

*****ATTACHMENTS*****

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Com. No. 3 - 15 - 16. September 8, 2015.

Submitting a communication from Robert Theis regarding his concerns about the condition of Franklin Park.

Presented to the Common Council by Alderperson


Bitters

Pub. Wks.

Richards, Susan

From: Alderperson Bryan Bitters
Sent: Thursday, August 20, 2015 7:54 AM
To: Richards, Susan
Cc: rt8735@charter.net
Subject: FW: Franklin Park
Attachments: image4.JPG; image3.JPG; ATT00001.txt; image1.JPG; ATT00002.txt; image2.JPG

Sue,
Please receive this correspondence from Mr. Theis and have it added as agenda item for the next Public Works committee meeting. Thanks.

Bryan Bitters
Alderperson, 6th District
City of Sheboygan
Bryan.Bitters@sheboyganwi.gov

From: Elijah-Robert [rt8735@charter.net]
Sent: Wednesday, August 19, 2015 5:21 PM
To: Alderperson Bryan Bitters
Subject: Franklin Park

Hello Mr. Bitters,

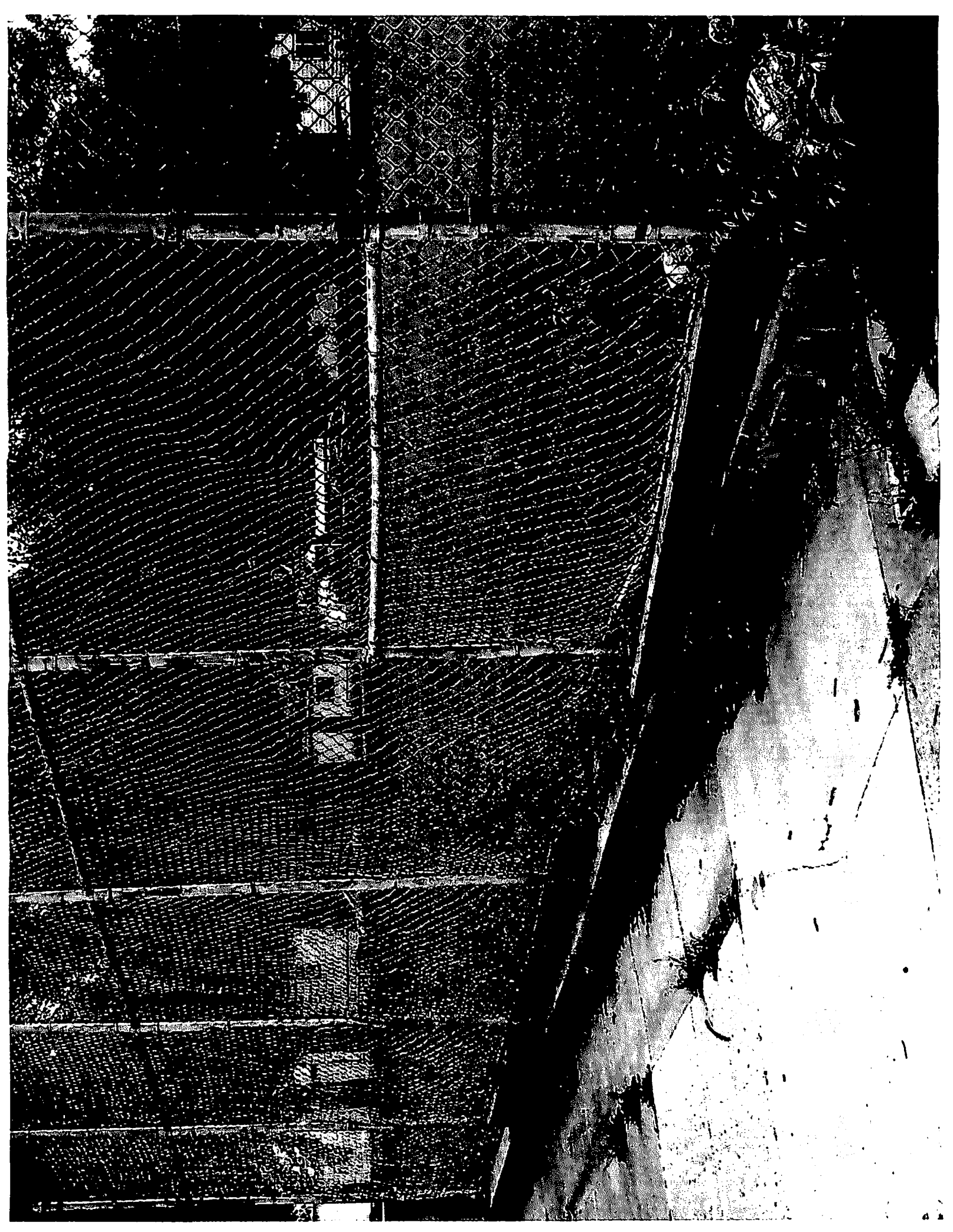
I wanted to reach out to you about the condition of Franklin Park. The park fence has deteriorated to the point that it is dangerous and is in need of repairs. From the 13th street side there are 2x10's sticking out from the base of the fence. There is a lot of shrub material growing on the fence causing a dangerous situation. Further down going west there is a major hole in the fence that could cause injury if someone would trip and fall. The overall condition of the fence is creating conditions that are endangering the visitors of the park. Here are a few pictures to show the overall condition of the fence.

Robert Theis
1628 S 13th Street
SHEBOYGAN WI 53081
(920)-980-0773









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Gen. Ord. No. 26 - 15 - 16. By Alderperson Belanger. September 8, 2015.

AN ORDINANCE amending various sections of the City's Industrial Pretreatment Program so as to incorporate certain changes to Wisconsin Admin. Code NR 211 relating to general pretreatment requirements.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. The term "Significant noncompliance (SNC)" in Section 122-466 of the Sheboygan Municipal Code entitled "Definitions" is hereby amended to read as follows:

"Sec. 122-466. *Definitions.*

. . .

Significant noncompliance (SNC) means:

- (1) Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all of the measurements taken during a six-month period exceeded, by any magnitude, any numeric pretreatment standard or requirement including an instantaneous limit for the same pollutant parameter.
- (2) Technical review criteria (TRC) violations, defined as those in which 33 percent or more of all of the measurements for the same pollutant parameter taken during a six-month period equaled or exceeded the product of the numeric pretreatment standard or requirement including an instantaneous limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS fats, oil, and grease, and 1.2 for all other pollutants except pH) or exceeded a pH limit by .4 standard units.
- (3) Any other violation of a pretreatment effluent limit (daily maximum or long-term average) that the control authority determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public.
- (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its

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emergency authority in accordance with 40 CFR 403.8 to halt or prevent such a discharge.

- (5) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.
- (6) Failure to provide, within 45 days after the due date, a required report containing all required monitoring results and other information, such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- (7) Failure to accurately report noncompliance.
- (8) Any other violation or group of violations, which may include a violation of required best management practices, that the control authority determines will adversely affect the operation or implementation of the local pretreatment program."

Section 2. Section 122-473 of the Sheboygan Municipal Code entitled "Spill prevention and slug control plans" is hereby amended in subsection (b) thereof to read as follows:

"Sec. 122-473. *Spill prevention and slug control plans.*

. . .

(b) The POTW shall evaluate whether each significant industrial user needs a plan or other action to control slug discharges. For industrial users identified as significant prior to March 3, 2014, this evaluation shall have been conducted by February 1, 2015. Additional significant industrial users shall be evaluated within one year of being designated as significant industrial users. If the POTW decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

- (1) Description of discharge practices, including nonroutine batch discharges.
- (2) Description of stored chemicals.

- (3) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition of limitation under sections 122-469 and 122-470, or of any changes at the facility affecting the potential for a slug discharge and the need for a slug control plan as required by NR 211.235(4)(a).
- (4) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and measures and equipment for emergency response and NR 211.235(b)8."

Section 3. Section 122-511 of the Sheboygan Municipal Code entitled "Wastewater discharge permits" is hereby amended in subsection (c) thereof to read as follows:

"Sec. 122-511. *Wastewater discharge permits.*

. . .

- (c) *Contents.* Permits may contain, as appropriate, the following:
 - (1) Statement of duration, including issuance and expiration dates.
 - (2) Effluent limitations, including best management practices, based on prohibited discharge standards of categorical pretreatment standards, local limits as established by this article, and state and local law.
 - (3) General and specific discharge prohibitions as established by sections 122-469 and 112-470.
 - (4) Requirements to pay fees for the wastewater to be discharged to the POTW.
 - (5) Limitations on the average and maximum rate and time of discharge or requirements for flow regulation and equalization.
 - (6) Requirements for installation and maintenance of inspection and sampling facilities.

- (7) Requirements and specifications for monitoring programs, including sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
- (8) Compliance schedules.
- (9) Requirements for submission of technical reports, discharge reports or certification statements. These include any reporting requirements contained in a national categorical standard or pretreatment requirement.
- (10) Requirements for collecting/retaining and providing access to plant records relating to the user's discharge and for providing entry for sampling and inspection.
- (11) Requirements for notification of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater treatment system.
- (12) Requirements to control and notify of spills, potential problems to the POTW, including slug loadings, upsets or violations.
- (13) Requirements for installation, operation and maintenance of pollution control equipment.
- (14) Requirements to develop and implement spill and slug control plans.
- (15) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements.
- (16) Statement of nontransferability.
- (17) Conditions for modification, suspension or revocation of the permit.
- (18) Any other conditions as deemed appropriate by the POTW to ensure compliance with this article and article VI of this chapter, state and federal pretreatment standards and requirements."

Section 4. Section 122-519 of the Sheboygan Municipal Code entitled "Publication of significant noncompliance" is hereby amended to read as follows:

"Sec. 122-519. *Publication of significant noncompliance.*

The POTW shall annually publish in a newspaper of general circulation that provides meaningful public notice in the area served by the POTW a list of industrial users which were in significant noncompliance."

Section 5. Section 122-581 of the Sheboygan Municipal Code entitled "Baseline monitoring report" is hereby amended in subsection (c)(5)b. thereof to read as follows:

"Sec. 122-581. *Baseline monitoring report.*

. . .

(c) . . .

(5) . . .

- b. A minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time proportional or grab sampling is authorized by the control authority. Where alternative sampling is authorized by the control authority, the samples shall be representative of the discharge and the decision to allow alternative methods shall be documented in the industrial user's file. Multiple grab samples collected during a 24-hour period may be composited prior to analysis provided appropriate protocols specified in ch. NR 219, and in EPA and department guidance are followed. Samples for cyanide, total phenols and sulfides may be composited in the laboratory or in the field. Samples for volatile organics and oil and grease may be composited in the laboratory. Other samples may be composited using approved methodologies as authorized by the control authority."

Section 6. Section 122-583 of the Sheboygan Municipal Code entitled "Periodic compliance reports" is hereby amended in subsection (a) thereof to read as follows:

"Sec. 122-583. *Periodic compliance reports.*

- (a) Any user subject to a categorical pretreatment standard, after the compliance date of such pretreatment standard, except those meeting the requirements in NR 211.15(4)(c) or (d), or, for a new source, after commencement of the discharge into the POTW, shall submit to the POTW during the months of January and July, unless required more frequently in the pretreatment standard or by the POTW, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of the measured or estimated average and maximum daily flows for the reporting period for the discharge reported in subsection 122-581(c)(4), except that the POTW may require more detailed reporting of flows. In cases where the pretreatment standard requires compliance with best management practices (or pollution prevention alternative) the user shall submit documentation needed to determine the compliance status of the user."

Section 7. Section 122-584 of the Sheboygan Municipal Code entitled "Monitoring and analysis" is hereby amended in subsection (a) thereof to read as follows:

"Sec. 122-584. *Monitoring and analysis.*

- (a) If sampling performed by an industrial user indicates a violation, the user shall notify the POTW within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the POTW within 30 days after becoming aware of the violation. Where the control authority has performed the original sampling and analysis in lieu of the industrial user as allowed in NR 211.15(9), the control authority shall perform the repeat sampling and analysis unless it notifies the user of the violation and requires the user to perform the repeat analysis."

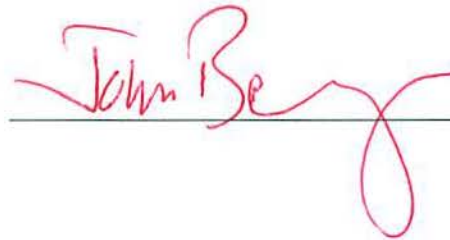
Section 8. Section 122-585 of the Sheboygan Municipal Code entitled "Monitoring and analysis" is hereby amended in subsection (d) thereof to read as follows:

"Sec. 122-584. *Monitoring and analysis.*

. . .

(d) The reports required by sections 122-581 through 122-583 shall include the certification statement as set forth in 40 CFR 403.6(a)(2)(ii) and NR 211.15(10)(a) and shall be signed by an authorized representative of the industrial user."

Section 9. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.



I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor