

1 **City of Nampa Wastewater Industrial Incentives Policy**

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Section 1: Policy Purpose and the Relationship of Wastewater Capacity Reservation and Economic Development Policy.

There is a direct relationship between infrastructure and economic development. Municipalities that properly construct, finance, and operate water and wastewater systems, roads, bridges, and other transportation facilities are better able to serve the needs of the community on a sustainable basis. For industrial customers, the predictability of quality, quantity and cost of essential infrastructure services that are directly purchased through user fees is a key business consideration. Infrastructure cost of service, along with community attributes, quality of life, labor force, and other local conditions are factors in corporate decisions to locate or expand operations in a community.

The City of Nampa’s wastewater system provides an indirect discharging benefit to industrial customers that is in most cases more cost advantageous than directly discharging wastewater according to U.S. Clean Water Act requirements¹. The effect of indirect discharging is that the City, rather than an individual industry, obtains a permit to discharge treated wastewater into the waters of the United States. There is an economy of scale that cannot easily be replicated by a single industry. At the same time, the value of the indirect discharge benefit to industry depends upon the effective operation and management, including financial management, of the wastewater system. The City of Nampa’s economic development plan and the implementation of that plan -- to the extent that the City’s

¹ 33 U.S.C. §1251 et seq. (1972)

1 economic development goals include the attraction, retention, and expansion of its industrial base --
2 depends upon a sustainable wastewater treatment system.

3

4 Section 2: Introduction.

5 It is the policy of the City of Nampa that all customers pay their fair share of the cost of using the
6 Nampa Wastewater System. That fair share includes the cost of reserving capacity to discharge
7 wastewater to be treated. Each new customer or existing customer seeking greater discharge capacity
8 is required to pay the proportionate share of the cost of capitalizing the wastewater system as available
9 capacity to discharge is purchased. The unit cost of capacity to discharge is charged to all customers
10 proportionately based on the wastewater discharge equivalent of a residential dwelling unit, commonly
11 known as an equivalent residential unit (ERU). The cost of establishing wastewater discharge capacity is
12 calculated for each customer by converting the volume and strength of wastewater discharge into the
13 number of ERU units that need to be provided to each customer. This ensures that either the
14 wastewater system capacity to serve new customers is available for new customers, or the financial
15 resources needed to capitalize expansion of the system to serve new customers in the future are
16 available.

17 The City Council recognizes that the proportionate purchase price of wastewater discharge
18 capacity may create an actual or perceived cost burden to an industry during the establishment of
19 and/or the expansion of an industry in the City of Nampa. Therefore, it is the policy of the City of
20 Nampa to offer incentives to current and future wastewater dischargers that qualify as industrial
21 customers.

22

23 Section 3: Goals.

24 This incentive policy is based on three guiding principles specifically chosen to balance the value
25 of industrial customer base expansion against the wastewater capacity reservation costs that must be
26 contributed by all wastewater service customers, including industrial customers. For industrial
27 customers the number of Equivalent Residential Units that must be purchased in order to reserve
28 capacity for the discharge volume and/or the strength and variety of additional waste stream
29 constituents can be a significant cost to establishing or expanding in the City of Nampa. Therefore, the
30 benefit of incentive policies is to mitigate the perception or actual financial burden that capacity
31 reservation fees, while equitable, create a barrier to expansion of Nampa's industrial base compared to
32 other communities.

- 1 These guiding principles for incentive policies are:
- 2 1. The incentive policies should be complementary with Nampa’s economic development
- 3 strategy.
- 4 2. The incentive policies should provide real value for industrial development and existing
- 5 industry expansion.
- 6 3. The financial impact of the implementation of the incentive policies must balance costs and
- 7 benefits to prevent the degradation of the financial integrity of the Wastewater Enterprise
- 8 Fund.
- 9

10 Section 4: Definitions. (Reserved)

- 11 A. Equivalent Residential Unit (ERU). (Reserved)
- 12 B. Fair Market Value. Fair Market Value is defined as the Equivalent Residential Unit Connection Fee as
- 13 determined by the cost-of-service analysis as adopted at the time of the submission of the
- 14 Incentives Petition.
- 15 C. Net Capacity. Net capacity is the difference between the amount of wastewater treatment capacity
- 16 used by the existing customers and eighty-five percent (85%) of the total available wastewater
- 17 treatment capacity.
- 18 D. Wastewater System Capacity Right. (Reserved)
- 19

20 Section 5: Discharge and Pretreatment Requirements.

21 This policy does not and is not intended to supersede existing Nampa City Code and regulations

22 regarding wastewater discharge and pretreatment requirements. Industrial customers seeking

23 incentives under this policy must still comply with all Nampa City Code and regulations governing

24 wastewater discharge permits and wastewater pretreatment.² If any portion of this incentives policy or

25 an agreement under this policy is found to be in conflict with discharge permit and pretreatment

26 requirements, the discharge and pretreatment requirements shall govern. Application for a discharge

27 permit should be done prior to or in conjunction with any incentives application so discharge and

28 pretreatment requirements are clarified before entering into an incentives agreement.

29

30

² Title 8, Chapters 2 and 9 of Nampa City Code. Associated discharge permit regulations, forms, and applications are available from the Wastewater Division of the Public Works Department.

1 Section 6: Incentives.

2 The City Council authorizes the Public Works Director and the Economic Development Director
3 to use any combination of the following incentive mechanisms to assist a current industrial class
4 customer, or a prospective industrial class customer in acquiring wastewater discharge capacity. Any
5 incentive(s) proposed to be provided as authorized by this section is subject to final approval of the City
6 Council, which may accept, reject, or amend any proposed agreement, contract or other documentation
7 that specifically implements such incentives. Discussions, verbal or written requests, or petitions
8 relative to incentive mechanisms will not constitute or imply any right to wastewater discharge capacity
9 prior to final approval of the City Council.

10 A. Loan of Wastewater System Capacity.

11 An industrial customer seeking to borrow wastewater treatment capacity shall submit a completed
12 Wastewater Treatment Capacity Reservation Loan Petition to the City of Nampa Public Works
13 Department.

- 14 i. A loan of wastewater treatment capacity may be provided for a period of up to two (2)
15 years.
- 16 ii. Within an estimated ten (10) business days of receipt of the completed Loan Petition, the
17 Engineering Division of the Public Works Department shall determine if the wastewater
18 treatment system has the capacity and technical capability to serve the treatment needs of
19 the industrial customer. The Engineering Division will accept, reject, or return the petition
20 to the petitioner for additional or revised information, based on that capacity determination
21 and technical evaluation.
 - 22 a. If additional or revised information is requested, the Engineering Division shall
23 provide an explanation for the need for additional or revised information. A
24 petition returned to the petitioner for additional or revised information may be
25 resubmitted at any time and would be subject to the requirements of Section
26 6.A.(ii).
 - 27 b. The Engineering Division shall provide written notification to the petitioner prior
28 to the end of the estimated ten (10) business days deadline for petition
29 determination if additional time is needed for review of the petition.
- 30 iii. Once the completed Loan Petition is received and reviewed, the Engineering Division may
31 recommend that the City provide a portion of or all of the requested capacity of the

- 1 wastewater treatment capacity available at the time of the receipt of the loan petition
2 subject to requisite assessment and measurement.
- 3 iv. Any such recommendation for a Loan of Wastewater System Capacity will be forwarded to
4 the Economic Development Director within an estimated three (3) business days.
- 5 v. The provision of the loan of wastewater treatment capacity is subject to the economic
6 impact requirements for industrial customer incentives specified in Section 8.
- 7 vi. The Economic Development Director will receive and review the recommendation of the
8 Public Works Department and will collect information necessary to determine that the
9 economic impact requirements specified in Section 8 would be met through the provision of
10 the loan of capacity.
- 11 vii. Following the economic impact determination required in subsection 6.A.(vi), the Economic
12 Development Director will transfer the Loan Petition to the Public Works Director with one
13 of the following actions:
- 14 1. Approved by the Economic Development Director and recommended for
15 approval by the City Council;
 - 16 2. Forwarded by the Economic Development Director for consideration of the
17 City Council without recommendation; or,
 - 18 3. Not recommended by the Economic Development Director.
- 19 viii. After receiving a loan petition from the Economic Development Director pursuant to
20 subsection vii (1.) or vii (2.), the Public Works Director will forward the petition to the City
21 Attorney who will prepare a Loan of Wastewater Capacity Agreement for consideration of
22 the City Council.
- 23 a. If a loan petition is not recommended by the Economic Development Director pursuant
24 to subsection vii (3.), the Public Works Director may report this finding to the City
25 Council.
 - 26 b. Further, the Public Works Director will provide written notification to the petitioner that
27 the loan petition failed to meet the economic impact requirements for industrial
28 customer incentives as specified in Section 8.
- 29 ix. The City Council may also further amend the Loan of Wastewater Capacity Agreement as
30 provided in Section 6.H.
- 31 x. The City Council will make the final determination on the Loan of Wastewater Capacity
32 Agreement, estimated to be 35 days after receipt of Petition.

1 xi. Loan of Capacity – Recall Provision. During the two (2) year loan period, and except for the
2 last one-hundred and twenty (120) days of the loan period, a loan of wastewater capacity
3 could be recalled by the City if;

4 a. In the City’s discretion, it wishes to sell or lease the loaned capacity to another
5 qualifying industrial customer, or;

6 b. The City requires the loaned capacity to be returned to the City in order to meet its
7 expansion planning requirements.

8 c. If the City recalls loaned capacity it will provide the borrower a written notice of intent
9 to recall loaned capacity that includes a deadline for recall of one-hundred and twenty
10 (120) calendar days from the date of issuance of the notice. The notice of intent will be
11 provided to the borrower by certified mail.

12 d. The industrial customer that has borrowed wastewater treatment capacity has ninety
13 (90) days from the date of issuance of the written notice of intent to recall loaned
14 capacity to:

15 i. Agree to stop the use of all borrowed wastewater treatment capacity, or;

16 ii. Petition to lease or purchase all or part of the borrowed wastewater treatment
17 capacity according to the requirements of Section 6.B. or Section 6.C.

18 1. Upon written notice of intent to the City to lease all or part of the
19 borrowed wastewater treatment capacity, a signed written agreement
20 between the City and the industrial customer must be completed within
21 an estimated ninety (90) days.

22 2. Upon written notice of intent to the City to purchase all or part of the
23 borrowed wastewater treatment capacity, a signed written agreement
24 between the City and the industrial customer must be completed within
25 an estimated ninety (90) days.

26 B. Lease of Wastewater System Capacity.

27 An industrial customer seeking to lease wastewater treatment capacity shall submit a completed
28 Wastewater Treatment Capacity Reservation Lease Petition to the City of Nampa Public Works
29 Department.

30 i. The agreement to lease capacity shall not exceed five (5) years.

31 ii. Within an estimated ten (10) business days of receipt of the completed Lease Petition, the
32 Engineering Division of the Public Works Department shall determine if the wastewater

1 treatment system has the capacity and technical capability to serve the treatment needs of
2 the industrial customer. The Engineering Division will accept, reject, or return the petition
3 to the petitioner for additional or revised information, based on that capacity determination
4 and technical evaluation.

5 a. If additional or revised information is requested, the Engineering Division shall
6 provide an explanation for the need for additional or revised information. A
7 petition returned to the petitioner for additional or revised information may be
8 resubmitted at any time and would be subject to the requirements of Section
9 6.B.(ii).

10 b. The Engineering Division shall provide written notification to the petitioner prior
11 to the end of the estimated ten (10) business days deadline for petition
12 determination if additional time is needed for review of the petition.

13 iii. Once the completed Lease Petition is received and reviewed, the Engineering Division may
14 recommend that the City provide a portion of or all of the requested capacity of the
15 wastewater treatment capacity available at the time of the receipt of the lease petition
16 subject to requisite assessment and measurement.

17 iv. Any such recommendation for a Lease of Wastewater System Capacity will be forwarded to
18 the Economic Development Director within an estimated three (3) business days.

19 v. If the petitioning industrial customer has not previously satisfied the requirements of
20 Section 8, the provision of the lease incentive of wastewater treatment capacity is subject to
21 the economic impact requirements for industrial customer incentives specified in Section 8.

22 vi. The Economic Development Director will receive and review the recommendation of the
23 Public Works Department and will collect information necessary to determine that the
24 economic impact requirements specified in Section 8 would be met through the provision of
25 the lease of capacity.

26 vii. Following the economic impact determination required in subsection 6.A.(vi), the Economic
27 Development Director will transfer the Lease Petition to the Public Works Director with one
28 of the following actions:

- 29 1. Approved by the Economic Development Director and recommended for
30 approval by the City Council;
- 31 2. Forwarded by the Economic Development Director for consideration of the
32 City Council without recommendation; or,

3. Not recommended by the Economic Development Director.

- viii. After receiving a lease petition from the Economic Development Director pursuant to subsection vii (1.) or vii (2.), the Public Works Director will forward the petition to the City Attorney who will prepare a Lease of Wastewater Capacity Agreement for consideration of the City Council. If a lease petition is not recommended by the Director of the Office of Economic Development pursuant to subsection vii (3.), the Public Works Director may report this finding to the City Council.
 - a. Further, the Public Works Director will provide written notification to the petitioner that the lease petition failed to meet the economic impact requirements for industrial customer incentives as specified in Section 8.
- ix. The City Council may also further amend the Lease of Wastewater Capacity Agreement as provided in Section 6.H.
- x. The City Council will make the final determination on the Lease of Wastewater Capacity Agreement, estimated to be 35 days after receipt of Petition.
- xi. Wastewater treatment capacity that is being used through the lease agreement is subject to recall. During the lease period, and except for the last one-hundred and twenty (120) days of the lease period, a lease of wastewater capacity could be recalled by the City if;
 - a. In the City's discretion, it wishes to sell the leased capacity to another qualifying industrial customer, or;
 - b. The City requires the leased wastewater system capacity to be returned to the City in order to meet its expansion planning requirements.
- xii. If the City recalls leased capacity it must provide the lessee with a written notice of intent to recall leased capacity that includes a deadline for recall of one-hundred and twenty (120) calendar days from the date of issuance of the notice. The notice of intent must be provided to the lessee by certified mail.
- xiii. The industrial customer that has leased wastewater treatment capacity has ninety (90) days from the date of issuance of the written notice of intent to recall leased capacity to:
 - a. Agree to stop the use of all leased wastewater treatment capacity, or;
 - b. Petition to purchase all or part of the leased wastewater treatment capacity according to the requirements of Section 6.C.

1 C. Purchase of Wastewater System Capacity.

2 An industrial customer seeking to purchase wastewater treatment capacity shall submit a
3 completed Wastewater Treatment Capacity Reservation Purchase Petition to the City of Nampa
4 Public Works Department.

5 i. Within an estimated ten (10) business days of receipt of the completed Purchase Petition,
6 the Engineering Division shall determine if the wastewater treatment system has the
7 capacity and technical capability to serve the treatment needs of the industrial customer.
8 The Engineering Division will accept, reject, or return the petition to the petitioner for
9 additional or revised information, based on that capacity determination and technical
10 evaluation.

11 a. If additional or revised information is requested, the Engineering Division shall
12 provide an explanation for the need for additional or revised information. A
13 petition returned to the petitioner for additional or revised information may be
14 resubmitted at any time and would be subject to the requirements of Section
15 6.C.(i).

16 b. The Engineering Division shall provide written notification to the petitioner prior
17 to the end of the estimated ten (10) business days deadline for petition
18 determination if additional time is needed for review of the petition.

19 ii. If the Purchase Petition is accepted, the Engineering Division may recommend that the City
20 provide a portion of or all of the requested capacity of the wastewater treatment capacity
21 available at the time of the receipt of the purchase petition subject to requisite assessment
22 and measurement.

23 iii. If the industrial customer wishes to purchase a reservation of wastewater treatment
24 capacity without an amortization incentive, the industrial customer shall remit, within a
25 reasonable period determined by the Public Works Department, the full payment for the
26 fair market value of the reservation of system capacity.

27 iv. If an industrial customer seeking to purchase a reservation of wastewater treatment
28 capacity has submitted a completed Purchase Petition that includes a request for an
29 amortization incentive, and if the Engineering Division has recommended the purchase
30 petition based on the capacity determination and technical evaluation, then any such
31 recommendation for a purchase of Wastewater System Capacity will be forwarded to the
32 Economic Development Director within an estimated three (3) business days.

- 1 a. The amortization incentive allows the industrial customer to purchase wastewater
2 system capacity by amortizing the purchase over a period of up to ten (10) years.
- 3 v. If the petitioning industrial customer has not previously satisfied the requirements of
4 Section 8, the provision of the purchase incentive of wastewater treatment capacity is
5 subject to the economic impact requirements for industrial customer incentives specified in
6 Section 8.
- 7 vi. The Economic Development Director will receive and review the recommendation of the
8 Public Works Department and will collect information necessary to determine that the
9 economic impact requirements specified in Section 8 would be met through the provision of
10 the purchase of capacity. The Economic Development Director will transfer the Purchase
11 Petition to the Public Works Director with one of the following actions:
- 12 1. Approved by the Economic Development Director and recommended for
13 approval by the City Council;
 - 14 2. Forwarded by the Economic Development Director for consideration of the
15 City Council without recommendation; or,
 - 16 3. Not recommended by the Economic Development Director.
- 17 viii. After receiving a purchase petition from the Economic Development Director pursuant to
18 subsection vii (1.) or vii (2.), the Public Works Director will forward the petition to the City
19 Attorney who will prepare a Purchase of Wastewater Capacity Agreement for consideration
20 of the City Council.
- 21 a. If a purchase petition is not recommended by the Economic Development Director
22 pursuant to subsection vii (3.), the Public Works Director may report this finding to the
23 City Council.
 - 24 b. Further, the Public Works Director will provide written notification to the petitioner that
25 the purchase petition failed to meet the economic impact requirements for industrial
26 customer incentives as specified in Section 8.
- 27 ix. As compensation to the City for the ability to acquire wastewater treatment capacity
28 through an amortization agreement, the industrial customer shall pay, in addition to equal
29 monthly installment payments, an interest charge.
- 30 a. If the amortization period is ten (10) years, then the interest charge shall be equivalent
31 to the Prime Rate as published in the Wall Street Journal on the nearest date to the

1 execution of the amortization agreement, plus one-hundred (100) basis points, on the
2 full cost of the purchased wastewater treatment capacity reservation.

3 b. If the amortization period is up to five (5) years, then the interest charge shall be
4 equivalent to the Prime Rate as published in the Wall Street Journal on the nearest date
5 to the execution of the amortization agreement, plus fifty (50) basis points, on the full
6 cost of the purchased wastewater treatment capacity reservation.

7 x. The City Council may also further amend the original or amended Purchase Petition as
8 provided in Section 6.H.

9 xi. The City Council will make the final determination on the Purchase Petition, estimated to be
10 35 days after receipt of Petition.

11 xii. A duly executed amortization agreement provides the industrial customer with certain
12 wastewater capacity rights. However, failure to complete the terms of the amortization
13 agreement relinquishes any rights for the unpaid portion of wastewater treatment capacity
14 to the City.

15 D. Short-Term Loan of Wastewater System Capacity

16 An industrial user holding a current Industrial Discharge Permit (“Customer”) seeking to borrow
17 wastewater treatment capacity for no more than thirty (30) days shall submit a completed
18 Wastewater Treatment Capacity Reservation Short-Term Loan Petition (“Short-Term Loan Petition”)
19 to the City of Nampa Public Works Department (“Department”).

20 i. Within an estimated two (2) business days of receipt of the completed Short-Term Loan
21 Petition, the Department shall determine if the wastewater treatment system has the
22 capacity and technical capability to safely and adequately provide the requested treatment
23 needs of the Customer. The Department will accept, reject, or return the Short-Term Loan
24 Petition to the Customer for additional or revised information.

25 ii. If additional or revised information is requested, the Department shall provide an
26 explanation of the need for the additional or revised information. A Short-Term Loan
27 Petition returned to the Customer for additional or revised information may be resubmitted
28 at any time and would be subject to the review required by Section 6.D.(i).

29 iii. The Department shall provide written notification to the Customer prior to the end of the
30 estimated two (2) business day deadline for determination if additional time is needed for
31 review.

- 1 iv. If the Short-Term Loan Petition is accepted, the Department will provide all or a portion of
- 2 the requested treatment capacity subject to requisite assessment and measurement.
- 3 v. The Department will present the results of the Short-Term Loan Petition to the City Council
- 4 at the next regularly scheduled City Council meeting as an information item. The City Council
- 5 may further amend the Department’s decision as provided in Section 6.H.
- 6 vi. Short-term loans of wastewater treatment capacity are subject to the following:
- 7 a. Short-term loans may only be granted if the Customer is in compliance with the
- 8 current Industrial Discharge Permit.
- 9 b. The maximum duration of a short-term loan of wastewater treatment capacity is
- 10 thirty (30) days and any short-term loan approval shall specify its applicable
- 11 dates.
- 12 c. Short-term loans of wastewater treatment capacity can only be requested once
- 13 every calendar year.
- 14 d. The cost for short-term loans of wastewater treatment capacity shall be the
- 15 current constituent rate plus fifteen (15) percent. This rate will only apply to the
- 16 amount of wastewater treatment capacity approved by the City Council for the
- 17 short-term loan.

18 E. Transferability of Purchased Wastewater Treatment Capacity Reservations.

19 Industrial customers that have purchased wastewater treatment capacity rights may, subject to the
20 approval of the Engineering Division of the Public Works Department, transfer all or some portion of
21 their capacity rights to another industrial facility owned by the same corporation. Such capacity
22 reservation right transfers would be subject to the following:

- 23 1. The industry would be required to submit a completed Wastewater Capacity Reservation
- 24 Transfer Request Form for consideration by the Engineering Division.
- 25 2. The transfer would be dependent on the capabilities of the City’s collection system to
- 26 handle the wastewater at the alternate location. Within an estimated thirty (30) days of
- 27 receiving the Wastewater Capacity Reservation Transfer Request, the Engineering Division
- 28 will provide a written response to the industry that determines whether or not the transfer
- 29 is technically feasible, and whether the Transfer Request is accepted or rejected.
- 30 a. The assessment of technical feasibility shall include comparable analysis of the
- 31 physical facilities at both the donor and recipient sites (i.e. pump stations, pipelines,

1 and other physical facilities), and the comparable analysis of wastewater
2 constituents discharged at both sites.

- 3 3. If the transfer request is technically feasible, and the Transfer Request is accepted by the
4 Engineering Division, all costs related to the modification of the physical structures for the
5 collection of wastewater at the proposed site will be the responsibility of the petitioning
6 industrial customer.

7 F. Industrial Customer Capacity Exchange.

8 Industrial customers that have acquired wastewater capacity rights may make part or all of such
9 capacity available for purchase by existing industrial customers, prospective industrial customers, or
10 the City of Nampa. The exchange of capacity reservations between qualified industrial customers is
11 subject to the following:

- 12 1. Parties to the Exchange of Capacity Reservations. The exchange of acquired wastewater
13 capacity rights may occur between existing industrial customers, prospective industrial
14 customers, and the City of Nampa. An existing industrial customer offering wastewater
15 capacity rights for sale is required at the time of such offering to be in compliance with
16 discharge permit requirements and to have been in compliance with discharge permit
17 requirements for a period of six (6) months prior to the time of such offering.

- 18 a. The permit compliance requirement may be waived by the City if it is determined
19 that the exchange of capacity rights will not create an adverse permit condition by
20 either party to the exchange.

- 21 2. Wastewater Capacity Rights Exchange Petition. The parties to any exchange of capacity
22 reservations shall submit a completed Wastewater Capacity Rights Exchange Petition for
23 consideration by the Engineering Division of the Public Works Department.

- 24 3. Technical Review of Proposed Capacity Exchanges. The Engineering Division will evaluate
25 any proposed capacity rights exchange submitted in accordance with Section 6.F.(2.) based
26 on the technical requirements of the parties and the capacity of the wastewater system to
27 accommodate the proposed exchange. The Engineering Division will prepare an evaluation
28 report of the Capacity Rights Exchange Petition.

- 29 a. Technical Review Administrative Cost Fee. The Public Works Department shall
30 assess a fee to recover the technical review and administrative costs of evaluating
31 the proposed wastewater capacity rights exchange petition. Such fee shall be paid
32 by the primary party bringing the petition for review.

1 4. Approval or Rejection of Capacity Exchanges. The Engineering Division will provide written
2 response to the parties of the proposed wastewater capacity rights exchange within an
3 estimated ten (10) business days. The Engineering Division may approve or reject the
4 Wastewater Capacity Reservation Rights Petition.

5 G. Pretreatment and Voluntary Environmental Improvement Financing. (Reserved)

6 H. City Council Enhancements to Industrial Incentive Policy Wastewater Capacity Loan, Lease, and
7 Purchase Agreements.

8 Notwithstanding the provisions of this Industrial Incentives Policy, the Nampa City Council may
9 further incentivize the expansion of the industrial customer base by establishing contractual
10 agreements with potential and existing industrial customers for wastewater treatment capacity
11 rights.

12 I. Effective Date, Sunset, and Evaluation Requirement of Incentive Policies.

13 All sections of the Nampa Wastewater Fund Industrial Incentive Policies shall expire five (5) years
14 after the date of enactment unless extended by a majority vote of the City Council.

15 1. One (1) year prior to the expiration of the Nampa wastewater Fund Industrial Incentive
16 Policies, the Office of the Mayor will conduct a cost benefit analysis of the effectiveness of
17 the policies and deliver said report to the City Council.

18 2. Notwithstanding Section I.(1.), any agreements implemented through this policy shall
19 remain in force according to the specific terms contained in such agreements.

20

21 Section 7: Capacity Optimization Fee.

22 The Capacity Optimization Fee (COFee) is established for the purpose of incentivizing the most
23 efficient use of wastewater system capacity rights. Providing treatment capacity that is reserved and
24 not utilized presents true costs to the community. The COFee compensates for those costs while
25 incentivizing the exchange of unused capacity to other existing or new industrial customers.

26 A. The COFee will be assessed according to the following:

27 1. For the purposes of this section, full utilization of wastewater system capacity rights occurs
28 when actual discharge is equal to the permit limits.

29 2. Full utilization of wastewater system capacity as permitted consists of maximum monthly
30 discharge levels as indicated in each specific industrial discharge permit.

31 3. Such permitted discharge constituents include;

32 i. Flow

- 1 ii. Biological Oxygen Demand
- 2 iii. Total Suspended Solids
- 3 iv. Total Kjeldahl Nitrogen
- 4 v. Total Phosphorus

5 4. The Capacity Optimization Fee (COFee) will be assessed on the difference between the
6 permitted capacity, as described in subsection 7.A.(1.), and one hundred and fifteen percent
7 (115%) of the maximum monthly discharge level ~~on~~ for the previous twelve (12) months for
8 each of the constituents in the industrial discharge permits. The calculation of the COFee
9 assessment will be established through the rate policy. The COFee will be billed on an
10 annual basis by fiscal year with the option for monthly payments.

11 5. At the discretion of the industrial customer, the COFee calculation for Biological Oxygen
12 Demand (BOD) may be measured as Chemical Oxygen Demand (COD). If this option is
13 exercised, the following shall apply;

- 14 i. The City shall at its sole discretion determine the appropriate conversion
15 factor between BOD and COD based on historical industrial discharge data
16 and the need to protect the City from permit violations.
- 17 ii. The use of COD as a surrogate for BOD for the COFee calculation shall not
18 modify the limits of the Industrial Discharge Permit in any manner.

19
20 Section 8: Economic Impact Benefit Requirements for Industrial Customer Incentives. (Reserved) [This
21 section will be a direct reference to economic development policy, and will likely reflect the thresholds
22 for economic development established by the current Community Development Block Grant program.]

23
24 Section 9: Forms

25 A. Wastewater Industrial Incentives Policy Petition Form October 28, 2015. (Attachment A)

CITY OF NAMPA WASTEWATER INDUSTRIAL INCENTIVES POLICY

SECTION 9: FORMS

ATTACHMENT A

**“WASTEWATER INDUSTRIAL INCENTIVES POLICY PETITION
FORM”**



City of Nampa

ENVIRONMENTAL COMPLIANCE DIVISION

OFFICE (208) 468-5844

WWTP

340 W. Railroad St.

Nampa, Idaho 83687

FAX (208) 467-9194

Wastewater Industrial Incentives Policy Petition Form (Owner A)

A. Contact Information

Owner		Name of Facility			
Facility Contact Name	Phone #	Cell #	Email Address		
Facility Location	City	State	Zip Code		
Facility Mailing Address (if different from location)	City	State	Zip Code		

B. Purpose of Petition (Please select from the options below).

- Capacity Short-term loan (Between Owner and City)
 - Starting Date: _____
 - Duration of Loan: 30 Days
 - Policy Reference: Sect.6.D
- Capacity Loan (Between Owner and City)
 - Starting Date: _____
 - Duration of Loan: _____ (Not to exceed 24 months)
 - Policy Reference: Sect.6.A
- Capacity Lease Agreement (Between Owner and City)
 - Starting Date: _____
 - Duration of Loan: _____ (Not to exceed 60 months)
 - Policy Reference: Sect.6.B
- Capacity Purchase (Between Owner and City)
 - Starting Date: _____
 - Policy Reference: Sect.6.C
- Capacity Transfer (Between Owner and City)
 - * Submit Petition Form "Owner B" for Second Facility
 - Starting Date: _____
 - Policy Reference: Sect.6.E
- Capacity Exchange (Between Owner A and Owner B)
 - Starting Date: _____

- Policy Reference: Sect.6.F

C. Modification to Permit Effluent Limitations

PARAMETER	Existing Loadings	Requested Loading Changes	New Total
Flow, mgd			
Biochemical Oxygen Demand, lbs (BOD)			
Total Suspended Solids, lbs (TSS)			
Total Kjeldahl Nitrogen lbs/day (TKN)			
Total Phosphorus, lbs (TP)			

D. Change in Operations.

Provide description of new or modified operational processes on the Operational Changes Worksheet.

E. Certification Statement

"I certify under penalty of law, this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowingly perpetrating violations."

Printed Name: _____

Signature: _____

Date: _____

Owner A Operational Changes Worksheet

A. Contact Information

Owner		Facility Name			
Facility Contact Name	Phone #	Cell #	Email Address		
Facility Location		City	State	Zip Code	
Facility Mailing Address (if different from location)		City	State	Zip Code	

B. Operational Changes

1. Change in number of employees _____
2. Change in operational hours _____
3. List any changes in chemical usage

4. List any changes in equipment

5. List any changes of new or existing building structures

6. List any changes in discharge point location

C. Additional Changes

Please attach any additional information relevant to the Industrial Waste Acceptance Permit.

Wastewater Industrial Incentive Policy Petition Form

(Owner B)

A. Contact Information

Owner		Name of Facility			
Facility Contact Name	Phone #	Cell #	Email Address		
Facility Location		City	State	Zip Code	
Facility Mailing Address (if different from location)		City	State	Zip Code	

B. Purpose of Petition *(Please select from the options below).*

- Capacity Short-term loan (Between Owner and City)
 - Starting Date: _____
 - Duration of Loan: 30 Days
 - Policy Reference: Sect.6.D

- Capacity Loan (Between Owner and City)
 - Starting Date: _____
 - Duration of Loan: _____ (Not to exceed 24 months)
 - Policy Reference: Sect.6.A

- Capacity Lease Agreement (Between Owner and City)
 - Starting Date: _____
 - Duration of Loan: _____ (Not to exceed 60 months)
 - Policy Reference: Sect.6.B

- Capacity Purchase (Between Owner and City)
 - Starting Date: _____
 - Policy Reference: Sect.6.C

- Capacity Transfer (Between Owner and City)
 - * Submit Petition Form "Owner B" for Second Facility
 - Starting Date: _____
 - Policy Reference: Sect.6.E

- Capacity Exchange (Between Owner A and Owner B)
 - Starting Date: _____
 - Policy Reference: Sect.6.F

C. Modification to Permit Effluent Limitations

PARAMETER	Existing Loadings	Requested Loading Changes	New Total
Flow, mgd			
Biochemical Oxygen Demand, lbs (BOD)			
Total Suspended Solids, lbs (TSS)			
Total Kjeldahl Nitrogen lbs/day (TKN)			
Total Phosphorus, lbs (TP)			

D. Change in Operations.

Provide description of new or modified operational processes on the Operational Changes Worksheet.

E. Certification Statement

"I certify under penalty of law, this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowingly perpetrating violations."

Printed Name: _____

Signature: _____

Date: _____

Owner B
Operational Changes Worksheet

A. Contact Information

Owner		Facility Name		
Facility Contact Name	Phone #	Cell #	Email Address	
Facility Location	City	State	Zip Code	
Facility Mailing Address (if different from location)	City	State	Zip Code	

B. Operational Changes

1. Change in number of employees _____
2. Change in operational hours _____
3. List any changes in chemical usage

4. List any changes in equipment

5. List any changes of new or existing building structures

6. List any changes in discharge point location

C. Additional Changes

Please attach any additional information relevant to the Industrial Waste Acceptance Permit.