

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT A REGULAR MEETING
February 15, 2022

The City Council of the City of Bossier City, State of Louisiana, met in Regular session in Council Chambers, 620 Benton Road, Bossier City, Louisiana, February 15, 2022 at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Don Williams

Roll Call as follows:

Present: Honorable, President Don Williams, Honorable Councilors David Montgomery, Jr., Chris Smith, Brian Hammons, Jeffery Darby, Jeff Free and Vince Maggio

Also Present: Mayor, Thomas Chandler, City Attorney, Charles Jacobs and City Clerk, Phyllis McGraw

City Clerk, Phyllis McGraw, read statement about decorum during meeting and public participation in the meeting.

By: Mr. Smith

Motion to approve minutes from the February 1, 2022, Regular Council meeting and dispense with the reading.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Free

Motion to amend the agenda to remove New Business Item #5- Introduce an Ordinance authorizing City Attorney, E. Charles Jacobs to execute a contract with Terrell Dale Teutsch to serve as the Municipal Civil Service Liaison to the City Attorney

Seconded by Mr. Williams

City Attorney Jacobs explained why he requested to pull it at this time.

No further comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Agenda as amended

Seconded by Mr. Free

No comment

Vote in favor of motion is unanimous

Ceremonial Matters/Recognition of Guests –

Mayor read a Proclamation recognizing Black History Month. Mr. Williams and Mr. Darby presented awards to first African American first responders in their positions Wendell Holmes, Richard McGee, Shakiah Myers and retired first responder Berle Winston. Mr. Williams and Mr. Montgomery presented award to Mr. Darby.

Claire Woods, Greenfield Environmental Multistate Trust, LLC went over the upcoming contamination cleanup of the former Tronox/Kerr-McGee Treating Facility.

Bids –

Witness opening of sealed bids for Bid #21-2388 – Demo 509 Thompson Street.

Abatement Services, Inc.	\$22,886.00
Eagle Industries, LLC	\$ 7,747.00

By: Mr. Williams

Motion to approve reading of bids as read.

Seconded by Mr. Smith

No comment

Vote in favor of motion is unanimous

Unfinished Business –

The following Ordinance offered and adopted:

Ordinance No. 19 Of 2022

AN ORDINANCE TO ESTABLISHING A FOUR WAY STOP AT THE INTERSECTION OF SUNFLOWER ROAD AND ROSEMONT PLACE.

WHEREAS, homeowners have petitioned Councilman Brian Hammons to establish a four way stop at the intersection of Sunflower Road and Rosemont Place; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, Louisiana, in regular session convened, that a four way stop be established at the intersection of Sunflower Road and Rosemont Place.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Brian Hammons, and seconded by Mr. Jeffery Darby, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 20 OF 2022

AN ORDINANCE AUTHORIZING AND APPROVING THE ENGAGEMENT OF FONTENOT BENEFITS & ACTUARIAL CONSULTING TO PROVIDE THE NECESSARY ACTUARIAL VALUATIONS AS REQUIRED BY THE PUBLISHED

GASB STATEMENTS 67/68 FOR THE POLICEMEN’S AND FIREMEN’S PENSION AND RELIEF FUNDS.

WHEREAS, Fontenot Benefits & Actuarial Consulting, has provided actuarial valuation services for the Policemen’s and Firemen’s Pension and Relief Funds in previous years; and

WHEREAS, the City must obtain the necessary actuarial calculations and disclosure information required by GASB Statements 67/68 for reporting in the Comprehensive Annual Financial Statements.

NOW, THEREFORE, BE IT ORDAINED, that the City Council of Bossier City, in regular session convened, that the Director of Finance, is hereby authorized to execute a contract with Fontenot Benefits & Actuarial Consulting and said contract is hereby approved.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Mr. Don Williams and seconded by Mr. Vince Maggio, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio
NAYS: none
ABSENT: none
ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 21 OF 2022

AN ORDINANCE TO REPEAL ORDINANCE NUMBERS 126 OF 1979, 62 OF 1982 AND 36 OF 1986 AND TO ENACT THIS ORDINANCE WHICH SHALL REPLACE SECTION 28 OF THE BOSSIER CITY CODE OF ORDINANCES ENTITLED WATER, SEWERS AND SEWAGE DISPOSAL TO REGULATE THE USE OF SANITARY SEWAGE FACILITIES SERVING BOSSIER CITY.

WHEREAS, the city of Bossier City has provided facilities for the collection and treatment of wastewater to promote the health, safety and convenience of its people and the safeguarding of a water source common to all; and

WHEREAS, provision has been made in the design, construction and operation of such facilities to accommodate certain type, quality and quantities of industrial wastes in addition to normal wastewater; and

WHEREAS, it is the obligation of the producers of industrial waste to defray the costs of the wastewater treatment services rendered by the City of Bossier City in an equitable and practical manner for the benefits derived; and

WHEREAS, it is the responsibility of the City of Bossier to comply with all applicable state and federal laws established by the Clean Water Act of 1977, as amended, and the General Pretreatment Regulations as promulgated by the United States Environmental Protection Agency in accordance with the Act; and

WHEREAS, a duly ordained pretreatment program is mandated by the aforementioned statutes and regulations to protect the quality of the effluent and proper operation of the wastewater collection and treatment facilities; and

WHEREAS, it is mandatory that the effluent of industrial waste producers must meet and adhere to certain limitations, it may require exclusion, pretreatment or control of the discharge at the point of origin.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bossier City, in regular session convened, that the Bossier City Code of Ordinances, Section 28 entitled, Water, Sewers and Sewage Disposal, is hereby amended to regulate the use of sanitary sewage facilities serving Bossier City and repealing Ordinances Nos. 126 of 1979, 62 of 1982 and 36 of 1986 as follows:

SECTION 1 - GENERAL PROVISIONS:

1.1. Purpose and Policy:

This Ordinance replaces Ordinance No. 126 of 1979, Ordinance No. 62 of 1982 and Ordinance No. 36 of 1986 and sets forth uniform requirements for direct and indirect contributions into the wastewater collection and treatment system for the City of Bossier City and enables the city to comply with all applicable state and federal laws required by the Clean Water Act of 1977, as amended, and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this Ordinance are:

- a. To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge, preventing its reuse.
- b. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters of the State, the atmosphere or otherwise be incompatible with the system.
- c. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
- d. To provide for equitable distribution of the costs of the municipal wastewater system.
- e. To provide the city with the authority to recover the costs entailed in the analysis of the discharge of various classes of industrial discharges from the industrial users.
- f. To establish an annual permit fee for the discharge of various classes of industrial users.

This Ordinance provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users. This ordinance also authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, provides for funding of costs resulting from the program established herein, and establishes fines and penalties for noncompliance. This Ordinance shall apply to the City of Bossier City and to persons outside the City who are, by contract or agreement with the City, users of the POTW. Except as otherwise provided herein, the Director of Public Utilities shall administer, implement, and enforce the provisions of this Ordinance.

1.2. Definitions:

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have meanings hereinafter designated:

1. **Act or "the Act".** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 u.s.c. 1251, et. seq.
2. **Approval Authority.** The administrator of the EPA Region VI.
3. **Authorized Representative of Industrial User.** An authorized representative of an industrial user may be:
(a) A principal executive officer of at least the level of vice president, if the industrial user is a corporation;
(b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
4. **Biochemical Oxygen Demand (C BOD).** The Quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20 degrees Celsius, expressed in terms of weight and concentration [milligrams per liter (mg/L)].
5. **Building Sewer.** A sewer conveying wastewater from the premises of a user to the public sewer or other point of disposal.
6. **Categorical Standards.** National Categorical Pretreatment Standards or Pretreatment Standard.
7. **City.** The City of Bossier City or the city Council of the City of Bossier City, Louisiana.
8. **Chemical Oxygen Demand (C.O.D.).** Measure of the oxygen consuming capacity of inorganic and organic matter present in the water or wastewater expressed in mg/L as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.
9. **Control Manhole.** A manhole allowing access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer.
10. **Control Point.** A point of access to a course of discharge before the discharge mixes with other discharges in the public sewer.
11. **Controlling Authority.** The term "controlling authority" shall refer to the Director of Public Utilities, City of Bossier City, Louisiana.
12. **Cooling Water.** The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
13. **Director.** The term "Director" shall refer to the Director of Public Utilities, City of Bossier City, Louisiana, who is charged with certain duties and responsibilities by this article, or his duly authorized representative.
14. **Direct Discharge.** The discharge of treated or untreated wastewater directly to the waters of the State of Louisiana.
15. **Environmental Protection Agency (EPA).** The U.S. Environmental Protection Agency or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
16. **Garbage.** Animal and vegetable wastes and residue from preparation, cooking and dispensing of food; and from the handling, processing, storage, and sale of food products and produce.
17. **Grab Sample.** A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
18. **Holding Tank Waste.** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
19. **Indirect Discharge.** The discharge or the introduction of nondomestic pollutants from any source regulated under section 307 (b) or (c) of the Act (33 u.s.c. 1317), into the POTW (including holding tank waste discharged into the system).
20. **Industrial User.** A source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402, of the Act (33 u.s.c. 1342).
21. **Industrial Waste.** Waste resulting from any process of industry, manufacturing, trade, or business from the

development of any natural resource or any mixture of the waste with water or normal wastewater, or distinct from normal wastewater.

22. **Industrial Waste Charge.** Means the charge made on those persons who discharge industrial wastes into the City's sewerage system.

23. **Interference.** The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the city's NPDES Permit.

The term includes prevention of the sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act (33 u.s.c. 1345), or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substance control Act or more stringent state criteria applicable to the method of disposal or use employed by the POTW.

24. **Milligrams per Liter (mg/L).** The same as parts per million and is a weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

25. **National Pretreatment Standard.** Pretreatment standard, or Standard. Pretreatment standards shall mean prohibitive discharge standards, categorical pretreatment standards and local limits.

26. **Prohibitive Discharge Standards or Prohibitive Discharge.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 3 of this Ordinance.

27. **Natural Outlet.** Any outlet into a watercourse, ditch, lake or other body of surface water or groundwater.

28. **Normal Domestic Wastewater.** Wastewater excluding industrial wastewater discharge by a person into sanitary sewer and in which the average concentration of Total Suspended Solids (TSS) is not more than 250 mg/L and BOD is not more than 250 mg/L.

29. **New Source.**

- a. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - i. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - ii. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - iii. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- b. Construction on a site which on an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of paragraphs (1) (ii) or (1) (iii) of this section but otherwise alters, replaces, or adds to existing process production equipment.
- c. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - i. Begun or caused to begin as part of a continuous onsite construction program:
- d. Any placement, assembly, or installation of facilities or equipment; or
- e. Significant site preparation work including clearing, excavation or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

- i. Entered a building contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility engineering design studies do not constitute a contractual obligation under this paragraph.
30. **National Pollution Discharge Elimination System or NPDES Permit.** A permit issued pursuant to Section 402 of the Act (33 u.s.c. 1342).
31. **Overload.** The imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity.
32. **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
33. **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust estate, governmental entity or any other legal entity or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
34. **pH.** The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in standard units.
35. **Pollution.** The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
36. **Pollutant.** Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
37. **Pretreatment or Treatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutant into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
38. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment other than a National Pretreatment Standard imposed on an industrial user.
39. **Public Sewer.** Pipe or conduit carrying wastewater or unpolluted drainage in which owners of abutting properties shall have the use, subject to control by the city of Bossier City.
40. **Publicly Owned Treatment Works (POTW).** A treatment works as defined by Section 212 of the Act, (33 u.s.c. 1291) which is owned in this instance by the City. This definition includes any sewers that do not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this Ordinance "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the City who are, by contract or agreement with the City, users of the City's POTW.
41. **POTW Treatment Plant.** That portion of the POTW design to provide treatment to wastewater.
42. **Sanitary Sewer.** A public sewer that conveys domestic wastewater or industrial wastes or a combination of both, into which storm water, surface water, groundwater and other unpolluted wastes are not intentionally passed.
43. **Shall** is mandatory: **May** is permissive.
44. **Significant Industrial User.** (1) Any discharge subject to categorical pretreatment standards; (2) any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater) to the POTW or that contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW pretreatment plant; or (3) that is designated as such by the Control Authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
45. **Slug Load.** Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in section 3 of this Ordinance or any discharge of a nonroutine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

46. **State.** The State of Louisiana.
47. **State Agency.** Louisiana Department of Environmental Quality.
48. **Standard Industrial Classification (SIC).** A classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987.
49. **Standard Methods.** The examination and analytical procedures set forth in the latest approved edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" as prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution control Federation as approved by 40 CFR 136 and addendums.
50. **Storm Sewer.** A Public Sewer which carries storm and surface waters and drainage and into which domestic wastewater or industrial wastes are not intentionally passed.
51. **Storm Water.** Any flow occurring during or following any form of natural precipitation and resulting therefrom.
52. **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.
53. **Superintendent.** The person designated by the City to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, his duly authorized representative and/or the Assistant Superintendent.
54. **To Discharge.** Includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of or allow, permit or suffer any of these acts or omissions.
55. **Total Toxic Organics.** A summation of all quantifiable values greater than .01 milligrams per liter for the toxic organics listed in 40 CFR 122 - Appendix D - Table II.
56. **Toxic Pollutant.** Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of 307 (a) of the act or other acts.
57. **Trap.** A device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes, or other harmful substances.
58. **User.** Any person who contributes, causes, or permits the contribution of wastewater into the City's POTW.
59. **Unpolluted Wastewater:** Water Containing:
 - a. no free or emulsified fats, oils, or grease
 - b. no acids or alkalis
 - c. no phenols or other substances producing taste or odor in receiving water above 0.1 mg/L
 - d. no toxic or poisonous substances in suspension, colloidal state, or solution
 - e. no noxious or otherwise obnoxious or odorous gases
 - f. not more than an insignificant amount in mg/L each of suspended solids and BOD, as determined by the State Regulatory Agencies
 - g. color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in standard Methods
60. **Volatile Organics.** A summation of all quantifiable values greater than .01 milligrams per liter for the volatile organics benzene, toluene, ethyl benzene and xylene but not to exceed a total of 1.5 milligrams per liter.
61. **Waste.** Rejected, unutilized superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities.
62. **Wastewater.** The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground, surface, and storm water that may

be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

63. **Wastewater Facilities.** Includes all facilities for collection, pumping, treatment and disposing of wastewater and industrial wastes.
64. **Wastewater Treatment Plant.** Any City-owned facilities, devices and structure used for receiving, processing, and treating wastewater, industrial waste and sludge from the sanitary sewer.
65. **Waters of the State.** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural, or artificial, public, or private, which are contained within, flow through or border upon the State or any portion thereof.
66. **Watercourse.** A natural or man-made channel in which a flow of water occurs, either continuously or intermittently.
67. **Wastewater Discharge Permit.** As set forth in section 5 of this ordinance.

1.3. Abbreviations:

The following abbreviations shall have the designated meanings:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COO	Chemical Oxygen Demand
DEQ	Department of Environmental Quality-Louisiana
EPA	Environmental Protection Agency
L	Liter
mg	Milligrams
mg/L	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 u.s.c. 6901. et. seq.
USC	United States Code
TSS	Total Suspended Solids
TTO	Total Toxic Organics

SECTION 2 - REGULATIONS:

2.1. Use Required:

1. Unless exception is granted by the controlling authority the sewer system shall be used by all persons discharging:
 - a. Wastewater
 - b. Industrial waste
 - c. Polluted liquids
2. Unless authorized by the Louisiana Department of Environmental Quality, no person may deposit or discharge any waste included in subsection (a) of this section on public or private property into or adjacent to any:

- a. Natural outlet
- b. Watercourse
- c. Storm sewer
- d. Other area within the jurisdiction of the City.

2.2. Sanitary Facilities Required in New Construction, Sewer Connection, or Septic Tank:

One water closet, one lavatory, one bathtub or shower, and one kitchen sink shall be provided for each living unit constructed within the corporate limits of the City and shall be connected to the City sanitary sewer or to an approved septic tank. Construction shall conform with the most recent edition of the codes adopted by the Louisiana State Uniform Construction Code Council, not including Chapter 11 and Chapter 27 and thereof, save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein including the most recent edition of the Louisiana state sanitary code. Each new building or structure to be used for commercial occupancy, schools, offices, wholesale or retail stores, cafes, shops, public garages, storage, manufacturing plants, laundries, dry cleaning plants, new or used car sales, lumber yards, or any other public structure where people work or congregate shall be equipped with the required plumbing fixtures and all locations shall be shown on plans when the building permit is applied for.

2.3. Requirements for Building Sewers:

Any user responsible for discharge through a building sewer carrying industrial waste may at his own expense and approved by the controlling authority:

1. Install an accessible and safely located control manhole
2. Install meters and other appurtenances to facilitate observation sampling and measurement of the waste
3. Maintain the equipment and facilities

2.4. Design and Construction of New Sewers and Connections:

All building plumbing shall conform with the most recent edition of the codes adopted by the Louisiana State Uniform Construction Code Council, not including Chapter 11 and Chapter 27 and thereof, save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein including the most recent edition of the Louisiana state sanitary code. A plumbing permit shall be required for work performed from the City main up to and including the building. All sewer main designs and construction shall also meet the City Code of Ordinances.

SECTION 3 – GENERAL DISCHARGE PROHIBITIONS:

- 3.1.** No industrial user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all industrial users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or Local pretreatment standards or requirement. Furthermore, no industrial user may contribute the following substances to the POTW:
 1. Pollutants which create a fire or explosive hazard in the municipal wastewater collection and POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140.0 F (60.0 C) using the test methods specified in 40 CFR 261.21.
 2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shaving, grass clippings, rags, spent grains, spent hops, chemical residues, paint residues, septic

tank solids, residues from refining or processing of fuel or lubrication oil, mud, glass grinding or polishing wastes, petroleum oil, nonbiodegradable cutting oil or products of mineral oil.

3. Any wastewater having a pH less than 5.5 Standard Units or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act.
5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
6. Any substance which may cause the POTW's effluent or any other product of The POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
In no case shall a substance discharged into the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, or with any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or state criteria applicable to the sludge management method being used.
7. Any substance which will cause the POTW to violate its NPDES and/or State "Discharge" system Permit or the receiving water quality standards.
8. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
9. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 65 c (150 F), or in such quantities that the temperature at the treatment plant exceeds 40.0 c (104 F).
10. Any wastewater containing pollutants, including oxygen demanding pollutants (BOD, etc.), released in a discharge at flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with either the POTW; or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals.
11. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable State or Federal regulations.
12. Any wastewater which causes a hazard to human life or creates a public nuisance.
13. Any wastewater which may contain strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.
14. Any waste containing garbage unless it is shredded to a degree that all particulates can be readily transported by the flow conditions normally prevailing in public sewers. Particles greater than one half (1/2) inch in any dimension are prohibited.
15. The Director is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of greater than three-fourths (3/4) horsepower (0.76 HP Metric) except for residential installations.
16. No user may discharge into the public sewer system any storm water, surface water, ground water, roof runoff, subsurface drainage, or any unpolluted industrial process water.
17. No user may discharge into the public sewer system any petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through and a prohibition of any trucked or hauled pollutants, except at discharge points designated by the POTW.

3.2. Dilution of Discharges Prohibited:

No user shall ever increase the use of process water or, in anyway, attempt to dilute a discharge as partial or complete substitute for adequate treatment to achieve compliance with the

limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutants specific limitation developed by the City or state.

3.3. Technically Based Local Limits:

Specific pollutant limits will be specified by individual Wastewater Discharge Permits issued by the Controlling Authority as outlined under Section 5 of this Ordinance. The following pollutants and limits may apply dischargers to the Red River Plant:

1. Arsenic	0.7 mg/L
2. Cadmium	0.4 mg/L
3. Chromium	7.2 mg/L
4. Copper	6.5 mg/L
5. cyanide as CN	0.7 mg/L
6. Lead	1.1 mg/L
7. Mercury	0.6 mg/L
8. Nickel	6.2 mg/L
9. Silver	1.7 mg/L
10. Zinc	2.6 mg/L
11. Fats, wax, Oil/Grease	100.0 mg/L

Specific pollutant limits will be specified by individual Wastewater Discharge Permits issued by the Controlling Authority as outlined under Section 5 of this Ordinance. The following pollutants and limits may apply dischargers to the Northeast Plant:

1. Arsenic	3.9 mg/L
2. Cadmium	0.4 mg/L
3. Chromium	34.4 mg/L
4. Copper	12.8 mg/L
5. cyanide as CN	1.0 mg/L
6. Lead	0.7 mg/L
7. Mercury	0.004 mg/L
8. Nickel	12.6 mg/L
9. Silver	0.9 mg/L
10. Zinc	33.2 mg/L
11. Fats, wax, Oil/Grease	100.0 mg/L
12. Molybdenum	30 mg/l
13. Selenium	0.65 mg/l

3.4. City's Right of Revision:

The City reserves the right to establish, by Ordinance, more stringent limitations, or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented herein.

3.5. State Requirements:

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements or those in this Ordinance.

3.6. Specific Pollutants for Air Stripping Units only:

The discharge from hydrocarbon units may contain volatile organics as defined in Section 1.2 (60) to the level describe therein.

3.7. Storm Water and Other Unpolluted Drainage:

Storm water and other unpolluted drainage shall not be intentionally discharged to the sanitary sewer from such sources as swimming pools, air conditioning cooling systems, storm water, surface water, subsurface drainage, or other unpolluted drainage.

3.8. Substances Which Obstruct, Interfere, etc., With Sewer System:

1. No user may discharge into public sewers any substance capable of causing:
 - a. Obstruction to the flow in sewers
 - b. Interference with the operation of treatment processes of facilities
 - c. Excessive loading of treatment facilities

2. No user may discharge into public sewers any substance that may:
 - a. Deposit grease or oil in the sewer lines in such a manner as to clog the sewers
 - b. Overload skimming and grease handling equipment
 - c. Pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the nonamendability of the substance to bacterial action
 - d. Deleteriously affect the treatment process due to excessive quantities

3. No user may discharge any substance into public sewers which:
 - a. Is not amenable to treatment or reduction by the processes and facilities employed
 - b. Is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

4. The controlling authority shall regulate the flow and concentration of slugs when they may:
 - a. Impair the treatment process
 - b. Cause damage to collection facilities Incur treatment costs exceeding those for normal wastewater
 - c. Render the waste unfit for stream disposal or industrial use

5. The controlling authority shall verify prior to discharge that wastes authorized to be discharged will receive suitable treatment within the provisions of laws, regulations, ordinances, rules and orders of federal, state and local governments.

3.9. Discharging to Natural Outlet and Unauthorized Discharging to POTW Declared Unlawful:

It shall be unlawful, unless authorized by the Louisiana Department of Environmental Quality, to discharge to any natural outlet within the City of Bossier City, or in any area under the jurisdiction of said City. It shall be unlawful to discharge to the POTW any wastewater except as authorized by the Director in accordance with the provisions of this Ordinance. When the Director determines that a user is contributing to the POTW any of the above enumerated substances in such amounts as to be in violation of this section, the Director shall:

1. Advise the user of the impact of the contribution on the POTW.
2. Develop effluent limitation for such user to correct the interference with the POTW.
3. Enforce Section 11 of this Ordinance.

3.10. Requirements Concerning Discharge of Specific Wastes:

1. Liquid waste - Prohibition. No user shall discharge or cause to be discharged any septic tank or privy effluent or contents or animal or vegetable fat or oil used in or derived from food preparation except at a

location approved for such discharges by local, state, or federal authorities.

2. Kitchen grease Certificate of Origin. No user shall discharge or cause to be discharged any animal or vegetable fats or grease or oils used in or derived from food preparation into the City of Bossier City sewage works. All animal or vegetable fats or oils or grease shall be transported to the treatment facility designated by the Director.
3. Septic tank waste - Certificate of Origin. No user shall discharge or cause to be discharged any septic tank or privy effluent or contents into the City of Bossier City Sewage Works except effluent or contents originating within Bossier Parish, Louisiana. No waste shall be discharged unless a certificate of origin, as prescribed by the Department of Public Utilities, is deposited with the operator at the treatment works.
4. Restricted waste - Transportation and Testing. All restricted waste shall be transported in watertight tanks. No waste may be spilled or leaked while the waste is being handled, transported, stored, or discharged. The Department of Public Utilities may test any waste prior to discharge for abnormal and hazardous substances and refuse to allow that waste to be discharged.

3.11. Tampering With Sewers.

The City may pursue all criminal and civil remedies to which it is entitled by authority of statutes and ordinances against a person negligently, willfully, or maliciously tampering with or destroying public sewers or treatment facilities.

3.12. Conflicts with Sanitary Code; Reports to State.

Nothing herein shall be construed to conflict with the most recent edition of the codes adopted by the Louisiana State Uniform Construction Code Council, not including Chapter 11 and Chapter 27 and thereof, save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein including the most recent edition of the Louisiana state sanitary code. In the case of proposals to discharge quantities of industrial waste which could cause a significant adverse effect on the City's sewerage system, a copy of the application for the City permit shall be forwarded by the applicant to the appropriate State agency.

SECTION 4 – PRETREATMENT:

4.1. Pretreatment Facilities:

Industrial Users shall provide necessary wastewater treatment as required to comply with this article and shall achieve compliance with all Federal, State and Local Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facility required to pretreat wastewater to a level acceptable to the City shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facility and operating procedures shall be submitted to the City for review and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of the article. Any subsequent changes in the pretreatment facility or method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

4.2. Power of Controlling Authority to Require Pretreatment, quantity Control, etc.:

1. If discharges or proposed discharges to public sewers may:
 - a. Deleteriously affect wastewater facilities, processes, equipment or receiving waters.
 - b. Create a hazard to life or health.
 3. Create a public nuisance.

The Controlling Authority shall require:

- a. Pretreatment to an acceptable condition for discharge to the public sewers.
 - b. Control over the quantities and rates of discharge.
 - c. Payment to cover the cost of handling and treating the waste.
2. The Controlling Authority is entitled to determine whether a discharge or proposed discharge is included under subsection (a) of this section.
3. The Controlling Authority shall reject waste when:
- a. It determines that a discharge or proposed discharge is included under subsection (a) of this section.
 - b. The discharge does not meet the requirements of subsection (a) of this section.

4.3. Approval of Pretreatment Facilities. Flow Control Equipment etc.:

If pretreatment or control is required, the Controlling Authority shall review the design and installation of equipment and processes. The design and installation of equipment and processes must conform to all applicable Statutes, Codes, Ordinances, and other law. Any user responsible for discharges requiring pretreatment, flow-equalizing or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

4.4. Traps or Interceptors:

1. Discharges requiring traps or interceptors include:
 - a. Grease or waste containing grease in excessive amounts.
 - b. Oil.
 - c. Sand.
 - d. Flammable waste.
 - e. Other harmful ingredients.
2. Any user responsible for the discharges requiring a trap shall at his expense and as required by the Controlling Authority:
 - a. Provide equipment and facilities of a type and capacity approved by the Controlling Authority and installed as per referenced codes.
 - b. Locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection.
 - c. Maintain the trap in effective operating condition.

4.5. Accidental Discharge/Slug Control Plan:

At least once every two years the Director of Public Utilities shall evaluate whether each industrial user needs to provide protection from accidental discharges of prohibited materials or other substances regulated by this Ordinance. Any industrial user required to develop and implement an accidental discharge control slug plan shall submit a plan which addresses, at a minimum, the following:

1. Description of discharge practices, including nonroutine batch discharges.
2. Description of stored chemicals.
3. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in section 3 of this Ordinance.
4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but

are not limited to, inspection and maintenance of storage areas, handling, and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

5. To employees. A Notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

No user who commences contribution to the POTW after the effective date of this Ordinance shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Director of Public Utilities. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Ordinance. In the case of an accidental discharge, it is the responsibility of the user to immediately notify the Director and within five (5) days following an accidental discharge, the user shall submit to the Director a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this article or applicable law.

SECTION 5 – WASTEWATER DISCHARGE PERMITS:

5.1. Wastewater Survey:

When requested by the Director of Public Utilities all industrial users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The Director is authorized to prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the industrial user and shall be considered a violation of this Ordinance.

5.2. Wastewater Discharge Permit Requirement:

1. It shall be unlawful for any significant industrial user to discharge wastewater into the city of Bossier City's POTW without first obtaining a wastewater discharge permit from the Director of public Utilities. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this Ordinance and subjects the wastewater discharge permittee to the sanctions set out in section 6. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and state Pretreatment standards or requirements or with any other requirements of Federal, State and Local law.
2. The Director may require other industrial users, including liquid waste haulers, to obtain wastewater discharge permits as necessary to carry out the purposes of this Ordinance.

5.3. Wastewater Discharge Permitting Existing Connections:

Any significant industrial user who discharges industrial waste into the POTW prior to the effective date of this Ordinance and who wishes to continue such discharges in the future, shall, within sixty (60) days after said date, apply to the City of Bossier City for a wastewater discharge permit in accordance with Section 5.5 of this Ordinance.

5.4. Wastewater Discharge Permitting New Connections:

Any significant industrial user proposing to begin or recommence discharging industrial waste into the POTW must obtain a wastewater discharge permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit must be filed at least ninety (90) days prior to the date upon which any discharge will begin.

5.5. Wastewater Discharge Permit Application:

Industrial users required to obtain a wastewater discharge permit shall complete and file with the City an application in the form prescribed by the City. Existing users shall apply for a wastewater discharge permit within sixty (60) days after the effective date of this Ordinance and proposed new users shall apply at least ninety (90) days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information within forty-five (45) days:

1. Name, address, and location (if different from the address).
2. SIC number according to the Standard Industrial Classification Manual.
3. Wastewater constituents and characteristics as determined by a reliable analytical laboratory; analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304 (g) of the Act and contained in 40 CFR 136, as amended.
4. Time and duration of contribution.
5. Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewer connections and appurtenances by the size, location and elevation.
7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged.
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
9. If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (i.e. hiring an engineer completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
 - b. No increment referred to in paragraph (1) shall exceed nine (9) months.
 - c. Not later than fourteen (14) days following each date in the compliance schedule and final date for compliance, the user shall submit a progress report to the Director including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Director.
10. Each product produced by type, amount, process or processes and rate of production.
11. Type and amount of raw materials processed (average and maximum per day).
12. Number of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.
13. Any other information as may be deemed by the city to be necessary to evaluate the permit application.

5.6. Application Signatories and Certification:

All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

5.7. Wastewater Discharge Permit Decisions:

The Director of Public Utilities will evaluate the data furnished by the industrial user and may require additional information. Within thirty (30) days of receipt of a complete wastewater discharge permit application, the Director will determine whether or not to issue a wastewater discharge permit. If no determination is made within this time period, the application will be deemed denied. The Director may deny any application for a wastewater discharge permit.

5.8. Wastewater Discharge Permit Modifications:

The terms and conditions of the wastewater discharge permit may be subject to modifications by the City during the term of the permit as limitations or requirements are identified or modified, or other just cause exists. The user shall be informed of any proposed changes in this permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the wastewater discharge permit shall include a reasonable time schedule for compliance. The permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity.

5.9. Wastewater Discharge Permit Duration:

Wastewater discharge permits shall be issued for a specified time period, not to exceed five (5) years. A wastewater discharge permit may be issued for a time period less than five (5) years or may be stated to expire on a specific date. Each wastewater discharge permit will indicate a specific date upon which it will expire.

5.10. Wastewater Discharge Permit Contents:

Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Director to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the POTW.

1. Wastewater discharge permits must contain the following conditions:
 - a. A statement that indicates wastewater discharge permit duration, which in no event shall exceed 5 years.
 - b. A statement that the wastewater discharge permit is nontransferable without prior notification to and approval from the city, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.
 - c. Effluent limits applicable to the user based on applicable standards in Federal, State, and local law.

- d. Self-monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
- e. Statement of applicable civil, criminal, and administrative penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, and local law.

2. Wastewater discharge permits may contain, but not be limited to the following:

- a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
- b. Limits on the instantaneous, daily, and monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.
- c. Requirements for the installation of pretreatment technology, pollutant control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
- d. Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.
- e. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.
- f. The unit charge or schedule of industrial user charges and fees for the management of the wastewater discharged to the POTW.
- g. Requirements for installation and maintenance of inspection and sampling facilities and equipment.
- h. A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit.
- i. Other conditions as deemed appropriate by the Director to ensure compliance with this Ordinance, and State and Federal laws, rules, and regulations.

5.11. Wastewater Discharge Permit Transferability:

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Director of Public Utilities.

5.12. Wastewater Discharge Permit Reissuance:

A significant industrial user shall apply for wastewater discharge permit reissuance by submitting a complete wastewater discharge permit application in accordance with Section 5.5 a minimum of ninety (90) days prior to the expiration of the industrial user's existing wastewater discharge permit.

SECTION 6 – COMPLIANCE MONITORING:

6.1. Entry:

The Controlling Authority and other duly authorized employees of the City bearing proper credentials and identification are entitled to enter any public or private property at any reasonable time for the purpose of enforcing this Ordinance. Anyone acting under this authority shall observe the Establishment's rules and regulations concerning safety, internal security, and fire protection. The Controlling Authority and other duly authorized employees of the city may enter all private and public properties for the purpose of:

1. Inspection, observation, measurement, independent sampling, repairs, or inspection and copying of records.
2. Maintenance of any portion of the collection system laying within the easement.
3. Conducting any other authorized activity.

6.2. Entry Denial:

If the Controlling Authority or other duly authorized employee of the city has been refused access to a building, structure or property or any part thereof, and if the Control Authority has demonstrated probable cause to believe that there may be violation of this Ordinance or that there is need to inspect as part of a routine inspection program of the City of Bossier City designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then upon application by the City Attorney, the Municipal Court Judge of the City of Bossier City shall issue a search and/or seizure warrant describing therein the specific location subject to the warrant. The warrant shall specify what, if anything, may be searched and/or seized on the property described. Such warrant shall be served at reasonable hours by the Director of Public Utilities in the company of a uniformed police officer of the City of Bossier City. In the event of an emergency affecting public health and safety, inspections shall be made without the issuance of a warrant.

6.3. Inspection and Sampling:

The City of Bossier city shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this Ordinance, and any permit or order issued hereunder, is being met and whether the industrial user is complying with all requirements thereof. Industrial users shall allow the Director of Public Utilities or his representatives ready access to all parts of the premises for the purposes outlined in section 6.1 of this Ordinance.

1. Where an industrial user has security measures in force which require prior identification and clearance before entry into its premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the city of Bossier City, State, and EPA will be permitted to enter without delay, for the purposes of performing their specific responsibilities.
2. The City, State, and EPA may require to be provided and operated at the user's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises but the City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
3. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility and the sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.
4. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the City.

6.4. Specific Sampling Requirements:

1. Any sampling required to support the pretreatment program, or discrete sampling done for investigative purpose of a specific discharge, will be at the expense of the industrial user.
2. All significant industrial users must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Director may authorize the

use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits. Samples for oil and grease, temperature, pH, cyanide, phenols, toxicity, sulfides, and volatile organic chemicals must be obtained using grab collection techniques.

3. Examination and analysis of the waters and waste required by this article shall be:
 - a. Conducted in accordance with 40 CFR 136 as amended.
 - b. Determined from suitable samples taken at the control manhole provided or other point authorized by the controlling Authority.
4. BOD and TSS shall be determined from composite samplings, except to determine unauthorized discharges.
5. The Controlling Authority shall, at his discretion, select or approve an independent firm or laboratory to analyze for effluent characteristics he has determined are necessary. The cost for these analyses will be at the industrial user's expense.
6. All significant industrial users must submit self-monitoring data to the Control Authority twice per year unless required more frequently by the wastewater discharge permit. The self-monitoring data shall include but not be limited to:
 - a. Analytical report on the concentration of pollutants discharged into the POTW as outlined by the Wastewater discharge permit.
 - b. Chain of custody report indicating the following:
 - i. Name of person collecting the sample.
 - ii. Sample type (composite or grab).
 - iii. Date and Time of collection.
 - iv. Sample preservation.
 - v. List of parameters to be analyzed.
 - vi. Sample container type.
 - vii. And any other information the Control Authority may deem necessary.
 - c. Quality Assurance / Quality Control on all reported parameters.

6.5. Inspection and Sampling Performed by the Control Authority:

All permitted industrial user's will be inspected and sampled by the City at a frequency of once per year or unless required more frequently due to permit violations.

SECTION 7 – PUBLICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE:

The City shall annually publish in its official journal a list of the industrial users which were not in compliance with the provisions of this Ordinance, City discharge permits, or any other Federal, State, or local requirements.

All records relating to compliance with pretreatment standards shall be made available to officials of the Approval and Control Authorities upon request.

SECTION 8 - CONFIDENTIAL INFORMATION:

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspection shall be available to the public or other governmental agency without restriction unless the user specifically request and is able to

demonstrate to the satisfaction of the City that the release of such information would divulge information, processes, or methods of construction entitled to protection as trade secrets of the user.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to governmental agencies for use related to this article, the National Pollutant Discharge Elimination System (NPDES) permit, state disposal system permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the City as confidential shall not be transmitted to the general public by the City until and unless a ten-day notification is given to the user.

SECTION 9 - REPORTING REQUIREMENTS:

9.1. Baseline Monitoring Reports:

Upon promulgation as a categorical industrial user, the user shall be required to submit to the Director of Public Utilities the following:

1. Baseline Monitoring Report (BMR)- Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a categorical determination under 40 CFR 403.6 (a)(4), whichever is later, existing significant industrial users subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall be required to submit to the city of Bossier city, a report which contains the information listed in paragraph (b) below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical standard, shall be required to submit to the City of Bossier city a report which contains the information listed in paragraph (b) below. A new source shall also be required to report the method of pretreatment it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.
2. The industrial user shall submit the information required by this section including:
 - a. Identifying Information. The name and address of the facility including the name of the operator and owners.
 - b. Wastewater discharge permits. A list of any environmental control wastewater discharge permits held by or for the facility.
 - c. Description of operations. A brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 - d. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams, as necessary, to allow use of the combine waste stream formula set out in 40 CFR 403.6 (e).
 - e. Measurement of pollutants.
 - i. Identify the categorical pretreatment standards applicable to each regulated process.

- ii. Submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the standard or by the City of Bossier City) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long-term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in section 6.4(c).
- iii. Sampling must be performed in accordance with procedures set out in section 6.4(b).
- f. Certification. A statement reviewed by the industrial user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- g. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 9.2.
- h. All baseline monitoring reports must be signed and certified in accordance with section 5.6.

9.2. Compliance Schedule Progress Report:

The following conditions shall apply to the schedule required by 9.1 (b) (7). The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standard (such events include hiring an engineer, completing preliminary and final plans, executing contracts for major components! commencing and completing construction, beginning and conducting routine operation). No increment referred to above shall exceed nine (9) months. The industrial user shall submit a progress report to the Director of Public Utilities no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, (and if appropriate) the steps being taken by the industrial user to return to the established schedule. In no event shall more than nine (9) months elapse between such progress reports to the Director.

9.3. Report on Compliance with categorical Pretreatment Standard Deadline:

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any industrial user subject to such pretreatment standards and requirements shall submit to the City of Bossier City a report containing the information described in section 9.1 (b) (4-6). For industrial users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403 .6 (c), this report shall contain a reasonable measure of the industrial user's long term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the industrial user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 5.6.

9.4. Periodic Compliance Reports:

Any significant industrial user subject to a pretreatment standard shall, at a frequency determined by the Director of Public Utilities but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated

average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 5.6.

9.5. Report of Changed Conditions:

Each industrial user is required to notify the Director of Public Utilities of any planned significant changes to the industrial user's operation or system which might alter the nature, quality, or volume of its wastewater at least forty-five (45) days before the change.

1. The Director may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 5.5 of this Ordinance.
2. The Director may issue a wastewater discharge permit under Section 5.7 or modify an existing wastewater discharge permit under Section 5.8 of this Ordinance.
3. No industrial user shall implement the planned changed condition (s) until and unless the Director has responded to the industrial user's notice.
4. For purposes of this requirement flow increases of ten percent (10%) or greater, and the discharge of any previously unreported pollutants, shall be deemed significant.

9.6. Reports of Potential Problems:

1. In the case of any discharge including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load which may cause potential problems for the POTW (including a violation of the prohibited discharge standards in section 3 of this Ordinance), it is the responsibility of the industrial user to immediately telephone and notify the City of Bossier City of the incident. This notification shall include the location of discharge, type of waste, concentration, and volume, if known, and corrective actions taken by the industrial user.
2. Within five (5) days following such discharge, the industrial user shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user as result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this Ordinance.
3. Failure to notify the city of Bossier City of potential problem discharges shall be deemed a separate violation of this Ordinance.
4. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who may cause or suffer such a discharge to occur, are advised of the emergency notification procedure.

9.7. Reports from Nonsignificant Industrial Users:

All industrial users not subject to categorical pretreatment standards and not required to obtain a wastewater discharge permit shall provide appropriate reports to the City of Bossier City as the Director may require.

9.8. Notification of the Discharge of Hazardous Waste:

1. Any industrial user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR

Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 10 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharges during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notification of changed discharges must be submitted under Section 9.5, above. The notification requirement in this Section does not apply to pollutants already reported under the self-monitoring requirements of Sections 9.1, 9.3, and 9.4 above.

2. Discharges are exempt from the requirements of paragraph (1) of this section during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous waste unless the wastes are acute hazardous waste as specified in 40 CFR 261.30 (d) and 261.33 (e). Discharges of more than fifteen (15) kilograms of non-acute hazardous waste in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e), requires a onetime notification.
3. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
4. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

9.9. Federal Categorical Pretreatment Standards:

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standards, if more stringent than limitations imposed under this Ordinance for sources in the subcategory, shall immediately supersede the limitations imposed under this Ordinance. The Director shall notify all affected users of the applicable reporting requirements.

SECTION 10 – RECORD KEEPING REQUIREMENT:

10.1. POTW and Industrial Users:

The POTW, and the industrial user subject to the reporting requirements of this Ordinance, shall be required to retain for a minimum of three (3) years any records of monitoring activities and results, and shall make such records available for inspection and copying by the Director of Public Utilities, the EPA, and State. This period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or POTW or when requested by the Director, EPA and state.

SECTION 11 – ENFORCEMENT:

11.1. Legal Action:

If any user discharges sewage, industrial wastes or other wastes into the city's wastewater disposal system contrary to the provisions of this Ordinance, federal or state pretreatment requirements, or any order of the Director, the City Attorney may commence an action for appropriate legal and/or equitable relief in the courts.

11.2. Suspension:

1. The Director may suspend the wastewater treatment service and/or a wastewater discharge permit when such suspension is necessary, in the opinion of the Director, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, causes interference to the POTW or causes the City to violate any condition of its NPDES permit.
2. Any user notified of a suspension of the wastewater treatment service and/or the wastewater discharge permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the Director shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent damage to the POTW system or endangerment to any individuals. The Director shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the Director within five (5) days of the date of occurrence.

11.3. Authority to Disconnect Service:

1. The Director may terminate wastewater disposal service and disconnect an industrial customer from the system when:
 - a. Acids or chemicals damaging to sewer lines or treatment process are released to the sewer causing rapid deterioration of these structures or interfering with proper conveyances and treatment of wastewater.
 - b. A governmental agency informs the Director that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering wastewater to the City's system that cannot be sufficiently treated or requires treatment that is not provided by the City as normal domestic treatment.
 - c. The industrial customer:
 - i. Discharges industrial waste or wastewater that is in violation of the permit issued by the controlling authority.
 - ii. Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system.
 - iii. Fails to pay monthly bills for sanitary sewer services when due.
 - iv. Repeats a discharge of prohibited wastes to public sewers.
 - v. Fails to pay within allowable time period the following:
 - a. surcharges or fines
 - b. fees for inspection, monitoring and sampling
 - c. costs incurred by the City for services rendered
 - d. If service is discontinued pursuant to subsection (a) (2) of this section, the city shall:
 - i. Disconnect the customer.
 - ii. Supply the customer with governmental agency's report and provide the customer with all pertinent information.
 - iii. Continue disconnection until such time as the industrial customer provides additional pretreatment or other facilities designed to remove the objectionable characteristics from their industrial wastes.
 - e. In addition to sanctions provided for by the Ordinance, the City is entitled to exercise sanctions

provided for by the other Ordinances of the City for failure to pay the bill for sanitary sewer service when due.

11.4. Termination of Permit:

Significant industrial users proposing to discharge into the POTW must first obtain a wastewater discharge permit from the controlling authority. Any user who violates the following conditions of this Ordinance, a wastewater discharge permit, an order, or any applicable state or federal law, is subject to permit termination. The following also apply:

1. Violation of permit conditions.
2. Failure to accurately report the wastewater constituents and characteristics of its discharge.
3. Failure to report significant changes in operations or wastewater constituents and characteristics.
4. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling.

Noncompliant industrial user(s) will be notified of the proposed termination of their wastewater permit and be offered an opportunity to show cause under Section 11.7 of this Ordinance why the proposed action should not be taken.

11.5. Notification of Violation:

Whenever the Director of Public Utilities finds that any user has violated or is violating this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment requirement, the Director or his agent may serve upon said user a written Notice of Violation. Within ten (10) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Director. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the City of Bossier city to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

11.6. Administrative Orders:

The Director is hereby empowered to issue Administrative Orders, or other similar documents to the industrial user responsible for the noncompliance. Such orders will include specific action to be taken by the industrial user to correct the noncompliance within a time period also specified by the order.

11.7. Show Cause Hearing:

1. The Director may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the City Council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the City Council regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the City Council why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.
2. The City Council may conduct the hearing and take evidence, or may designate any of its members or any

officer or employee of the assigned department to:

- a. Issue, in the name of the City council, notices of hearings requestin9 the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.
 - b. Take in evidence.
 - c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the City Council for action thereon.
3. At any hearing held pursuant to this Ordinance, testimony taken must be under oath and recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
 4. After the City Council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

11.8. Appeal Procedure:

1. Users of the POTW shall have the right to appeal the conditions of their permit, enforcement actions taken against them for noncompliance, and other actions taken by the City which the user questions the reasonableness thereof.
2. The City Council, under the authority of the city Charter, has the legal authority to resolve an appeal in this regard, subject to local, state, and federal regulations.
3. Appeals filed hereunder shall be resolved in accordance with procedures established for Conducting show cause hearings, section 11.7 of this Ordinance.
4. The burden of proof shall rest with the user.

11.9. Violations.

1. The Pretreatment Coordinator shall serve persons discharging in violation of this Ordinance with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance.
2. No person may continue discharging in violation of this Ordinance beyond the time limit provided in the notice.
3. Any user who is found to have violated an order of the City Council or who willfully or negligently failed to comply with any provision- of this Ordinance, the orders, rules, regulations and permits issued hereunder, shall be fined not less than one thousand (\$1000.00) dollars for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, and other expenses of litigations by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations and permits issued hereunder.
4. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this article or wastewater contribution permits, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not less than one thousand (\$1000.00) dollars or by imprisonment for not more than six (6) months or by both.
5. If sampling performed by an industrial user indicates a violation, the industrial user must notify the Control Authority within 24 hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Control Authority within 30 days after becoming aware of the violation. The industrial user is not required to resample if the POTW

performs monitoring at the industrial user's at least once a month, or if the POTW performs sampling between the industrial user's initial sampling and when the industrial user receives the results of this sampling.

SECTION 12 – FEES:

12.1. General:

It is the purpose of this section to provide for recovery, from the users of the City's Wastewater Sewer system, the costs expended by the city in providing wastewater services. The City may adopt charges and fees for the following:

1. Sewer service charges as established by the City Code of Ordinances.
2. Fees for industrial user wastewater discharge permits.
3. Fees for monitoring industrial user to include sampling, laboratory work and other costs incurred in connection with the routine operation of the pretreatment program as per section 12.4 of this Ordinance.
4. Actual cost for monitoring, sampling, inspection, laboratory analysis and surveillance procedures in instances of willful or negligent violations.
5. Actual cost for cleanup and/or correcting POTW problems caused by violation and costs incurred by POTW as damage to facilities and/or legal liabilities resulting from such violations.
6. Other fees as the City and the Director may deem necessary to carry out the requirements contained herein.
7. Fees for restricted waste hauled into the POTW.
8. Sewer use charges as defined in City Code of Ordinances.
9. Surcharges for excessive strength discharges as calculated in Section 12.3 (a) of this ordinance.

12.2. Payment and agreement:

1. Users making discharges of industrial wastes into the public sewer system shall pay a charge to defray the expense the City incurs as a result of collecting and treating said industrial wastes.
2. When the discharge of industrial waste is approved by the controlling authority, the City or its authorized representative shall enter into an agreement or arrangement to provide for:
 - a. Terms of acceptance by the City. (2) Payment by the person making the discharge.
 - b. All fees paid for disposal of restricted waste will be set by the Director of Public Utilities and will be paid monthly by the person disposing of the waste, at the Utility Billing Section of City Hall.

12.3. Wastewater Service Charge and surcharging Excessive Pollutants:

Each user shall be equitably charged by the City for wastewater services received. When the Biochemical oxygen Demand or Total Suspended Solids from a user exceed the range of concentration of pollutant in normal domestic sewage, as defined in Section 1.2 (28) of this Ordinance, a surcharge shall be calculated and levied as follows:

$$P_x = P_{con} \times P_{sel}$$

P_x = Excessive Pollutant (mg/L)

P_{con} = User Pollutant Concentration (mg/L)

P_{scl} = Ordinance Pollutant Surcharge Limit (mg/L)

$$C_s = P_{cost} \times P_x \times V_d \times 8.34$$

C_s = Charge for excessive pollutant discharge

P_{cost} = Operation and maintenance cost for treatment of a unit of pollutant

P_x = Excessive pollutant (mg/L)

V_d = Volume of water discharged by a user (MGD) as determined by the water billing department or user installed discharge flow meter.

8.34 = Weight, in pounds, of one (1) gallon of water.

12.4. Permit Fees:

The annual permit fee for industrial users shall be set annually by averaging the costs charged by three (3) commercial, local laboratories for sampler set up and use, cost of analysis for pollutants tested, cost of City inspectors' time, based on average of seven (7) hours per inspection. Current costs and fee schedule will be set by the Control Authority.

SECTION 13 – SEVERABILITY:

If any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

The above and foregoing Ordinance, read in full at open and legal session, was on motion of Mr. Don Williams, Second by Mr. Jeffery Darby, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 22 OF 2022

**AN ORDINANCE TO AMEND ORDINANCE NO. 11 OF 2022 TO CORRECT
TYPOGRAPHICAL ERRORS.**

WHEREAS, Ordinance No. 69 of 2021 approved and appropriated \$500,000 for the Elsa Jane Drainage Repair Project but the quote was only \$481,000; and

WHEREAS, Ordinance No. 11 of 2022 should have stated it was appropriating an additional \$35,000 to the project and approving a change order in the amount of \$52,792.52; and

WHEREAS, the funding appropriated in Ordinance No. 69 of 2021 and Ordinance No. 11 of 2022 is sufficient to cover the total cost and allow for close out of the project with no additional funding required; and

WHEREAS, this amendment will allow all paperwork to be worded correctly to successfully track the expenditures on the project.

NOW, THEREFORE, BE IT ORDAINED, that the City Council of Bossier City, in regular session convened, does hereby amend Ordinance No. 11 of 2022 to reflect the corrected wording of an appropriation of an additional \$35,000 and approval of a change order in the amount of \$52,792.52 to the Elsa Jane Drainage Repair Project.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Mr. Jeffery Darby and seconded by Mr. Chris Smith, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 23 OF 2022

ADOPT AN ORDINANCE TO REAPPROPRIATE \$1,000,000 FROM THE WALTER O. BIGBY CARRIAGEWAY PHASE I (FORMALY U.S. HIGHWAY 80 IMPROVEMENTS – TRAFFIC STREET TO KELLY AVENUE) PROJECT TO THE WALTER O. BIGBY CARRIAGEWAY PHASE II PROJECT.

WHEREAS; Phase I of the Walter O. Bigby Carriageway is substantially complete; and

WHEREAS; there is a surplus of \$1,500,000 remaining from the overall cost of the project for Phase I; and

WHEREAS; there are some outstanding punch list items that will still need approximately \$100,000 for completion; and

WHEREAS; Ordinance 165 of 2020 appropriated \$400,000 for beautification efforts related to Phase I of the Walter O. Bigby Carriageway; and

WHEREAS; Phase II of the Walter O. Bigby Carriageway is currently under construction; and

WHEREAS; Phase II of the Walter O. Bigby Carriageway would benefit from additional funding for contingency items and other unforeseen construction items.

NOW, THEREFORE, BE IT RESOLVED, in regular session convened that the City Council of Bossier City, Louisiana, agrees that \$1,000,000 of the surplus in funds for Phase I of the Walter O. Bigby Carriageway shall be reappropriated to Phase II of the Walter O. Bigby Carriageway.

The above and foregoing Report was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Jeffery Darby, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 24 OF 2022

AN ORDINANCE TO APPROVE REPORT OF CHANGE ORDER 1 FOR THE SOUTH BOSSIER REDEVELOPMENT PROJECT, WITH AN INCREASE OF 38 DAYS.

WHEREAS; the South Bossier Redevelopment Project had some weather delays and some delays due to underground conduit; and

WHEREAS; an additional Thirty-Eight (38) days are requested, to add to the contract price; and

NOW, THEREFORE, BE IT ORDAINED, in regular session convened that the Bossier City Council does hereby approve the report of Change Order 1 for the South Bossier Redevelopment Project with an increase of Thirty-Eight (38) days; and

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to sign any and all instruments in connection with the furtherance of this Ordinance.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Chris Smith and seconded by Mr. Vince Maggio, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 25 OF 2022

ADOPT AN ORDINANCE TO APPROVE REPORT OF FINAL CHANGE ORDER FOR THE CITY WIDE STREET IMPROVEMENTS- PHASE III, WITH AN INCREASE OF \$219,206.08, FOR A TOTAL CONTRACT PRICE OF \$1,002,754.08.

WHEREAS; the City Wide Street Improvement- Phase III project called for additional work to include drainage improvements along Michael Street; and

WHEREAS; an increased amount of \$219,206.08 is needed to be added to the contract price, for a total contract of \$1,002,754.08 for this project; and

NOW, THEREFORE, BE IT ORDAINED, in regular session convened that the Bossier City Council does hereby approve the report of Final Change Order for the City Wide Street Improvements- Phase III, with an increase of \$219,206.08; and

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to sign any and all instruments in connection with the furtherance of this Ordinance.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Chris Smith and seconded by Mr. Vince Maggio, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 26 OF 2022

AN ORDINANCE TO APPROVE REPORT OF FINAL CHANGE ORDER FOR THE CITY WIDE STREET IMPROVEMENTS- SIDEWALKS, WITH AN INCREASE OF \$4,283.67, FOR A TOTAL CONTRACT PRICE OF \$263,058.67.

WHEREAS; the City Wide Street Improvement- Sidewalks project called for additional work; and

WHEREAS; \$4,283.67 is required to be added to the contract price, for a total contract of \$263,058.67 for this project; and

NOW, THEREFORE, BE IT ORDAINED, in regular session convened that the Bossier City Council does hereby approve the report of Final Change Order for the City Wide Street Improvements- Sidewalks, with an increase of \$4,283.67; and

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to sign any and all instruments in connection with the furtherance of this Ordinance.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Chris Smith and seconded by Mr. Jeff Free, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

New Business –

By: Mr. Smith

Motion to introduce an Ordinance authorizing Mayor Thomas H. Chandler to execute the attached Professional Services Agreement with Mark Briggs Ministries, Inc.

Seconded by Mr. Don Williams

Discussion held on Ordinance and an individual versus incorporation

No further discussion

Vote in favor of motion is unanimous

By: Mr. Free

Motion to introduce an Ordinance authorizing Mayor Thomas H. Chandler to execute the attached Professional Services Agreement with Justin Haigler.

Seconded by Mr. Smith

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance allocating \$200,000 to come from the Water Capital and Contingency Fund to update the Public Utilities Department Water Model and to enter into a contract with Owen and White, Inc. to perform this work.

Seconded by Mr. Hammons

Discussion held on Ordinance. Randy Hollis, President Owen and White went over water models

No further discussion

Vote in favor of motion is unanimous

By: Mr. Free

Motion to introduce an Ordinance appropriating the sum of Fifty Thousand Dollars (\$50,000.00) from the EMS Capital Contingency Fund for the purchase of Thirty-Five Glock Model 17 Firearms with optics and other equipment as needed by the City of Bossier City Fire Department.

Seconded by Mr. Maggio

Discussion on Ordinance and need for the purchase.

No further comment

Vote in favor of motion is unanimous

Agenda Item: Approve Terry D. Lee as the Bossier City Council Representative on the City of Bossier City Personnel Board. Term effective February 15, 2022 and expires February 21, 2024. This item was moved up to this time due to Mr. Lee having another engagement and needing to leave meeting.

By: Mr. Darby

Motion to approve Terry D. Lee as the Bossier City Council Representative on the City of Bossier City Personnel Board. Term effective February 15, 2022 and expires February 21, 2024.

Seconded by Mr. Williams

Council thanked Mr. Lee for volunteering to serve.

No further discussion

Vote in favor of motion is unanimous

By: Mr. Smith

Motion to introduce an Ordinance to amend Ordinance 92 of 2020 to cover construction costs for the Highway 71 Street Lighting Project Phase II Project for a total of \$581,782 to come from the Parkway Capital Projects Fund.

Seconded by Mr. Maggio

Discussion on Ordinance and when project will start.

No further discussion

Vote in favor of motion is unanimous

By: Mr. Smith

Motion to introduce an Ordinance to amend Ordinance 116 of 2021 to cover constructions costs for improvements to the left turn lanes located at Louisiana Highway 3 and Interstate Highway 220 for a total of \$573,000 to come from the Riverboat Gaming Trust Fund.

Seconded by Mr. Hammons

No comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION NO. 17 OF 2022

A RESOLUTION AUTHORIZING THE PROMOTION OF ONE SECRETARY TO THE FIRE CHIEF AND THE REPLACEMENT OF ONE FIRE RECORDS CLERK DUE TO VACANCY FROM RETIREMENT:

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring freeze requiring Bossier City Council approval for the hiring of any personnel;

WHEREAS, one vacancy exist in the Fire Department due to Retirement and filling this positions will allow operations to continue;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to replace one Secretary to the Fire Chief position and one Fire Records Clerk position.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and second by Mr. Chris Smith, and adopted on the 15th, day of February, 2022, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Smith, Mr. Hammons, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

By: Mr. Montgomery, Jr.

Motion to go into Executive Session to discuss litigation issues concerning City of Bossier City versus Nichols Lube Center, Inc. Case #C-162613, 26th Judicial District Court, Bossier Parish, Louisiana.

Seconded by Mr. Darby

Mr. Jacobs went over process to go into executive session.

Mr. Williams asked the Mayor, Mr. Jacobs and Attorney Neil Erwin to join executive session

No further comment

Vote in favor of motion is unanimous

Council went into executive session at 4:22 PM

By: Mr. Montgomery, Jr.

Motion to come out of Executive Session at 5:06 PM.

Seconded by Mr. Darby

Mr. Williams reported that no action was taken during the executive session.

No further comment

Vote in favor of motion is unanimous

Angela Williamson, Finance Director – Went over the monthly Financial Update with the City Council. She noted sales taxes were up 19% and that prior year 2021 has not been closed out yet.

Clinton Patrick, Engineering Department – Went over the monthly project update with the Council.

There being no further business to come before this Council, the meeting adjourned at 5:15 PM by Mr. Williams

Respectfully submitted:

Phyllis McGraw

City Clerk

Publish: February 23, 2022

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