

13.12.130 – Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated.

1. **Accidental Discharges.** Unplanned release of substances either directly or indirectly in such magnitude to cause substantial effects on receiving systems or treatment processes. Release is the result of accident, act of nature or operational malfunctions.
2. **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.
3. **Administrator.** The Administrator of the United States Environmental Protection Agency.
4. **Applicable Pretreatment Standards.** For any specified pollutant, the prohibitive discharge standards, specific limitations on discharge, the State of Illinois pretreatment standards or the National Categorical Pretreatment Standards (when effective), whichever standard is most stringent.
5. **Approved.** Item or procedure must meet the conditions of and be accepted by the City of St. Charles.
6. **Approval Authority.** USEPA
7. **Authorized Representative.**
 - a. If the User is a corporation:
 1. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 2. The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - c. If the User is a federal, state or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - d. If the User is a limited liability partnership, limited liability company, or any other entity not previously described:
 1. a person in charge of principal business functions or any other person who performs similar policy or decision-making functions for the entity; or
 2. the manager of one or more manufacturing, production, or operation facilities employing more than two hundred-fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with the entity's procedures; or
 3. any person having written authorization satisfying the requirements of paragraph e from such entity.
 - e. The individuals described in paragraphs a through d, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.
 - f. If an authorization under paragraph e is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph e must be submitted to the City prior to or together with any reports to be signed by an authorized representative.
8. **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
9. **Building Sanitary Sewer.** A sewer, which carries only sewage and industrial wastes from the building plumbing to the public sanitary sewer.
10. **Building Storm Sewer.** A sewer, which carries storm drainage, surface water, foundation drainage and roof drainage but excludes sewage and industrial wastes from the building plumbing to a public storm sewer or natural outlet.
11. **Bypass.** The intentional diversion of waste streams from any portion of a User's treatment facility.
12. **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

13.12.130 Definitions

13. Carbonaceous Biochemical Oxygen Demand or CBOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter, excluding the quantity of oxygen utilized for nitrogenous oxygen demand.
14. City. The City of St. Charles, Kane and DuPage Counties, Illinois.
15. Compatible Pollutant. Biochemical oxygen demand, suspended solids, FOG, pH and fecal coli form bacteria.
16. Composite Sample. Sample of wastewater based on a flow proportional or time proportional method.
17. Concentration Limitations. The limits imposing the amount of a given substance in a discrete unit volume of a solution or applied to a unit weight of solid.
18. Control Authority. The City of St. Charles.
19. Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.
20. Director of Public Works. The Director of Public Works of the City, or his authorized deputy, agent or representative.
21. Discharge. The discharge of treated or untreated wastewater to the POTW.
22. Discharger. Any person, firm, establishment, or institution, which discharges wastewater, excluding inflow and infiltration, to a sanitary sewer, which eventually leads into a City-owned sanitary sewer or treatment plant. Each single connection is a separate discharge by a discharger. "User" is used interchangeably with "Discharger".
23. Easement. An acquired legal right for the specific use of land owned by others.
24. Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director of Public Works, or other duly authorized official of said agency.
25. Environmental Remediation Water. Discharges from soil and/or groundwater remediations.
26. Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
27. FOG. Any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by freon solvent.
28. Garbage. Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
29. General Pretreatment Regulations. The General Pretreatment Regulations for Existing and New Sources, 40 CFR Part 403, as amended.
30. Grab Sample. A sample, which is taken from a waste stream with no regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
31. Hazardous Waste. Any substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.
32. Illinois Act. The Environmental Protection Act, as amended 415 ILCS 5/1 et seq.
33. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.
34. Incompatible Pollutant. Any pollutant which is not a compatible pollutant as defined in this section.
35. Industrial User. A source of indirect discharge, including but not limited to, a manufacturing, commercial or process facility, or other facility engaged in the purchase or sale of goods, transaction of business or who otherwise renders services to the public.
36. Industrial Wastes. The liquid wastes from industrial processes as distinct from sanitary sewage.
37. Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
38. Interference. A discharge, which, 1) alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts a POTW, its treatment processes or operations or its sludge processes, use or disposal; and, 2) therefore, is a cause of a) a violation of any NPDES permit or other permit of the City issued by any State or Federal agency or b) of the prevention of sewage sludge use or disposal in compliance with any of the following statutory provisions and regulations or of permits issued thereunder, or of any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
39. Local Limits. Limits on discharges established by the City in Section 13.12.430.
40. Mass Limitation. Limits imposed upon a discharger based upon volumes or concentrations that are converted to weight units.

13.12.130 Definitions

41. Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
42. Milligrams per liter. A unit of the concentration of water or wastewater constituent. It is 0.001 grams of the constituent in one thousand milliliters of water.
43. National Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 40 CFR Section 403.5.
44. Natural outlet. Any outlet into watercourse, pond, ditch, lake or other body of surface water or groundwater.
45. New Source.
 1. 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 in the Code of Federal Regulations 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 307(c), provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. 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.
 2. A site at which an existing source is located and where construction results in a modification rather than a source as defined in Paragraph 43(1) above, provided the construction does not create a new building, structure, facility, or installation meeting the criteria of Paragraph 43 (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
 3. A site where construction has commenced, including where the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite construction program,
 - i. any placement, assembly, or installation of facilities or equipment; or
 - ii. site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which are necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. Entered into a binding 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, and design studies do not constitute a contractual obligation under this paragraph.
46. Non-Residential Dischargers. All dischargers excluding residential dischargers.
47. Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
48. NPDES Permit. Any permit or equivalent document or requirements issued by the Administrator or, where appropriate, by the Director of the IEPA, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Act.
49. 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 violation of any requirement of a City NPDES Permit, including an increase in the magnitude or duration of a violation.
50. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, limited liability company, limited liability partnership, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
51. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.
52. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
53. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the

13.12.130 Definitions

- POTW. This 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.
54. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a pretreatment standard.
 55. Pretreatment Standards. Prohibited discharge standards, categorical standards, and local limits.
 56. Prohibited Discharge Standard. Any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR Part 403.5.
 57. Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; such prohibitions appear in Section 13.12.400.
 58. Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant owned by the City.
 59. RCRA. The Resource Conservation and Recovery Act, Public Law 94-482 including all subsequent amendments and applicable regulations promulgated pursuant thereto.
 60. Required. That the tasks stated must be done.
 61. Residential User or Commercial User. A nonindustrial User and means any User of the treatment works not classified as an Industrial User or excluded as an Industrial User by this Chapter.
 62. Shall and May. shall is required; may is permissive.
 63. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
 64. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).
 65. Significant Industrial User.
 1. A User subject to categorical pretreatment standards; or
 2. A User that:
 - a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - b. Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
 3. Upon a finding that a User meeting the criteria in paragraph (2) above has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.
 66. Slug Load or Slug. Any discharge at a flow rate or concentration which potentially would cause interference with the POTW and/or a violation of the prohibited discharge standards in Section 13.12.400. Any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds, for any period or duration longer than fifteen minutes, more than five times the average twenty-four hour concentration of flows during normal operation and in no event more than five times the allowable concentration of constituents set forth in this Chapter or the User's permit or any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which potentially will cause interference with the POTW and/or violate prohibited discharge standards in Section 13.12.40
 67. Solid Wastes. Any trash, ashes, rags, bottles, tin cans, tree limbs, manure of domestic animals, offal, dead animals or portions thereof, foodstuffs, and wastes thereof other than normally contained in sanitary sewage and any and all other solid objects, materials, refuse or debris. The term ashes shall include the residuum resulting from the combustion of coal, coke, wood or any other material or substance and shall include soot, cinders, slag, and charcoal.
 68. Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.
 69. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
 70. Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering. Non-filterable solids expressed in milligrams per liter, contained in wastewater and measured by the methods set forth in "Standard Methods for the Examination of Water and Wastewater" or such other method as approved by the United States Environmental Protection Agency.

13.12.130 Definitions

71. SWDA. The Solid Waste Disposal Act, 42 U.S.C. §6901 et seq.
72. TSS. Solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are removable by laboratory filtering.
73. Toxic Pollutants. Any pollutant or combination of pollutants listed in regulations promulgated by the Administrator under provision of the Act.
74. Unpolluted Water. Water of quality equal to or better than effluent criteria in effect, or water that would not cause violation of receiving stream quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
75. User. A source of indirect discharge.
76. User Severe Property Damage. Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
77. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
78. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.
79. Watercourse. A channel in which a flow of water occurs, either continuously or intermittently.
80. Utility Services – Electric, water, sewer, yard waste, and refuse services that are provided by the City or its designated provider.

(2010-M-9 : § 1)