

TOWN OF WESTLAKE

RESOLUTION NO. 25-23

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, ADOPTING AN ENFORCEMENT RESPONSE PLAN (ERP) AS PART OF THE TOWN OF WESTLAKE APPROVED PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS REQUIRED BY TITLE 40 OF THE CODE OF FEDERAL REGULATIONS (CFR), UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; APPROVING THE TRINITY RIVER AUTHORITY'S ENFORCEMENT RESPONSE PLAN REQUIRED BY THE TOWN OF WESTLAKE'S CONTRACT AS A CUSTOMER CITY OF THE DENTON CREEK REGIONAL WASTEWATER SYSTEM.

WHEREAS, on June 26, 1978, the United States Environmental Protection Agency published a rule (Amended January 28, 1981) which established mechanisms and procedures for enforcing National Pretreatment Standards controlling the introduction of wastes from non-domestic sources into Publicly Owned Treatment Works (POTWs); and

WHEREAS, this rule, 40 CFR 403, requires that a Pretreatment Program be developed for the Regional Wastewater System; and

WHEREAS, the Trinity River Authority of Texas, as the owner and operator of a POTW, must comply with rule 40 CFR 403; and

WHEREAS, the Town of Westlake (Town), as a contracting party and customer city of the Denton Creek Regional Wastewater System (DCRWS), has entered into an Amendatory Wastewater Contract with the Trinity River Authority of Texas whereby the Town has enacted ordinances that are necessary to implement and enforce the National Pretreatment Standards; and

WHEREAS, 40 CFR 403.9 (b) requires a statement or resolution reflecting the endorsement or approval of the Trinity River Authority's Enforcement Response Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: THAT, all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: THAT, the Town of Westlake hereby adopts the Trinity River Authority's DCRWS Enforcement Response Plan for a pretreatment program as required by 40 CFR 403 for the Regional Wastewater System with such program to continue as long as 40 CFR 403 remains in effect.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Town Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 17TH DAY OF JULY, 2025.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

Matthew C. G. Boyle, Town Attorney

EXHIBIT A