

(Published in the Topeka Metro News May 6, 2009)

ORDINANCE NO. 19248

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning liquid waste, amending City of Topeka Code § 146-331.5 and § 146-344 and specifically repealing said original sections and creating § 146-343.5.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 146-331.5, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Documented waste strength means the average concentration of the analytes BOD, TSS, and TKN of a set of 12 samples collected, at random, in a two year period. Twelve (12) samples for Liquid Waste Class 2 and twelve (12) samples for Liquid Waste Class 3 will be tested every two (2) years and the results will be averaged to determine the waste strength for billing purposes.

Domestic septage means the liquid or solid material removed from a septic tank, cesspool, portable toilet, type III marine sanitation device, or similar system that receives only liquid domestic waste (Household, non-commercial, non-industrial sewage) as defined by the Federal Part 503 Regulation.

Liquid waste means waste which will not pass the paint filter test, is biologically compatible with the wastewater treatment process, and will not pass through or interfere with the wastewater treatment process. Liquid waste meeting the above criteria is

30 further defined by the following categories:

31 Class 1 Liquid Waste means a Domestic septage which originates from
32 storage devices (holding tanks) that are typically pumped at frequent intervals
33 (less than every 30 days) as these devices are non-discharging, storage
34 structures for sanitary waste which have no connection to a lateral field or
35 discharge point. Class I Liquid Waste is biologically characterized as being only
36 partially stabilized and having low TSS, BOD5, and TKN content.

37 Class 2 Liquid Waste means a Domestic septage which originates from
38 treatment devices (septic tanks) that are typically pumped at long intervals (more
39 than every 30 days) and having a connection to a lateral field or discharge point.
40 Class 2 Liquid Waste is biologically characterized as being well stabilized and
41 having high TSS, BOD5, and TKN.

42 Class 3 Liquid Waste means a Domestic septage which originates from
43 storage devices (portable toilets, type III marine sanitation devices) that are
44 typically pumped at frequent intervals (less than every 30 days) as these devices
45 are non-discharging, storage structures for sanitary waste which have no
46 connection to a lateral field or discharge point. Class 3 Liquid Waste differs from
47 the other classes of septage as it is chemically stabilized when generated. This
48 Liquid Waste is typically characterized as having high TSS, BOD5, and TKN.

49 Class 4 Liquid Waste means a Liquid waste which is composed primarily
50 of fatty matter from animal or vegetable sources and originates from residential
51 or commercial grease interceptors. Class 4 Liquid Waste is typically
52 characterized as containing 2-5% FOG, 5-30% Solids and very high organic

53 content.

54 Class 5 Liquid Waste means a liquid waste not defined in the first four
55 categories above. This liquid waste includes liquid waste of industrial,
56 commercial, or other origin including, but are not limited to, landfill leachate,
57 wastewater residuals and tanning waste.

58 *Liquid waste hauler* means any person, persons, partnership or corporation
59 which transports liquid, nonhazardous waste ~~of domestic origin.~~

60 *Nonhazardous waste* means waste not listed under 40 C.F.R. § 261.

61 Nonhazardous liquid waste means a waste not listed under 40 C.F.R. § 261.

62 Section 2. That The Code of the City of Topeka, Kansas, is hereby amended
63 by adding a section, to be numbered 146-343.5, which said section reads as follows:

64 **Treatment of liquid waste; Setting of rate.**

65 The superintendent shall have the authority to accept liquid waste for treatment
66 at the plant and to establish the rate for treatment of any class of liquid waste. The
67 superintendent shall take certain factors into consideration in setting the rates for
68 treatment of liquid waste including, but not limited to, surcharge rate, documented waste
69 strength, special treatment requirements, special handling and administrative costs.
70 Nothing contained herein shall limit the superintendent's ability to refuse to accept any
71 liquid waste for treatment.

72 Section 3. That section 146-344, Special treatment conditions, of The Code of
73 the City of Topeka, Kansas, is hereby amended to read as follows:

74 **Special treatment conditions.**

75 Any stronger sewage or sewage objectionable because of interference with the

76 normal biological treatment processes of the plant is subject to acceptance by the city
77 superintendent upon terms worked out between the city and the proposed customer
78 seeking an outlet for strong sewage wastes.

79 Section 4. That original § 146-331.5 and § 146-344 of The Code of the City of
80 Topeka, Kansas, is hereby specifically repealed.

81 Section 5. This ordinance shall take effect and be in force from and after its
82 passage, approval and publication in the official City newspaper.

83 PASSED AND APPROVED by the City Council April 28, 2009.

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85 CITY OF TOPEKA, KANSAS
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91 William W. Bunten, Mayor

92 ATTEST:
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97 Brenda Younger, City Clerk