

DRAFT 6/8/2021 *RLM*

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SUNNYVALE TO
AMEND SECTION 12.12.120 (LOCAL LIMITS FOR
WASTEWATER) OF CHAPTER 12.12 (SEWER USE
REGULATIONS) OF TITLE 12 (WATER AND SEWERS)
OF THE SUNNYVALE MUNICIPAL CODE**

WHEREAS, the City of Sunnyvale desires to amend certain sections of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 12.12.120 AMENDED. Section 12.12.120 (Local Limits for Wastewater) of Chapter 12.12 (Sewer Use Regulations) of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.020. Local Limits for Wastewater.

(a) [Text unchanged]

(b) [Text unchanged]

(c) The following pollutant limits are established to protect against pass through and interference. No person shall discharge to the POTW wastewater containing in excess of the following:÷

Pollutant	Maximum Concentration Grab Sample (milligrams per Liter)	Maximum Concentration Composite Sample (milligrams per Liter)
Copper	0.7 mg/l	0.5 mg/l
Nickel	0.5 mg/l	0.25 mg/l

Maximum Concentration Allowable¹ Pollutant (milligrams per Liter)	
Antimony	1.0 mg/l
Arsenic	0.3 mg/l
Barium	1.0 mg/l
Beryllium	0.5 mg/l
Cadmium	0.1 mg/l
Chlorinated hydrocarbons used for control of plants, insects, etc.	0.02 mg/l
Chromium, total	1.7 mg/l
Cobalt	1.0 mg/l

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Cresols	2.0 mg/l
Cyanides	0.5 mg/l
Lead	0.5 mg/l
Mercury	0.01 mg/l
Fats, oils and grease (total)	300 mg/l
pH	6.0 to 10.5 su
Phenols²	1.0 mg/l
Selenium	1.0 mg/l
Silver	0.2 mg/l
Total toxic organics ³²	1.0 mg/l
Zinc	1.48 mg/l

¹Applicable to samples collected as either grab or composite. All concentrations for metallic substances are for total metal.

²~~Phenols defined by test procedures in 40 CFR 136.~~

³²Total toxic organics, as defined under 40 CFR Part 413.02(i), but excluding phenolic compounds.

(d) [Text unchanged]

(e) [Text unchanged]

SECTION 3. CEQA. Modification of the City's pretreatment program as approved by the the Regional Water Quality Control Board is categorically exempt from review under the California Environmental Quality Act (CEQA) because it is an action taken by regulatory agency, as authorized by state law, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. (CEQA Guidelines, Section 15308.)

SECTION 4. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase, or word be declared invalid.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this Ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sunnyvale Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

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Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney