

**BUCHANAN CHARTER TOWNSHIP  
ORDINANCE NO. 127-2024  
ADOPTED 03.28.2024**

**AN ORDINANCE TO REPEAL BUCHANAN CHARTER TOWNSHIP ORDINANCE NO. 25 AND  
ADOPT BUCHANAN CITY IPP ORDINANCE**

**Limitations on wastewater strength.**

- (a) No user, unless permitted through a special agreement (see section 102-222) from the manager, shall discharge, on a daily average, wastewater containing in excess of:

Arsenic, total	1.0 mg/l
Cadmium, total	1.3 mg/l
Chromium, total	0.7 mg/l
Copper, total	2.0 mg/l
Cyanide, total	0.5 mg/l
Lead, total	1.8 mg/l
Mercury, total	0
Nickel, total	2.1 mg/l
Silver, total	0.3 mg/l
Zinc, total	1.0 mg/l
PCBs	No Discharge Allowed
Phosphorus, total (as P)	15.0 mg/l
Ammonia	15.0 mg/l

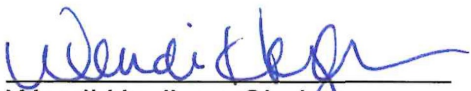
Maximum discharge at any time shall not exceed three times the allowed daily average.

- (b) No person shall discharge any wastewater:
- (1) Having a closed cup flashpoint less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR 261.21.
  - (2) Containing more than 50 mg/l of oil or grease of animal or vegetable origin.
  - (3) Containing more than 40 mg/l of oil or grease of mineral or petroleum.
  - (4) Having a pH lower than 5.5 or above 9.0 unless authorized by the agency.
  - (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 30 degrees Celsius unless the approval authority, as defined in 40 CFR 403, upon request of the POTW, approves alternate temperature limits.
- (c) Effluent limitations promulgated by the federal act shall apply in an instance where they are more stringent than those in this article. Under section 403.6 of the act, federal pretreatment standards are designed to achieve two purposes:
- (1) To protect the operation of publicly owned treatment works; and
  - (2) To prevent the discharge of pollutants which pass through such works inadequately treated.
- (d) Where the treatment works was designed to and does achieve substantial removal of pollutants other than the four pollutants listed in the definition for compatible pollutants in section 102-201 (BOD, suspended

solids, pH and fecal coliform bacteria), it is not appropriate to require the industrial user to achieve best practicable control technology currently available since this would lead to an uneconomical duplication of treatment facilities. While the term "substantial removal" is not subject to precise definition, it generally contemplates removal in the order of 80 percent or greater. Minor incidental removals in the order of ten to 30 percent are not considered substantial. For some industrial categories, it may be necessary to define pretreatment guidelines for problems that may arise as a result of the discharge into a publicly owned treatment works. However, any adjustments required for particular industrial categories should be considered in connection with the department's requirements rather than the national pretreatment standard. Limitations on wastewater strength in subsections (a) and (b) of this section may be supplemented with more stringent limitations pursuant to section 102-216(b):

- (1) If the department determines that the limitations in subsections (a) and (b) of this section may not be sufficient to protect the operation of the treatment works;
- (2) If the department determines that the limitations in subsections (a) and (b) of this section may not be sufficient to enable the treatment works to comply with water quality standards or effluent limitations specified in the department's NPDES permit;
- (3) Nothing in this regulation is intended to affect any pretreatment requirements, including any standards or prohibitions, established by state or local law as long as the state or local requirements are not less stringent than any set forth in the national pretreatment standards, or any other requirements or prohibitions established under the act or this article. States with an NPDES permit program approved in accordance with section 402(B) and (C) of the act, or states requesting NPDES programs, are responsible for developing a state pretreatment program in accordance with 403.10 of the act;
- (4) Except where expressly authorized to do so by applicable categorical pretreatment standard, no industrial user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a categorical pretreatment standard. The control authority (as defined in 40 CFR 403.12(A)) may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or in other cases where the imposition of mass limitations is appropriate.

This Ordinance declared adopted on this 28<sup>th</sup> day of March 2024.

  
Wendi Heyliger, Clerk  
Buchanan Township  
Berrien County, Michigan

**MOTION TO ADOPT ORDINANCE:**

Proposed by Board member: Heyliger

Supported by Board member: Ferris

Roll Call:

Ayes: Gordon, Byrdak, Cole-Crocker, Heyliger, Ferris

Nays:

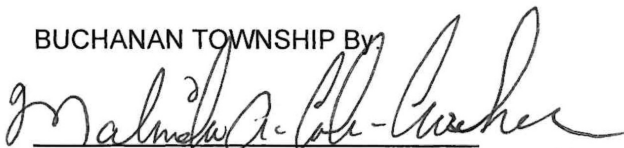
Abstain:

Absent: Ramirez, Huebner

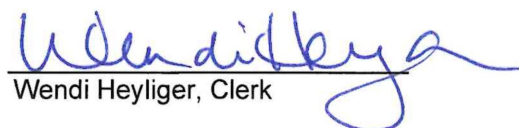
**ORDINANCE DECLARED ENACTED**

The foregoing Ordinance was enacted by the Buchanan Township Board of Trustees, Berrien County, State of Michigan on the day 28 of March, 2024 and approved by its Supervisor and Clerk on said date.

BUCHANAN TOWNSHIP By

  
Malinda Cole-Crocker, Supervisor

and by

  
Wendi Heyliger, Clerk