

LEGAL NOTICE
REPEAL AND REPLACE HMC 14.09

NOTICE BY THE CITY OF HENDERSON, NEVADA ("CITY") IN ACCORDANCE WITH 40 CFR PART 403 OF REQUEST TO UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO APPROVE MODIFICATION OF CITY'S PRETREATMENT PROGRAM THROUGH A PROPOSED ORDINANCE TO REPEAL AND REPLACE HENDERSON MUNICIPAL CODE CHAPTER 14.09 - PRETREATMENT REGULATIONS AND UPDATE CITY'S ENFORCEMENT RESPONSE PLAN

The City of Henderson ("City") is requesting that the United States Environmental Protection Agency ("EPA") approve the City's modification of its pretreatment program. In accordance with 40 CFR Part 403 and EPA requirements, the City proposes to modify its program through a proposed ordinance that will repeal and replace Henderson Municipal Code, Title 14, Chapter 14.09 - Pretreatment Regulations ("Ordinance") and through an updated Enforcement Response Plan ("ERP"). The revisions to the Ordinance include re-formatting to consolidate pretreatment program requirements to allow industrial users to find relevant information, updating definitions, updating wastewater discharge prohibitions, updating enforcement response measures, and incorporating requirements from 40 CFR Part 403. The revisions to the ERP include guidance on enforcement mechanisms available to the City in respond to instances of non-compliance by an industrial user. The City submitted to EPA for an informal review the draft Ordinance, draft ERP, and a local limits submittal package and thereafter incorporated any required and recommended changes.

Interested and potentially interested persons may provide written comments to the City regarding the Ordinance and ERP. The deadline for the City to receive written comments regarding this Notice is 5:00 pm Pacific time on Monday, November 13, 2017. City staff will provide all written comments submitted during this comment period to EPA in accordance 40 CFR 403.11(b). The Ordinance and ERP are available during this comment period at www.cityofhenderson.com/utility-services/notice-of-proposed-changes/Pretreatment. The Ordinance and ERP are also available for review and copying at the Office of the City Clerk, City Hall, 240 Water Street, Henderson, Nevada 89015.

Written comments must be submitted to the City of Henderson, Department of Utility Services, using one of the contact methods below, and must arrive and be received by the City no later than 5:00 pm Pacific time on Monday, November 13, 2017. After written comments are considered, the Ordinance and/or ERP may be approved without changes or revised. The City's request to EPA to approve modification of the City's pretreatment program will be approved if no comments are received by November 13, 2017, no substantive comments are received, and the City's request is approved without change. See 40 CFR 403.18(c)(3).

A public hearing can be requested per 40 CFR 403.11 but must be filed during the comment period which will end on November 13, 2017. A request for such a public hearing must be submitted to the City using one of the three contact methods identified below.

Written comments via City of Henderson website:
www.cityofhenderson.com/utility-services/notice-of-proposed-changes/Pretreatment

Written comments via mail or other delivery service:
City of Henderson
Department of Utility Services
240 Water Street
PO Box 95050
Henderson, Nevada 89009-5050
ATTN: Matt Thomas, Pretreatment Supervisor MSC #814

Written comments via email: Matt.Thomas@cityofhenderson.com.

DATED October 10, 2017 and published October 13, 2017, in the Las Vegas Review Journal.


Sabrina Mercadante, MMC, City Clerk