

Sec. 34-702. - Prohibited discharges into the MS4.

- (a) It shall be a violation of this division for any person to deposit, throw, drain, discharge, cause or allow to be deposited, thrown, drained or discharged, or otherwise cause to be injected into the MS4, or any storm sewer manhole, catch basin, private drain, ditch, street, gutter, creek, stream, tributary, or any other drainage device which connects with or drains into the MS4, any of the following described materials or substances within the corporate limits of the City of San Antonio:
- (1) Any acid waste materials;
 - (2) Any alkaline waste materials;
 - (3) Any water or waste containing free-floating, or insoluble oil;
 - (4) Any gasoline, naphtha, fuel oil, mineral oil or other flammable or explosive liquid, solid or gas;
 - (5) Any noxious, malodorous, poisonous, or reactive substance which, either singularly or by interaction with other substances, or by its accumulation in the MS4 becomes injurious or potentially injurious to human, plant or animal life, or property; or
 - (6) Any domestic wastewater or industrial wastewater as defined in Article V, Division 3 of this chapter.
 - (7) Any soil, soil material, sediment, rock, gravel or other similar materials in such quantities that reduce the capacity or cause an obstruction of the MS4.
 - (8) Any paint, paint rinse water, waste from vacuum and carpet cleaning, Sharps, needles or medical waste, automotive fluids (such as motor oil, antifreeze or gear oil), wastewater from food trucks, greasetraps, waste or grit trap wastes from carwashes.
- (b) It shall be a defense to prosecution under this section that such person was authorized to commit any act under a valid permit from the Texas Commission on Environmental Quality or the United States Environmental Protection Agency, which would otherwise constitute a violation at the time of commission.

Commentary: It is the intent of this division to prohibit indiscriminate discharging to the MS4; such indiscriminate discharging includes dumping or releasing of any accumulations of process materials, washing or cleaning materials or other wastes into the MS4. It is also the intent to eliminate improper storage or handling of dangerous, hazardous, or otherwise harmful materials in such a manner as to cause or allow their discharge into the MS4. However, these regulations are not intended to prohibit discharge of non-contaminated and non-polluting water, such as fire hydrant flushing, runoff from fire fighting, non-chlorinated swimming pool or hot tub drainage, uncontaminated pumped groundwater, discharges from potable water sources, non-contact cooling waters, ventilation and air conditioning condensation water that POTWs require to be discharged to separate storm sewers rather than to sanitary sewers, etc.

(Ord. No. 80574, § 16, 8-4-94)