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May 13, 2024

Attention: Building, Plumbing, Mechanical Contractors and Designers

It has been brought to the City of Fort Smith's Building Safety Inspection staff's attention by the City Utilities Department staff that condensate lines from HVACR Units and water heaters can no longer be piped into the building sewer and service line per the City of Fort Smith Municipal Code Section 25-207 (2) L (see attached copy of the code section and regulation).

Proper locations for the disposal are:

- 1- Condensate for air conditioning would be grassy areas, flower beds, etc. or French drain.
- 2- Condensate for a condensing furnace or condensing water heater would be an approved French drain underground to prevent freezing. Piping must be protected from freezing.

Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance.

The start date on enforcement will be on all Building, plumbing and mechanical permits issued on or after June 1, 2024. The Building Safety Plumbing and Mechanical Inspectors are available to help you on information and situations that may arise.

If you have any questions on this matter, you may contact the City Utility Staff or our City Plumbing Inspectors at 784-2215 or 784-2475 or Mechanical Inspectors at 784-2238 or 784-2249.

Sincerely;

A handwritten signature in black ink that reads "Jimmie Deer".

Jimmie Deer,
Director of Building Services

Sec. 25-207. - General sewer use requirements.

(a) *Prohibited discharge standards.*

- (1) *General prohibitions.* No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- (2) *Specific prohibitions.* No user shall introduce or cause to be introduced, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW, or will have an adverse effect on the receiving stream, or will violate any of the provisions of this article. These general provisions apply to all users of the city's POTWs whether or not the user is subject to national categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - a. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in 40 CFR 261.21;
 - b. Wastewater having a pH less than 6.0 or more than 11.0, or otherwise causing corrosive structural damage to the POTW or equipment;
 - c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one-half inch in any dimension;
 - d. Pollutants, including chlorine and oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - e. Wastewater having a temperature greater than 150 degrees Fahrenheit (65 degrees Celsius), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius);
 - f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
 - g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - h. Trucked or hauled pollutants, except at discharge points designated by the control authority in accordance with section 25-208(d);

- i. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- j. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the city's NPDES permit;
- k. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- l. Stormwater, surface water, groundwater, roof runoff, subsurface drainage, noncontact cooling water, swimming pool filter backwash, swimming pool water, condensate, deionized water, or unpolluted industrial process waters into any sanitary sewer but such waters shall be discharged into such sewers as are specifically designated as storm sewer or into a natural outlet. The discharge into any storm sewer or into natural outlet of any waters, which may have a deleterious effect upon the receiving stream, is prohibited;
- m. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- n. Medical wastes or pharmaceutical drugs (also referred to as medicine or medication), except as specifically authorized by control authority in an individual wastewater discharge permit;
- o. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
- p. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
- q. Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l;
- r. Any substance that may cause the POTW's effluent, or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under section 405 of the Act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used;
- s. In no case shall a slug load have a flow rate or concentration or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24-hour concentration, quantities, or flow during normal operation;
- t.

Nonflushable wipes, nondispersible wipes, and nonbiodegradable wipes including, but not limited to, baby wipes, paper towels, dusting wipes, cleaning wipes, and disposable mop heads.

- (3) *Rejection or control of waste discharge.* If any waters or wastes are discharged or are proposed to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumerated in the preceding subsections and which, in the judgment of the control authority may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the control authority may reject the wastes, require pretreatment to an acceptable condition for discharge in the public sewers, and/or require control over the quantities and rates of discharge.
 - (4) *Storage.* Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.
- (b) *National categorical pretreatment standards.* The federal categorical pretreatment standards set forth in 40 CFR 405 through 471 are hereby incorporated. In cases where this division imposes more stringent requirements, or where no EPA guidelines exist, the provisions of this section shall apply. Upon promulgation of the federal categorical pretreatment standards for a particular subcategory of user, the federal standard, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the specific limitations imposed under this division.
- (1) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the control authority may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
 - (2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the control authority shall impose an alternate limit using the combined wastestream formula in accordance with 40 CFR 403.6(e).
- (c) *Local limits.* To protect against pass through and interference, no industrial user may discharge or cause to be discharged into the POTW any wastewater pollutant concentration exceeding the technically based local limits (TBLLs) developed from time to time by the city as required by the city's tracking NPDES permit No. AR0021750, 40 CFR 403.5(c) and approved by the approval authority. TBLLs based on calculated maximum allowable industrial loadings are located in the city's pretreatment program, [section 4](#). At the discretion of the control authority, TBLLs may be imposed and shall apply at the monitoring point described in the individual industrial wastewater discharge permits. All concentration limits for metals shall be in terms of total metals unless otherwise indicated. At the discretion of the control authority, mass limitations may be imposed in addition to or in place of concentration based TBLLs. The control authority may also develop BMPs in individual wastewater discharge permits, to implement specific pollutant limitations.

Such BMPs shall be considered local limits and pretreatment standards. When new local limits are implemented or revised, the control authority will provide individual notice to parties who have requested such notice and an opportunity to respond, as set forth by 40 CFR 403.5 (c)(3).

- (d) *City's right of revision.* The city reserves the right to establish, by ordinance or in individual wastewater discharge permits or in general permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this division.
- (e) *Dilution.* No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the city or state. The control authority may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

(Code 1992, § 25-207; Ord. No. 27-16, § 1(att.), 4-19-2016)