

RESOLUTION NO. 3359

A RESOLUTION ESTABLISHING FEES ASSOCIATED WITH THE CITY'S INDUSTRIAL PRETREATMENT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS THAT:

1) Fees for operation and management of the city's industrial pretreatment program shall be as follows:

A. PERMIT FEE

Permits issued under the city's industrial pretreatment program shall be issued for a time period, not to exceed five years. The fee for new permits is \$75/permit and permit renewals \$50/permit.

B. COMPLIANCE MONITORING, INSPECTION, SURVEILLANCE, SAMPLE COLLECTION, AND RESPONSE TO ACCIDENTIAL DISCHARGE FEES

Procedure fees associated with monitoring, inspection, surveillance, sample collection, and response to accidental discharges shall be assessed at the following rate:

1. City Representative	\$30.00 / person / Hour
2. Pickup Truck	\$19.00 / Unit / Hour
3. Jet Truck	\$35.00 / Unit / Hour + disposal cost
4. Backhoe	\$44.00 / Unit / Hour
5. Dump Truck	\$60 / Unit / Hour + disposal cost
6. Heavy Equipment	\$70 / Unit / Hour
7. Minimum Charge	\$20.00 / Procedure

Wastewater samples collected by the city for an Industrial User (IU) will be forwarded to the IU's contacted analytical laboratory. Payment for analytical services performed will be the responsibility of the IU. The above fees may be waived at the discretion of the City Manager or his designee.

C. APPEAL FEE

Appeals shall adhere to the procedures specified in the Bryan Code of Ordinances, Chapter 2, Administration, Division 9. Industrial Waste Hearing Board, Section 2-277. Fee for appeal is \$350.00 per appeal.

D. SURCHARGE CALCULATION

The volume of wastewater flow used in computing an industrial wastewater surcharge shall be based upon measured water consumption and/or measured industrial wastewater discharged to the city sewer.

CITY SUPPLIED WATER: The volume of flow used in computing industrial wastewater surcharges shall be based upon metered water consumption as shown in the records of meter readings maintained by the city. An adjustment to the measured water consumption may be allowed by the city for evaporation, product water exported from the IU or other operational consumption through which water is not discharged to the city sewer.

An IU who provides evidence demonstrating that a portion of the total water consumed does not reach the city sewer may request an adjustment. Adjustments for flow shall be measured by a meter or other city approved flow metering device. Installation, maintenance, and repairs of measuring devices and/or equipment shall be the responsibility of the IU. Such meters and devices shall be tested for accuracy when deemed necessary by the city. Any discovery of tampering, or an IU's failure to provide adequate maintenance, or repair, which alters measurement accuracy, shall result in denial of the requested adjustment.

OTHER SUPPLIED WATER: IU's who procure water from sources other than the city and discharge industrial wastewater to the city sewer shall install a water meter or meters of the type approved by the city at the IU's point of acceptance. Such meters shall be utilized in determining the measurement of industrial wastewater discharged to the city sewer for surcharge computation. An adjustment to the measured water consumption may be allowed by the city for evaporation, product water exported from the IU or other operational consumption through which water is not discharged to the city sewer.

An IU who provides evidence demonstrating that a portion of the total water consumed does not reach the city sewer may request an adjustment. Adjustments for flow shall be measured by a meter or other city approved flow metering device. Installation, maintenance, and repairs of measuring devices and/or equipment shall be the responsibility of the IU. Such meters and devices shall be tested for accuracy when deemed necessary by the city. Any discovery of tampering, or an IU's failure to provide adequate maintenance, or repair, which alters measurement accuracy, shall result in denial of the requested adjustment.

Surcharge computations shall be based on the following:

$$CS = S_1 + S_2 + S_3 + S_4 + S_5 + S_6$$

$$S_1 = V \times 8.34 \times (\text{BOD} - 200 \text{ mg/L}) \times A$$

$$S_2 = V \times 8.34 \times (\text{TSS} - 200 \text{ mg/L}) \times B$$

$$S_3 = V \times 8.34 \times 1/2 (\text{COD} - 200 \text{ mg/L}) \times A$$

$$S_4 = V \times 8.34 \times (\text{Ammonia} - 30 \text{ mg/L}) \times C$$

$$S_5 = V \times 8.34 \times (\text{Oil \& Grease} - 100 \text{ mg/L}) \times D$$

$$S_6 = V \times E$$

CS = Surcharge in dollars for the billing period.

V = Average water consumption in millions of gallons during the billing period.

8.34 = Weight of water in pounds per gallon.

A = Unit charge in dollars per pound for BOD as established in Table 1.

B = Unit charge in dollars per pound for TSS as established in Table 1.

C = Unit charge in dollars per pound for Ammonia as established in Table 1.

D = Unit charge in dollars per pound for Oil & Grease as established in Table 1.

E = Unit charge in dollars per gallon for wastewater volume as established in Table 1.

BOD = Average five-day carbonaceous biochemical oxygen demand concentration in mg/L.

TSS = Average total suspended solids concentration in mg/L.

COD = Average chemical oxygen demand concentration in mg/L.

200 = Normal BOD and TSS strength in mg/L; for calculation purposes COD concentrations are assumed to be double the CBOD₅ concentration.

Table 1 – Surcharge Unit Fees	
A (unit charge in dollars per pound of BOD)	\$0.50
B (unit charge in dollars per pound of TSS)	\$0.34
C (unit charge in dollars pound of Ammonia)	\$1.45
D (unit charge in dollars per pound of Oil & Grease)	\$0.34
E (unit charge in dollars per gallon of wastewater flow)	\$0.01

E. NEW INDUSTRIAL USER SURCHARGE

Surcharge fees for a new IU's participating in the city's industrial pretreatment program shall be calculated based on engineering estimates provided by the IU for the expected concentration of surchargable pollutants and volume of wastewater discharged to the city sewer. Engineering estimates shall be provided on a monthly basis and reflect actual operating conditions. Engineering estimates shall be signed and sealed by a licensed engineer. The new IU fee will remain in effect until the city determines that sufficient data regarding the IU's loading and wastewater volume is available or a period of twelve months has elapsed since the IU's first date of operation, whichever is first.

At this time the new IU surcharge will be recalculated using current data. The recalculated surcharge will be compared against the new IU surcharge. An adjustment will be made to the IU's surcharge fee. The adjustment will reflect the difference in fees between the new IU surcharge and recalculated surcharge in combination with the billing cycles charged using the new IU surcharge.

F. BILLING

CITY SUPPLIED WATER: Surcharge fees will be applied to the IU's BTU utility bill.

OTHER SUPPLIED WATER: Billing and collection of assessed surcharge will be performed by a contracted agency or by internal city services.

This resolution shall be effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 12th day of July, 2011, by affirmative vote of the Bryan City Council meeting in regular session.

ATTEST:

CITY OF BRYAN

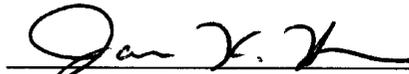


Mary Lynne Stratta, City Secretary



Jason P. Bienski, Mayor

APPROVED AS TO FORM:



Janis K. Hampton, City Attorney