

ARTICLE 3. PROHIBITED DISCHARGES.

§ 15-10-21 GENERAL PROHIBITION AGAINST DISCHARGE.

A person may not discharge pollutants to the POTW that cause:

- (1) a treatment plant upset;
- (2) pass through or contribute to pollution of the POTW's receiving waters;
- (3) interference with the operation of the POTW;
- (4) the POTW to be in violation of the NPDES permit or TPDES permit;
- (5) damage to the POTW;
- (6) a hazard to property, public health, or safety;
- (7) the ambient air quality of the POTW to exceed standards established by federal, state or local law;
- (8) a violation of a permit issued under this chapter;
- (9) the concentration of pollutants in the POTW or in the POTW's sludge to exceed allowable limits; or
- (10) a flow rate or quantity that exceeds the carrying capacity of the collection system.

Source: 1992 Code Section 18-2-21.

§ 15-10-22 SPECIFICALLY PROHIBITED POLLUTANTS.

Except as authorized by this chapter, a person may not discharge to the POTW the following:

- (1) other waste, as defined in this chapter;
- (2) a flammable or explosive liquid, solid, or gas, and similar substance that could create a fire or explosive hazard in the collection system or the POTW, including a waste stream with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Centigrade), tested in accordance with 40 CFR 261.21;
- (3) a pollutant regulated under a categorical pretreatment standard promulgated by EPA in a concentration or amount exceeding allowable limits;
- (4) a substance causing heat in the POTW at a temperature of 120 degrees Fahrenheit (48.9 degrees Centigrade) or higher, or at a temperature that inhibits biological activity in the POTW if the discharge causes interference, or an increase in the temperature of the influent to a

treatment plant to 104 degrees Fahrenheit (40 degrees Centigrade) or higher;

- (5) garbage other than comminuted garbage;
- (6) wastewater containing a noxious or malodorous liquid, gas, solid, or substance that, independently or interactively creates a public nuisance, or hazard to public health and safety, or prevents entry into the sanitary sewer for maintenance or repair;
- (7) a pollutant that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity or concentration that creates a danger to public health or safety;
- (8) an acid, alkali, or substance with a pH value lower than 6.0 or higher than 11.5 standard units, or that corrodes or damages the POTW;
- (9) petroleum oil, non-biodegradable cutting oil, or a product of mineral oil origin in an amount that causes interference or pass through;
- (10) waste containing a prohibited pollutant trucked or hauled from its point of origin, except as approved by the director;
- (11) waste removed from a pretreatment facility or private sewage facility, except at discharge points designated by the director;
- (12) phenol or a similar substance in concentrations that produce odor or taste in the POTW's receiving waters, if the receiving waters are used as drinking water;
- (13) wastewater containing radioactive materials in concentrations greater than allowed by current regulations of the Texas Department of Health or other agency of competent jurisdiction;
- (14) a solid or viscous pollutant in a quantity or concentration that could obstruct the flow in the POTW or result in a sanitary sewer overflow or interference;
- (15) a pollutant or oxygen demanding pollutant discharged at a flow rate or concentration that could interfere with the POTW, or is not treatable;
- (16) a pollutant, dye water, vegetable tanning solution, whole blood, or a substance that causes untreatable color in the POTW effluent;
- (17) medical wastes, except as authorized by permit;

- (18) sludge, screenings or other residues from the pretreatment of industrial waste or other prohibited waste, except as authorized by the director;
- (19) wastewater containing pollutants that cause the POTW effluent to fail a toxicity test;
- (20) waste containing detergent, a surface active agent, or a substance that could cause excessive foaming in the POTW or its effluent;
- (21) wastewater causing a single meter reading of more than ten percent of the lower explosive limit on an explosion hazard meter;
- (22) antifreeze or a coolant solution used in a vehicle or motorized equipment;
- (23) an enzyme, chemical, or other agent that allows fat, oil, grease or a solid to pass through a pretreatment facility;
- (24) drainage water;
- (25) ground water; and
- (26) drainage water or ground water contaminated by a prohibited pollutant, except as specifically authorized in this chapter.

Source: 1992 Code Section 18-2-22.

§ 15-10-23 LIMIT ON DISCHARGE OF FAT, OIL OR GREASE.

- (A) Except as authorized by this chapter, a person may not discharge fat, oil, grease, or similar material to the POTW in excess of an instantaneous maximum allowable limit of 200 milligrams per liter.
- (B) If necessary to protect the POTW or sanitary sewer, the director may issue a permit, order, or rule that assigns the limits on discharge of fat, oil, grease, or a similar substance as:
 - (1) instantaneous maximum allowable limits;
 - (2) daily average limits;
 - (3) daily maximum limits;
 - (4) monthly average limits; or
 - (5) limits of other sampling duration or averaging period.

Source: 1992 Code Section 18-2-24.

§ 15-10-24 DISCHARGE OF CONTAMINATED DRAINAGE OR GROUND WATER.

A person shall not discharge drainage or ground water contaminated by a prohibited pollutant unless:

- (1) the person discharging the contaminated drainage or ground water:
 - (a) applies for and receives a discharge permit; and
 - (b) pretreats the drainage or ground water in compliance with this chapter; and
- (2) the director:
 - (a) assesses the characteristics, volume and concentrations of pollutant;
 - (b) determines that discharge to the POTW is an appropriate disposal method;
 - (c) determines that the discharge will not harm the POTW, or public health or property; and
 - (d) issues a discharge permit under this chapter.

Source: 1992 Code Section 18-2-24.

§ 15-10-25 DILUTION PROHIBITED.

Except as otherwise provided in this chapter, a person shall not increase the use of process water or otherwise dilute a discharge to achieve compliance with a discharge limitation or pretreatment standard.

Source: 1992 Code Section 18-2-25.

§ 15-10-26 IMPROPER PROCESSING OR STORAGE OF PROHIBITED WASTE.

- (A) A person may not process or store prohibited waste in a manner that causes a discharge to the POTW of wastewater containing prohibited waste that has not been pretreated.
- (B) A person may not connect a hold-haul tank to the sanitary sewer without the written approval of the director.

Source: 1992 Code Section 18-2-27.

§ 15-10-27 BYPASS.

- (A) Except as otherwise provided in this chapter, a person discharging wastewater containing prohibited waste to the POTW may not allow a bypass to occur.
- (B) A person discharging wastewater containing prohibited waste to the POTW may allow a bypass that:
 - (1) complies with pretreatment standards; and
 - (2) is for essential maintenance to assure efficient operation of the person's facility.
- (C) If a person knows in advance that a bypass is to occur, the person must submit written notice of the anticipated bypass to the director on the earlier of:
 - (1) ten days before the date of the anticipated bypass; or
 - (2) if less than ten days before the date of the anticipated bypass, upon obtaining knowledge that the bypass is to occur.
- (D) A person who knows in advance that a bypass will occur must obtain authorization from the director before release of the discharge.
- (E) A person who is aware that an unanticipated bypass exceeding pretreatment standards or requirements occurred shall notify the director:
 - (1) by telephone or in person no later than 24 hours after the person becomes aware of an unanticipated bypass; and
 - (2) in writing no later than the fifth day after the person becomes aware of an unanticipated bypass.
- (F) A written report of an anticipated or unanticipated bypass must include:
 - (1) a description of the bypass;
 - (2) the cause of the bypass;
 - (3) the duration of the bypass, including exact dates and times; and
 - (4) if the bypass has not been corrected:
 - (a) the anticipated duration of the bypass; and

(b) actions taken or planned to:

(i) reduce or eliminate the ongoing bypass; and

(ii) prevent reoccurrence of the bypass.

(G) The director may waive the requirement of a written report for an unanticipated bypass if the person has made a verbal report in compliance with this section.

Source: 1992 Code Section 18-2-27.