



City Council Report

Date: August 18, 2025
To: City Council
Through: Marc Heirshberg, Assistant City Manager
From: Christopher Hassert, Water Resources Director
Jennifer Calles, Regulatory Compliance Manager
Subject: Sanitary Sewer Regulations
Citywide

Purpose and Recommendation

The purpose of this report is to recommend the City Council approve repealing and replacing Mesa City Code Title 8, Chapter 4 entitled “Sanitary Sewer Regulations.”

Background and Discussion

The City of Mesa maintains a state-approved Pretreatment Program to perform permitting, administrative, and enforcement tasks for discharges into the Mesa publicly owned treatment works. The purpose of the Pretreatment Program is to protect publicly owned treatment works and the environment from harmful industrial wastewater discharges. The Pretreatment Program requires industrial and commercial users to pretreat, reduce, or eliminate pollutants to prevent interference with publicly owned treatment works operations and prevent pass-through of pollutants into the environment.

In 2005, the Environmental Protection Agency (EPA) enacted the Streamlining Rule to revise several provisions of the General Pretreatment Regulations in the Code of Federal Regulations, Title 40, Part 403. The purpose of the Streamlining Rule was to provide Control Authorities (states and publicly owned treatment works) with the flexibility of reducing the burden of technical and administrative requirements without undermining the environmental objectives of the Pretreatment Program. In 2024, the State of Arizona adopted the mandatory National Pretreatment Program Streamlining Rule provisions via amendments to the Arizona Department of Environmental Quality administrative rules in the Arizona Administrative Code, Title 18, Chapter 9, Article 9.

With the State of Arizona Pretreatment Program now updated with the EPA Streamlining Rules, the City of Mesa is required to update its Pretreatment Program to continue its program’s state approval. This includes updating both the Water Resources Department Enforcement Response Plan and the Mesa City Code Title 8, Chapter 4. The Water Resources Department updated its Plan in May 2024 and is now updating the City Code with this requested repeal and replace of Title 8, Chapter 4 – Sanitary Sewer Regulations.

The Water Resources Department and the City Attorney's office have done extensive work to update the City Code with these revisions, as required by current federal and state requirements and to provide transparency in the determination of compliance. In addition, these proposed City Code changes clearly outline expectations for meeting compliance dates for industrial users. The proposed changes to Mesa City Code Title 8, Chapter 4 – Sanitary Sewer Regulations include:

- Incorporating the required regulatory changes, such as updating Section 8-4-27(M) to detail the notification requirements for a slug discharge (discharges at a flow rate or concentration that could result in a violation of discharge standards).
- Updating the Definitions Section 8-4-1 to ensure consistency with the EPA Streamlining Rule, National Pretreatment Standards, and Mesa's Industrial Pretreatment Program.
- Expanding Section 8-4-22 entitled "Interceptors" to identify the method for determining the size of traps and interceptors e.g. grease, oil, sand.
- Updating the Chapter to be more consistent with other municipal City Codes' pretreatment sections.
- Updating the previous position of "Utilities Manager" to "City Manager or Water Resources Director" throughout the Chapter.

Alternatives

Status quo; no change. This is not recommended due to federal and state requirements of incorporating National Pretreatment Streamlining Rule to maintain the City's approved Pretreatment Program and the potential harm to the City's publicly owned treatment works.

Fiscal Impact

The Water Resources Department does not anticipate the City will incur additional fiscal impacts from the proposed City Code revisions.

Coordinated With

The development of the City Code revisions was coordinated with the City Attorney's Office.