



ORDINANCE NO. 28955

1 AN ORDINANCE relating to the Industrial Pretreatment Program; amending
2 Subchapter 12.08C of the Municipal Code, relating to the Industrial
3 Wastewater Pretreatment Program, to add a new Section 12.08C.1310,
4 entitled “Electronic records”, to authorize the acceptance of electronic
5 documents and signatures using a system compliant with 40 CFR Part 3
6 of the Code of Federal Regulations; and providing for severability.

7 WHEREAS the Environmental Compliance (“EC”) group in the
8 Environmental Services Business Operations Division operates an Industrial
9 Wastewater Pretreatment Program (“IWPP”) as required by the City’s National
10 Pollutant Discharge Elimination System wastewater permit, and

11 WHEREAS the IWPP provides regulatory oversight of industrial users (“IUs”)
12 located within the City’s wastewater utility service area that discharge process
13 wastewater to the City’s publicly-owned treatment works (“POTW”), and

14 WHEREAS IUs are required by the IWPP to apply for and maintain
15 coverage under a letter of authorization, special approved discharge permit, or
16 industrial wastewater discharge permit (“IWDP”) to regulate discharges to the
17 POTW, and IWDPs have compliance and reporting requirements that include
18 significant amounts of data, and

19 WHEREAS EC procured software to track this data in October 2018, and
20 contracted with the software vendor Enfotech to deliver the software iPACS 2.0
21 for tracking the reports/data, and in addition to tracking, iPACS 2.0 evaluated the
22 reports for compliance with pollutant discharge concentration limits contained in
23 IWDPs and compiled the data into reports, and
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WHEREAS the reports are required for the City’s IWPP annual report submitted each year to the Washington State Department of Ecology, and

WHEREAS in October 2023, the software was upgraded to iPACS 5.0, and Phase 1 of this upgrade focused on migrating all iPACS 2.0 data to a more technologically advanced platform in iPACS 5.0, and

WHEREAS Phase 2 of this upgrade will be focused on providing a new online submittal portal (“GovOnline”), and through GovOnline permittees will be able to submit permit applications, self-monitoring reports, other required reports, and similar documents electronically, and

WHEREAS prior to implementing Phase 2, EC must submit an application to the Environmental Protection Agency (“EPA”) verifying this software meets EPA’s cross-media electronic reporting rule requirements, and the requirements include the IWPP having the legal authority to require and accept online reporting, and

WHEREAS this recommended amendment to the Municipal Code meets these requirements, and

WHEREAS it would be in the best interest of the public health, safety and welfare to enact the ordinance as set forth below; Now, Therefore,

BE IT ORDAINED BY THE VOTERS OF THE CITY OF TACOMA:

Section 1. That Subchapter 12.08C of the Tacoma Municipal Code is hereby amended by the addition of a new Section 12.08C.1310 to read as set forth in Exhibit “A,” attached hereto and incorporated by this reference as though fully set forth herein.



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Section 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



EXHIBIT "A"

**SUBCHAPTER 12.08C
INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM**

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Sections:

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MISCELLANEOUS PROVISIONS

12.08C.1300 Severability.

12.08C.1310 Electronic records

* * *

12.08C.1310 Electronic records

The City of Tacoma Industrial Pretreatment Program accepts electronic documents and signatures using a system compliant with 40 CFR Part 3 (Cross-Media Electronic Reporting). Users that are required to send electronic documents and signatures to the City to satisfy the requirements of this Subchapter must submit a signed subscriber agreement to the City for approval, and register online for the reporting service that the City has available. Users will have the opportunity, at the time of signing the subscriber agreement, to review the content or meaning of the subscriber agreement and the provisions of this Subchapter.

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