



City of Tacoma

City Council Action Memorandum

TO: Elizabeth Pauli, City Manager
FROM: Michael P. Slevin III, P.E., Director, Environmental Services
Kurt Fremont, Division Manager, Business Operations
COPY: City Council and City Clerk
SUBJECT: Ordinance - Amending Chapter 12.08C of the Tacoma Municipal Code, Acceptance of Electronic Documents and Signatures - January 30, 2024
DATE: December 21, 2023

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GMS MPS

SUMMARY AND PURPOSE:

An ordinance amending Subchapter 12.08C of the Municipal Code, entitled Industrial Wastewater Pretreatment Program, to add 12.08C.1310 authorizing the acceptance of electronic documents and signatures. .

BACKGROUND:

This Department's Recommendation is Based On: The Environmental Compliance (EC) Group in the Business Operations Division implements an Industrial Wastewater Pretreatment Program (IWPP) as required by the City's National Pollutant Discharge Elimination System (NPDES) wastewater permit. The IWPP provides regulatory oversight of industrial users (IUs) located within the City's Wastewater Utility service area that discharge process wastewater to the City's Publicly-Owned Treatment Works (POTW). IUs are required by the IWPP to apply for and maintain coverage under a letter of authorization, special approved discharge permit, or industrial wastewater discharge permit (IWDP) to regulate discharges to the POTW. IWDPs have compliance and reporting requirements that include significant amounts of data.

EC procured software to track this data on October 1, 2018, and contracted with the software vendor Enfotech to deliver the software iPACS 2.0 for tracking the reports/data. In addition to tracking, iPACS 2.0 evaluated the reports for compliance with pollutant discharge concentration limits contained in IWDPs and compiled the data into reports. The reports are required for the City's IWPP annual report submitted each year to the Washington State Department of Ecology.

The software was upgraded to iPACS 5.0 on October 4, 2023. Phase 1 of this upgrade focused on migrating all iPACS 2.0 data to a more technologically advanced platform in iPACS 5.0. Phase 2 of this upgrade will be focused on providing a new online submittal portal (GovOnline). Through GovOnline, permittees will be able to submit permit applications, self-monitoring reports, other required reports, and similar documents electronically.

Before implementing Phase 2, EC must submit an application to the EPA verifying this software meets EPA's Cross-Media Electronic Reporting Rule (CROMERR) requirements. The requirements include the IWPP having the legal authority to require and accept online reporting. This recommended amendment to Municipal Code meets these requirements.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

EC has collaboratively engaged with one of our Industrial Wastewater Discharge Permittees to pilot this software. A user acceptance copy of the GovOnline application was provided to the Permittee. EC was able to gain critical feedback on its operation and functionality. This feedback will be used during the implementation of this software. EC will further offer permittees opportunities to pilot the software before online reporting is required, by ordinance/permit, from all permittees.



2025 STRATEGIC PRIORITIES:

Equity and Accessibility.

Livability: *Equity Index Score:* High Opportunity

Explain how your legislation will affect the selected indicator(s).

Tacoma’s pretreatment program protects the City’s wastewater conveyance systems, POTW, and the POTW’s discharge to waters of the state. Protecting our waterways increases the livability in the City of Tacoma and surrounding communities.

How does your policy, program, or service help or harm the health of the natural environment? □ (e.g. reduction in carbon emissions, open space conditions, sustainability, clean air, water and soil, and noise and light pollution).

Regulations to implement and enforce a POTW pretreatment program will regulate wastewater discharges from commercial/industrial sources and regulate users and facilities that contribute process wastewater to Tacoma’s POTW. They also regulate process wastewater that has the potential to be harmful to, or cause obstruction in, the POTW or cause or contribute to pass through of pollutants through the POTW or interference with POTW operations.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Not amend the ordinance	None	Potentially violate Tacoma’s Department of Ecology issued Wastewater NPDES permit by not having the authority to accept online reporting which, once in effect, will violate EPA’s Electronic Reporting Rule.

EVALUATION AND FOLLOW UP:

The amendment provides the authority for the City to receive Industrial Wastewater Discharge Pretreatment Program required reporting electronically.

STAFF/SPONSOR RECOMMENDATION:

Amend Subchapter 12.08C of the Municipal Code, entitled Industrial Wastewater Pretreatment Program, to add 12.08C.1310 authorizing the acceptance of electronic documents and signatures to comply with EPA’s Electronic Reporting Rule in conformance with 40 CFR Part 3.



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FISCAL IMPACT:

The City of Tacoma's industrial wastewater pretreatment program services are fully funded, and this amendment of the code will not change costs to the City's wastewater utility.

Are there financial costs or other impacts of not implementing the legislation?

YES

Not amending the ordinance could result in non-compliance with Department of Ecology pretreatment program requirements resulting in enforcement actions which may include civil penalties.

Will the legislation have an ongoing/recurring fiscal impact?

NO

Will the legislation change the City's FTE/personnel counts?

NO

ATTACHMENTS:

- TMC 12.08C draft language