered a violation of this Code and subject to the provisions of Sections 7-02-001-0017 and 7-02-001-0019.

C. The Director may revoke a permit for any of the following actions or inactions by the permittee:

1. Disposing hauled waste at any location not designated or approved by the Director.
2. Misrepresenting or failing to fully disclose all relevant facts in the waste hauler discharge permit application.
2. Falsifying information provided on waste tracking forms or waste disposal manifests.
4. Failure to provide a waste tracking form or waste disposal manifest.
5. In the event that the City implements an electronic or web-based a waste tracking form or waste disposal manifest reporting system, all reports shall be submitted on this system. 6. The hauler shall be responsible for any fees associated with an electronic or web-based reporting system.
7. Tampering with samples collected from waste loads.
8. Refusing to allow the Director timely access to the facility premises or records.
9. Failing to meet effluent requirements.
10. Failing to pay fines or penalties.
11. Failing to pay waste disposal charges.
12. Failing to complete a waste hauler discharge permit application.
13. Violating any general or specific permit condition or requirement, or any terms of the waste hauler discharge permit or this section.

SECTION 4. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 5. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 7. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 20th day of April, 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY