

LOCAL LAW NO. "P" FOR 2008

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING SECTION 7.25 OF LOCAL LAW NO. 3 FOR 2008, ADOPTING RULES AND REGULATIONS FOR THE ALBANY COUNTY SEWER DISTRICT GOVERNING THE PRETREATMENT AND DISPOSAL OF SEWAGE AND WASTES

Introduced: 11/10/08

By Messrs. Gordon, Ward and Joyce:

BE IT ENACTED by the County Legislature of the County of Albany as follows:

Section 1. In order to comply with language changes made by the Environmental Protection Agency, the County of Albany hereby amends and replaces Section 7.25 of Local Law No. 3 for 2008 with the following:

Section 7.25 Public Participation

The Director shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the Users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term Significant Noncompliance shall mean:

A. chronic violations of wastewater discharge limits, defined here are those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits;

B. Technical Review Criteria (TRC) violations, defined here are those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equal or exceeds the product of the numeric pretreatment standard or requirement including instantaneous limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. any other discharge violation that the Director believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

D. any discharge of pollutants that has caused imminent endangerment to the public or to the environment or has resulted in the Director's exercise of its emergency authority to halt or prevent such discharge;

E. failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. failure to accurately report noncompliance; or

H. any other violation(s) which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

Section 2. Validity

If any article, section, paragraph, subdivision, clause or provision of these rules and regulations shall be adjudged invalid, such judgment shall apply only to such article, section, paragraph, subdivision, clause or provisions as adjudged and shall not affect, impair or invalidate any other part or portion of these rules and regulations.

Section 3. Effective Date

This local law shall take effect immediately.

Referred to Public Works Committee. 11/10/08

Favorable Recommendation – Public Works Committee. 11/24/08

On roll call vote the following voted in favor: Mr. Aylward, Ms. Benedict, Messrs. Beston, Bullock, Carman, Ms. Chapman, Messrs. Clay, Clenahan, Clouse, Commisso, Ms. Connolly, Messrs. Cotrofeld, Dawson, Domalewicz, Ethier, Gordon, Higgins, Hoblock, Horstmyer, Houghtaling, Infante, Joyce, Mss. Lockart, Maffia-Tobler, Messrs. Mayo, McCoy, Ms. McKnight, Messrs. Mendick, Morse, Nichols, Rahm, Reilly, Scavo, Steck, Ward, Ms. Willingham and Mr. Zeilman – 37.

Those opposed: - 0.

Local Law was adopted. 12/8/08