CHAPTER 100

INDUSTRIAL COST RECOVERY FOR WASTE TREATMENT WORKS CONSTRUCTION PROJECT

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100.01 FEES CHARGED INDUSTRIAL USERS. All existing and/or future industrial users which contribute wastewater to the facilities constructed under EPA Project No. C190904-02 shall be charged a fee in proportion to their wastewater contribution as compared to the design criteria of the wastewater facilities project.

100.02 BASIS FOR COST AMOUNT. The industrial cost recovery amount shall be based on the Federal government's share of the project cost, or $600,000.00. Industrial users' payments shall be amortized over a twenty-year cost recovery period and shall not include an interest component.

100.03 PERCENTAGES RETAINED AND APPLIED. The City shall retain 50 percent of the amounts recovered from industrial users, incident to Section 100.02. A portion of the amounts which the City retains may be used to pay the incremental costs of administration of the industrial cost recovery system. The incremental costs of administration are those costs remaining after deducting all costs reasonably attributable to the administration of the user charge system. The City shall segregate incremental costs from all other administrative costs of the City. A minimum of 80 percent of the amounts retained by the City after paying the incremental costs of administration will be deposited annually into a special City fund which will be called the *Guthrie Center Industrial Cost Recovery Fund 80*. The remaining funds retained by the City will be deposited annually into another special City fund which will be called the *Guthrie Center Special Projects Fund 20*. The remaining 50 percent of the amounts recovered from industrial users, incident to Section 100.02, together with any interest earned thereon, shall be returned to the U.S. Treasury, through the U.S. Environmental Protection Agency, on an annual basis except that no payments will be made to the U. S. Treasury for ICR collections until advised by EPA. In the interim, such funds will be invested by the City as outlined in Section 100.06 below.

100.04 COST RECOVERY FUND 80. The amounts retained by the City in the special City fund called *Guthrie Center Industrial Cost Recovery Fund 80*, together with any interest earned thereon, shall be used solely for the allowable costs of any expansion, upgrading or reconstruction of treatment works necessary to meet the requirements of the U. S. Environmental Protection Agency. The City shall obtain the written approval of the Regional Administrator of the U.S. Environmental Protection Agency prior to commitment of the amounts retained in *Guthrie Center Industrial Cost Recovery Fund 80.*

100.05 SPECIAL PROJECTS FUND 20. The amounts retained by the City in the special City fund called *Guthrie Center Special Projects Fund 20* shall be used as the City desires

except that these funds may not be used for construction of industrial pretreatment facilities or rebates to industrial users for costs incurred in complying with user charge or industrial costs recovery requirements or to reduce sewer user charges in any way for any user.

100.06 INVESTMENTS. Pending the use of industrial cost recovery payments as described in Section 100.03, 100.04 and 100.05 of this chapter, the City will invest the amounts received in obligations of the U.S. Government or in obligations guaranteed as to principal and interest by the U.S. Government or any agency thereof; or deposit the amounts received in accounts fully collateralized by obligations of the U.S. Government or any agency thereof.

100.07 INDUSTRIAL USER DEFINED. For the purpose of this chapter, an industrial user is defined as any user of publicly owned treatment works which meets any one or combination of the following three criteria:

1. Any nongovernmental, nonresidential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (GPD) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A.	Agriculture, Forestry and Fishing
Division B.	Mining
Division D.	Manufacturing
Division E.	Transportation, Communication, Electric, Gas and Sanitary Services
Division I.	Services

In determining the amount of a user's discharge for purposes of industrial cost recovery, the City will exclude domestic wastes or discharges from sanitary conveniences. After applying the sanitary waste exclusion discharges in the above divisions that have a volume exceeding 25,000 GPD or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 GPD of sanitary waste are considered industrial users, sanitary wastes, for purposes of this calculation of equivalency, are the wastes discharged from the average residential user in the service area without regard to considering the effect of dilution caused by infiltration and/or inflow. The strength of the average residential waste discharge within the service area has been determined to be 250 milligrams per liter of BOD and 250 milligrams per liter of SS.

2. Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has any adverse effect on the waters receiving any discharge from the treatment works, and/or

3. All commercial users of an individual system constructed with grant assistance under Section 201 (H) of the Clean Water Act of 1977.

100.08 RATE CHARGED – FORMULA. The rate to be charged each industrial user that contributes wastewater to the sanitary sewer system will be based on an average daily

contribution from that user. The formula for determining the total amount to be collected from each industrial user is as follows:

$$AB = BB\ W\ \frac{F}{TFB} + X\ \frac{BOD}{TBOD} + Y\ \frac{SS}{TSS}$$

Where:

AB = Total amount owed for this project by one particular industry, AB shall be divided by 20 to determine annual payments to the City.

BB = Total Federal share for the Guthrie Center sewage system consisting of the lift station, force mains and sewage treatment lagoon, or $600,000.00

W = Percentage of BB allocated to flow; which is 50 percent

X = Percentage of BB allocated to BOD, which is 25 percent

Y = Percentage of BB allocated to SS; which is 25 percent

F = Average daily flow contribution of wastewater from each industrial user (GPD)

TFB = Total design average daily flow of the Guthrie Center sewage treatment plant (GPD) which is 280,000 GPD

BOD = Average daily BOD contribution from each industrial user (#/D)

TBOD = Total design average daily BOD capacity of the Guthrie Center sewage treatment plant (#/D); which is 371/lbs/day

SS = Average daily SS contribution from each industrial user (#/D)

TSS = Total design average daily SS capacity of the Guthrie Center sewage treatment plant (#/D); which is 371/lbs/day

100.09 CITY TO MONITOR. All industrial users connected to the Guthrie Center sewage system shall be monitored by the City with sufficient frequency and with the appropriate type of sampling in order to establish reasonable estimates of the industrial users' hydraulic and organic contribution. The frequency and type of sampling may vary with the industrial user's type, volume and variability to discharge, but shall be no less often than quarterly. The results of these tests shall be composited and used as the individual industry's average daily flow, BOD, SS, for the industrial cost recovery computation. Prior to June 30 of each year, the City shall conduct a review to determine what users of the Guthrie Center sewage system are industrial users as defined in Section 100.07 of this chapter and therefore subject to these charges.

100.10 BILLING. All industrial users subject to this chapter will be billed by the Clerk each July 1, which billing shall be based on actual use of the facilities. Payment by the City to the U.S. Treasury, through the Environmental Protection Agency, will be made by each July 30, except for collections which may have been made for the period previously provided for in Section 100.03.

100.11 ENFORCEMENT – CLERK. If and when any industrial users subject to this chapter fail to make payment to the City by the twentieth day of the month, after proper billing by the City on the first day of the month, the Clerk is directed to enforce Sections 100.07, 100.08 and 100.09 to recover any sums due the City under this chapter.

100.12 APPROVAL OF CHANGE. Any change or amendment to this chapter must have the written approval of the Regional Administrator of the U.S. Environmental Protection Agency.

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