

GUN PLAIN CHARTER TOWNSHIP

ORDINANCE NO. 160

AN ORDINANCE TO AMEND ORDINANCE NO.156 ARTICLE VI, SECTION 6.3
SPECIFIC DISCHARGE PROHIBITIONS (a)

THE CHARTER TOWNSHIP OF GUN PLAIN ORDAINS:

Amend Article VI, Section 6.3 (a) to read as follows:

- (a) No person shall discharge or contribute to the POTW, directly or indirectly, pollutants in concentrations that exceed the daily maximum or monthly average concentrations (“Standard Local Limits”) listed below in this subsection:

<u>Parameter</u>	<u>Daily Maximum (mg/l)¹</u>	<u>Instantaneous Maximum</u>
Arsenic	0.23	---
Cadmium	0.2	---
Chromium (T)	2.0	---
Chromium, Hexavalent	0.1	---
Copper	1.0	---
Cyanides (T)	0.1	---
Lead	0.4	---
Mercury	NQ ²	NQ ²
Molybdenum	2.0	---
Nickel	1.0	---
PCBs (T)	ND ³	ND ³
Phenol (T)	1.5 ⁴	---
Selenium	0.27	---
Silver	0.44	---
Zinc	3.0	---

Notes:

1. Discharges that contain more than one pollutant that may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the POTW. The more restrictive discharge limits will be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge, including, without limitation, the specific compounds, if any, listed in this Section 6.3.

See also, Section 6.6(d), regarding application of most restrictive or additional standards or requirements under local, state, and federal laws and regulations.

A User may request the POTW Superintendent to develop alternative limits to the

Standard Local Limits for specific compatible pollutants (“Special Alternative Limits” or “SALs”) as provided by Section 6.5.

2. Total phenol is defined as the sum of any of the following phenolic compounds: 2-Chlorophenol, 4-Chlorophenol, 2,4-Dichlorophenol, 2,4-Dimethylphenol, 2-Methylphenol, 2-Nitrophenol, 4-Nitrophenol and Phenol.
3. The instantaneous maximum and daily maximum discharge limit for Mercury is non-quantifiable concentration, defined as a concentration at or below the quantification level of 0.2 ug/l using U.S. EPA Method 245.1 (or at or below other quantification levels applicable under alternative test methods required by the POTW or by other applicable laws or regulations). Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of a User’s discharge shall be in accordance with U.S. EPA method 245.1, unless the POTW Superintendent requires U.S. EPA Method 1631 (or other appropriate method). The quantification level shall be 0.2 ug/l for Method 245.1 or 0.5 ng/l for Method 1631, unless higher levels are approved by the POTW Superintendent because of sample matrix interference. Any discharge of Mercury at or above the level of quantification is a specific violation of this Chapter.
4. The instantaneous maximum and daily maximum discharge limit for PCBs is non-detect. Except as otherwise required by the POTW Superintendent, compliance with this limit shall be determined as follows:

A compliance limit of “non-detect” shall be used for instantaneous maximum and daily maximum. Any discharge of PCBs at or above the quantification level is a specific violation of this Chapter.

PCB sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of a User’s discharge shall be in accordance with U.S. EPA method 608. The quantification level shall be 0.1 ug/l, unless higher levels are determined appropriate by the POTW Superintendent because of sample matrix interference. Total PCBs shall be defined as the sum of the Aroclors 1016, 1221, 1232, 1242, 1248, 1254 and 1260. In addition, any detected Aroclor-specific measurements shall be reported.

5. Quarterly monitoring is required to implement this limit.

<u>Parameter</u>	<u>Daily Maximum (mg/l)</u>	<u>Instantaneous Maximum</u>
Ammonia Nitrogen (NH ₃ as N)	50 ⁶	---
BOD-5	610 ⁷	---
Phosphorous (T)	72 ⁸	---
TSS	503 ⁹	---

Notes:

For Ammonia Nitrogen, BOD, Phosphorous and TSS, the listed daily maximum and monthly average limits are the concentrations which may not be exceeded and at which enforcement begins. The surcharge threshold concentrations as specified in notes 6 through 9 below are the concentrations above which surcharges may be imposed. Discharges exceeding the surcharge thresholds, but which are less than the daily maximum and monthly average limits (and which do not violate any other applicable prohibitions, limitations or requirements), are not violations of this Ordinance, but are subject to surcharges as provided by this Ordinance. All violations of applicable discharge prohibitions and limitations and all instances of noncompliance with applicable discharge requirements constitute a violation of this Ordinance, subject to applicable fines, penalties and other enforcement actions. In no event shall the imposition of a surcharge for a discharge which does not meet the applicable prohibitions, limitations or requirements be construed as authorizing the illegal discharge or otherwise excuse a violation of this Ordinance.

6. Any discharge of ammonia nitrogen in excess of 37 mg/l (daily maximum) shall be subject to surcharge as provided by this Ordinance.
7. Any discharge of BOD in excess of 325 mg/l (daily maximum) shall be subject to surcharge as provided by this Ordinance.
8. Any discharge of Total Phosphorous in excess of 9 mg/l (daily maximum) shall be subject to surcharge as provided by this Ordinance.
9. Any discharge of TSS in excess of 350 mg/l (daily maximum) shall be subject to surcharge as provided by this Ordinance.

Effective Date

This ordinance takes effect seven (7) days following publication of notice of its adoption pursuant to Michigan Public Act 110. All ordinances and parts of ordinances in conflict herewith are repealed.

Moved by Shannon, seconded by Horton, that the foregoing Ordinance be adopted.

YEAS: Members: VanDenBerg, Morehouse, Meert, Kopka, Shannon, Pearson, and Horton

NAYS: Members: 0

ABSENT: Members: 0

I certify that the Ordinance amendment as set forth above was adopted by the Gun Plain Charter Township Board in regular session on February 4, 2016, and that it was published in the Allegan County News on February 11, 2016. Further, I certify that the attested copy of the Ordinance amendment was filed with the Township Clerk on February 18, 2016.


Marty Meert
Gun Plain Charter Township Clerk