



GLEN I. TAKAHASHI  
CITY CLERK

## OFFICE OF THE CITY CLERK

*Ke Ke'ena o ke Kākau 'Ōlelo o ke Kūlanakauhale*

CITY AND COUNTY OF HONOLULU  
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November 13, 2024

Mr. Roger Babcock, Jr., Ph.D., P.E, Director  
Department of Environmental Services  
City and County of Honolulu  
Kapolei, HI 96707

Dear Mr. Babcock:

I am transmitting the original administrative rules relating to Chapter 13-3, Industrial Wastewater Discharge Local Limits, filed by your office on November 13, 2024 and to take effect on November 23, 2024.

Sincerely,

A handwritten signature in black ink, appearing to be "Glen I. Takahashi", written over a horizontal line.

F- GLEN I. TAKAHASHI  
City Clerk

GT/jes

Attachment

DEPARTMENT OF ENVIRONMENTAL SERVICES  
CITY AND COUNTY OF HONOLULU

Adoption of Chapter 13-3  
City and County of Honolulu Administrative Rules

November 12, 2024

SUMMARY

Chapter 13-3, City and County of Honolulu  
Administrative Rules, entitled "Industrial  
Wastewater Discharge Local Limits", is adopted.

CITY AND COUNTY OF HONOLULU  
ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF ENVIRONMENTAL SERVICES

CHAPTER 13-3

INDUSTRIAL WASTERWATER DISCHARGE LOCAL LIMITS

Subchapter 1      General Provisions

- §13-3-1            Purpose
- §13-3-2            Definitions
- §13-3-3            Authority
- §13-3-4            Applicability
- §13-3-5            Enforcement
- §13-3-6            Effective date

Subchapter 2      Local Limits

- §13-3-7            Local limits for discharges to the  
Sand Island Wastewater Treatment  
Plant
- §13-3-8            Local limits for discharges to the  
Honouliuli Wastewater Treatment Plant

SUBCHAPTER 1  
GENERAL PROVISIONS

§13-3-1 Purpose  
§13-3-2 Definitions  
§13-3-3 Authority  
§13-3-4 Applicability  
§13-3-5 Enforcement  
§13-3-6 Effective Date

§13-3-1 Purpose. (a) Pursuant to Part 403 of Title 40 of the Code of Federal Regulations (40 CFR Part 403), the City and County of Honolulu (CCH) Department of Environmental Services (ENV), as the Control Authority, is required to develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). Pursuant to 40 CFR 403.5(c)(1), CCH is further required to continue to develop these limits as necessary and effectively enforce such limits.

(b) The purpose of this Rule is to implement specific Local Limits to control pollutants from Significant Industrial Users (SIUs) which may cause Pass Through or Interference at the publicly owned treatment works (POTW), as defined by 40 CFR 403.3; or which may violate the specific prohibitions under 40 CFR 403.5(b). CCH has an Approved Pretreatment Program and is required to develop site-specific local limits as required by 40 CFR Part 403 and as directed by the State of Hawai'i, Department of Health (DOH). As directed by DOH, the local limits set forth by this Rule adhere to the U.S. Environmental Protection Agency's (EPA) Introduction to the National Pretreatment Program (EPA-833-B-11-001, June 2011), and the EPA's Local Limits Development Guidance (EPA 833-R-04-002A, June 2004).

(c) Ordinance 21-28 - this Rule replaces the local limits previously set forth in Section 14-1.9(g)(14) of the Revised Ordinances of Honolulu, 1990, as amended. [Eff **NOV 23 2024** ] (Auth: ROH §§43-1.1, 43-1.3) (Imp: ROH §§43-1.1, 43-1.3)

§13-3-2 Definitions. This Rule incorporates the definitions set forth in Section 43-1.2 of the ROH. In addition, this Rule utilizes the following definitions.

"Allowable Headworks Loading (AHL)" means the estimated maximum loading of a pollutant that can be received at a POTW's headworks that should not cause a POTW to violate a particular treatment plant or environmental criterion. AHLs are developed to prevent interference or pass through.

"Best Management Practices (BMPs)" are defined in the NPDES regulations (40 CFR 122.2) as schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce pollution.

"Daily Discharge" means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measure, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Daily Maximum or Maximum Daily Discharge Limitation" means the highest allowable "daily discharge."

"Domestic Background" means the wastewater sourced from non-controllable, non-industrial sources including residential, light commercial, and domestic hauled waste sources. "Industrial User (IU)" means any person, firm, corporation or other entity that is a source of non-domestic discharge to the POTW.

"Maximum Allowable Headworks Loading (MAHL)" means the estimated maximum loading of a pollutant that can be received at a POTW's headworks without causing pass through or interference. The most protective (lowest) of the AHLs estimated for a pollutant.

"Maximum Allowable Industrial Loading (MAIL)" means the estimated maximum loading of a pollutant that can be received at a POTW's headworks from all permitted industrial users and other controlled sources without causing pass through or interference. The MAIL is usually calculated by applying a safety factor to the MAHL and discounting for uncontrolled sources, hauled waste, and growth allowance.

"Mass Emission Rate" or "Mass Emission Limit" means the amount of pollutant discharged to the sanitary sewer as measured in mass per time, usually expressed as pounds per day.

"Method Detection Limit (MDL)" means the minimum concentration of an analyte that can be measured and reported with 99% confidence that the analyte concentration is present as determined by a specific laboratory method in 40 CFR Part 136, Appendix B.

"Pollutant of Concern (POC)" means any pollutant that might reasonably be expected to be discharged to the POTW in sufficient amounts to pass through or interfere with the treatment works, contaminate its sludge, cause problems in its collection system, or jeopardize its workers.

"Total Suspended Solids (TSS)" means a measure of the suspended solids in wastewater, effluent, or water bodies, determined by tests for "total suspended non-filterable solids" (Standard Method 2540D).

[Eff NOV 23 2024 ] (Auth: ROH §§43-1.3) (Imp: ROH 43-1.3)

§13-3-3 Authority. Chapter 43, Article 1 of the Revised Ordinances of Honolulu 2021, as amended (ROH), gives the Director the authority to, among other items, conduct an industrial waste pretreatment

program; to issue permits containing discharge requirements; to promulgate local limitations imposing specific discharge requirements; and to promulgate such rules and regulations necessary to accomplish the purposes of ROH Chapter 43 in accordance with the requirements that have been or may be promulgated by the EPA. [Eff **NOV 23 2024** ] (Auth: ROH §§1-9.1, 9-2.8, 43-1.3) (Imp: ROH §§1-9.1, 9-2.8, 43-1.3)

§13-3-4 Applicability. This Rule and its amendments shall be applicable to any SIU that discharges wastewater directly or indirectly or has the potential to discharge industrial process wastewater to the sanitary sewer of CCH. [Eff **NOV 23 2024** ] (Auth: ROH §§43-1.3, 43-1.8, 43-5.7) (Imp: HRS §§43-1.3, 43-1.8, 43-5.7)

§13-3-5 Enforcement. Any SIU that violates any provision of this Rule shall be enforced upon in accordance with the legal authority provided by the ROH and the procedures set forth in Title 13, Chapter 1 of the City and County of Honolulu Administrative Rules (Rules of Practice and Procedure). [Eff **NOV 23 2024** ] (Auth: ROH §§43-1.3, 43-5.7, 43-5.9, 43-5.15, 43-5.18) (Imp: ROH §§43-1.3, 43-5.7, 43-5.9, 43-5.15, 43-5.18)

§13-3-6 Effective date. This Rule takes effect ten days after filing of a certified copy of this Rule with the City Clerk of CCH. [Eff **NOV 23 2024** ] (Auth: HRS §91-4; ROH §§43-1.3, 43-1.8) (Imp: HRS §91-4; ROH §§43-1.3, 43-1.8)

SUBCHAPTER 2  
LOCAL LIMITS

- §13-3-7 Local Limits for discharges to the Sand  
Island Wastewater Treatment Plant
- §13-3-8 Local Limits for discharges to the  
Honouliuli Wastewater Treatment Plant

§13-3-7 Local Limits for discharges to the Sand  
Island Wastewater Treatment Plant. (a) The Local  
Limits under this section are based on the "Technical  
Evaluation of Local Limits for Sand Island Wastewater  
Treatment Plant", dated May 22, 2022.

(b) The Local Limits requirements shall be in  
addition to the prohibitions set forth in Section 43-  
1.8 of the ROH, including the national categorical  
pretreatment standards. SIUs shall adhere to the most  
stringent standard as applicable.

(c) No SIU shall discharge or cause to be  
discharged wastewater in excess of the following Local  
Limits into any public sewer or any private sewer that  
is connected to the public sewer in the Sand Island  
Wastewater Treatment Plant service area:

- (1) Biochemical Oxygen Demand (BOD5): The  
daily maximum concentration limit is  
5,696 mg/L. The MAIL-based limit is  
29,566 lbs/day.
- (2) Total Petroleum Hydrocarbons (TPH): The  
daily maximum concentration limit is  
100 mg/L. The MAIL-based limit is  
29,950 lbs/day.
- (3) Zinc: The MAIL-based limit is set at  
12.73 lbs/day.

(d) The above Local Limits are based on a  
calculated MAIL for each tributary area, and CCH will  
further designate individual local limits in each  
SIU's individual permit based on each SIU's  
concentration and flow data.

(e) Existing SIUs with a minimum of one year's  
worth of concentration and flow data will have permits



reissued with local limit allocations as determined by CCH based on their concentration and flow data. If concentration and flow data is unavailable for an SIU, that SIU shall obtain a minimum of one year of concentration and flow data, which shall be submitted to CCH for determination of local limit allocations for that SIU. Until permit reissuance following CCH's determination, that SIU shall meet the above daily maximum concentration local limits or the interim local limit allocations designated by CCH based on the SIU's estimated flow rate as documented on their industrial wastewater discharge permit application submission. Permits will be reissued to existing SIUs to reflect any changes in their local limits.

(f) New SIUs shall obtain a minimum of one year of concentration and flow data which shall be submitted to CCH for determination of local limit allocations in the SIU's permit. Until permit reissuance following CCH's determination, a new SIU shall meet the above daily maximum concentration local limits or the interim local limit allocations designated by CCH based on the SIU's estimated flow rate as documented on their industrial wastewater discharge permit application submission.

[Eff **NOV 23 2024** ] (Auth: HRS §91-4; ROH §§43-1.3, 43-1.8, 43-5.7) (Imp: HRS §91-4; ROH §§43-1.3, 43-1.8)

§13-3-8 Local Limits for discharges to the Honouliuli Wastewater Treatment Plant. (a) The Local Limits under this section are based on the "Technical Evaluation of Local Limits for Honouliuli Wastewater Treatment Plant", dated September 30, 2021.

(b) The Local Limits requirements shall be in addition to the prohibitions set forth in Section 43-1.8 of the ROH, including the national categorical pretreatment standards. SIUs shall adhere to the most stringent standard as applicable.

(c) No SIU shall discharge or cause to be discharged wastewater in excess of the following Local Limits into any public sewer or any private sewer that

is connected to the public sewer in the Honouliuli Wastewater Treatment Plant service area:

- (1) Total Petroleum Hydrocarbons (TPH): The daily maximum concentration limit is 100 mg/L. The MAIL-based limit is 13,160 lbs/day.

(d) The above Local Limits are based on a calculated MAIL for each tributary area, and CCH will further designate individual local limits in each SIU's individual permit based on each SIU's concentration and flow data.

(e) Existing SIUs with a minimum of one year's worth of concentration and flow data will have permits reissued with local limit allocations as determined by CCH based on their concentration and flow data. If concentration and flow data is unavailable for an SIU, that SIU shall obtain a minimum of one year of concentration and flow data, which shall be submitted to CCH for determination of local limit allocations for that SIU. Until permit reissuance following CCH's determination, that SIU shall meet the above daily maximum concentration local limits or the interim local limit allocations designated by CCH based on the SIU's estimated flow rate as documented on their industrial wastewater discharge permit application submission. Permits will be reissued to existing SIUs to reflect any changes in their local limits.

(f) New SIUs shall obtain a minimum of one year of concentration and flow data which shall be submitted to CCH for determination of local limit allocations in the SIU's permit. Until permit reissuance following CCH's determination, a new SIU shall meet the above daily maximum concentration local limits or the interim local limit allocations designated by CCH based on the SIU's estimated flow rate as documented on their industrial wastewater discharge permit application submission.

[Eff **NOV 23 2024** ] (Auth: HRS §91-4; ROH §§43-1.3, 43-1.8, 43-5.7) (Imp: HRS §91-4; ROH §§43-1.3, 43-1.8)

DEPARTMENT OF ENVIRONMENTAL SERVICES

Chapter 13-3, City and County of Honolulu Administrative Rules, on the Summary Page dated November 12, 2024, was adopted on November 12, 2024, following a public hearing held on August 9, 2024, after public notice was given in the Honolulu Star-Advertiser on July 7, 2024.

The adoption of chapter 13-3 shall take effect ten (10) days after filing with the Office of the City Clerk.



Roger Babcock, Jr., Director  
Department of Environmental  
Services

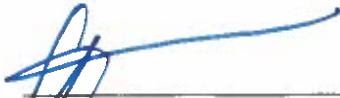
APPROVED:



Rick Blangiardi  
Mayor  
City and County of Honolulu

Dated: 11-12-2024

APPROVED AS TO FORM:



Corporation Counsel  
*Deputy Corporation Counsel*  
COURTNEY K. SUE AKO

NOV 13 2024  
Filed

Received this 13th day  
of November, 2024.



City Clerk  
GLEN I. TAKAHASHI