

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**  
**WASTEWATER CONTROL RULES AND REGULATIONS**

A POLICY REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM IN THE SERVICE AREA OF THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, LOCATED IN WEBER COUNTY, UTAH.

**CHAPTER 1**

GENERAL PROVISIONS

Section 1.1 Short Title

These Wastewater Control Rules and Regulations shall be known as the “CENTRAL WEBER SEWER IMPROVEMENT DISTRICT WASTEWATER CONTROL RULES AND REGULATIONS” and shall be referred to in this document as the “Policy.”

Section 1.2 Purpose of Provisions

A. It is necessary for the health, safety and welfare of the residents of the Central Weber Sewer Improvement District (the “District”) to regulate the collection of wastewater and treatment thereof to provide for maximum public benefit. This Policy sets forth uniform requirements for direct and indirect contributors into the District’s wastewater collection and treatment system, and is intended to enable the District to comply with applicable local, state and federal laws rules and regulations.

B. The objectives are:

(a) To prevent the introduction of pollutants into the District’s Wastewater System which will interfere with the operation of the system or contaminate the resulting sludge;

(b) To prevent the introduction of pollutants into the District’s Wastewater System which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the System;

(c) To improve the opportunity to recycle and reclaim wastewater and sludge from the System;

(d) To provide for equitable distribution among Users of the cost of the District's Wastewater System; and

(e) To provide for and promote the general health, safety and welfare of employees of the Sewage Treatment Plant and the citizens within the jurisdiction of the political entities served by the District.

### Section 1.3 Enforcement

The provisions of this Policy provide for the regulation of direct and indirect contributors to the District's Wastewater System through the issuance of permits and through enforcement of general requirements for all Users, authorize monitoring and enforcement activities, require User reporting, assume that existing User's culpability will not be preempted, and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.3.1 Customer Agencies. The District operates a wastewater transportation, treatment and disposal system but does not operate a "retail" sewage collection system. The Customer Agencies provide wastewater collection services to the Users within their respective service areas. The District, in turn, serves the Customer Agencies. With the exception of Significant Industrial Users who are subject to permitting and other direct regulatory action by the District, all fees and charges for wastewater service are assessed by the Customer Agencies to the Users and the Customer Agencies generally deal directly with Users in their respective service areas. As a consequence, the District must rely upon the Customer Agencies to implement and enforce many of the requirements of this Policy as they relate to and impact individual Users. Each Customer Agency may delegate to and authorize the District to act for the respective Customer Agency when implementing and enforcing this Policy within the Customer Agency's service area.

1.3.2 Authorization Required to Discharge. It shall be a violation of this Policy to discharge pollutants or wastewater into the sewer system of a Customer Agency or the District without first obtaining authorization in accordance with this Policy.

1.3.2.1 Residential Users. Residential Users properly authorized by the District or a Customer Agency to discharge domestic wastes into the Wastewater System may continue to do so upon compliance with the responsible Customer Agency's sewer regulations and ordinances.

1.3.2.2 Industrial Users. An Industrial User may be required by the General Manager to obtain a Permit for Sewer Service ("Permit," "Discharge Permit," or "Wastewater Discharge Permit") in accordance with the procedures set forth in this Policy. Any Industrial User required by the General Manager to obtain a Permit is authorized to discharge pollutants or wastewater to a Customer Agency's sewer and to the District's Wastewater System upon the effective date of the Permit when issued. Industrial Users not required by the General Manager to obtain a Permit are authorized to discharge pollutants or wastewater to the Wastewater System only when properly authorized to do so by the District or responsible Customer Agency. The General

Manager may establish an Industrial User classification system for the purpose of properly and objectively classifying Industrial Users for permitting purposes.

Section 1.4 Application

The provisions of this Policy shall apply to the District and to all persons throughout the District service area who are, by permit or agreement, Users of the Wastewater System. The provisions herein provide for enforcement and penalties for violations.

Section 1.5 Definitions:

**“Act”** or **“the Act”** shall mean the Federal Water Pollution Control Act, P.L. 92500 also known as the Clean Water Act, including the amendments made by the Clean Water Act of 1977, P.L. 95-217, and any subsequent amendments.

**“Approval Authority”** means the Director in an NPDES state with an approved state pretreatment program and the Administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

**“Authorized Representative”** of an Industrial User refers to:

- (a) A principal executive officer of at least the level of vice president, if the Industrial User is a corporation;
- (b) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively;
- (c) A duly authorized member or manager if the Industrial User is a limited liability company;
- (d) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the discharge originates; and
- (e) Any other representative of the Industrial User who is acceptable to the General Manager.

**“B.O.D.”** (denoting **Biochemical Oxygen Demand**) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure of five days incubation at twenty degrees centigrade, expressed in parts per million, ppm, by weight. Laboratory determinations shall be made in accordance with approved EPA methods.

**“Building Drain”** shall mean that part of the lowest horizontal piping of a drain system which receives from soil, waste, and other drainage pipes inside the wall of the

building and conveys it to the building sewer, beginning two feet outside the inner face of the building wall.

**“Building Sewer”** shall mean the extension from the building drain to the public sewer or other place of disposal.

**“Business Classification Code” (BCC)** refers to a classification of dischargers based on the 1972 Standards Industrial Classification Manual, Bureau of the Budget of the United States of America.

**“Business Park”** refers to a parcel of real property designated for the activities of those engaged in the provision of services, the purchase or sale of commodities, or in related financial transactions. It may include the storage, warehousing, receiving, or distribution of commodities.

**“Categorical Industrial User”** is an Industrial User subject to categorical pretreatment standards.

**“Categorical Pretreatment Standards”** refers to pollutant discharge limits promulgated by the EPA in accordance with Section 307 of the CWA that apply to regulated process wastewater.

**“Chemical Oxygen Demand” (COD)** is the oxygen equivalent of that portion of organic matter in a wastewater sample that is susceptible to oxidation by a strong chemical oxidant.

**“Chlorine Demand”** is the amount of chlorine required to produce a free chlorine residual of 0.1 mg/l after a contact time of 15 minutes as measured by the DPD (N,N, Diethyl-P-Phenylene-Diamine) Method on a sample at a temperature of 20°C in conformance with Standard Methods.

**“Code of Federal Regulations”** is a codification of the general and permanent rules established in the Federal Register by the executive departments and agencies of the federal government. The Code is divided into titles which represent broad areas subject to federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

**“Combined Sewer”** shall mean a sewer receiving both surface runoff and sewage.

**“Compatible Pollutant”** refers to biochemical oxygen demand, suspended solids and fecal coliform bacteria, plus any additional pollutants identified in the District’s UPDES Permit, where the District’s treatment plant is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the District’s UPDES Permit.

**“Construction Standards”** are the general construction requirements adopted by the District for installation of sewerage facilities.

**“Contamination”** is an impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the environmental and/or public health through poisoning or through the spread of disease, as described in Standard Methods.

**“Control Authority”** shall mean the General Manager of the District under provisions of 40 CFR Part 403.12.

**“Cooling Water”** refers to the water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

**“Customer Agency”** shall refer to municipalities and other political subdivisions of the State of Utah that receive sewage treatment and disposal services from the District including, but not necessarily limited to, the following: Farr West City, Harrisville City, North Ogden City, Ogden City, Pleasant View City, Riverdale City, South Ogden City, Washington Terrace City, Weber County and West Haven Special Service District.

**“Direct Discharge”** refers to the discharge of treated or untreated wastewater directly to the waters of the State.

**“Discharger”** is any person who discharges or causes the discharge of wastewater to the District or any of its Member Entities.

**“District”** shall mean the Central Weber Sewer Improvement District, a political subdivision of the State of Utah.

**“Environmental Protection Agency”** or **“EPA”** means the U.S. Environmental Protection Agency or, where, appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

**“Foreign Sewage”** shall mean materials found in the sewer system not of a normal sewage nature as connected with domestic and industrial wastes.

**“Garbage”** shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

**“General Manager”** or **“Manager”** shall mean the employee of the District designated and appointed to supervise on an executive level the complete operation of the District.

**“Governing Authority”** refers to the Board of Trustees of the District.

**“Grab Sample”** refers to an individual sample collected in less than 15 minutes without regard for flow or time.

**“Grease Interceptor”** is a tank containing at least one baffle in which solids, greases and oils are separated from wastewater, located outside the User’s premises and made accessible by a manhole cover.

**“Grease Trap”** is a device, generally located directly under a sink or drain, designed to retain grease.

**“Holding Tank Sewage”** refers to any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, sealed vaults, and vacuum-pump tank trucks.

**“House Sewer”** shall mean a sewer conveying sewage from the plumbing fixtures of a single building to a common sewer or point of immediate disposal.

**“Incompatible Pollutant”** shall mean all pollutants other than compatible pollutants as defined above.

**“Indirect Discharge”** shall mean the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act (33 U.S.C. § 1317) into the District (including holding tank waste discharged into the System).

**“Industrial Park”** refers to a parcel of real property designated for activities that apply to the producing of commodities by manufacturing or processing (usually on a large scale). It may include the receiving, storage, warehousing, or distribution of commodities.

**“Industrial User”** shall mean any User that discharges wastewater from commercial and/or industrial processes.

**“Industrial Wastes”** shall mean the liquid and solid wastes from industrial processes as distinct from sanitary sewage.

**“Insignificant Industrial Users”** means those commercial Users that discharge only sanitary waste to the public sewer system.

**“Interference”** refers to the inhibition or disruption of District treatment processes or operations which contributes to a violation of any requirement of the District’s UPDES Permit. The term includes prevention of sewage sludge use or disposal by the District in accordance with Section 405 of the Act (33 U.S.C. § 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (“SWDA”) (42 U.S.C. § 6927 *et seq.*), the Clean Air Act (42 U.S.C. § 7401 *et seq.*), the Toxic Substances Control Act (15 U.S.C. § 2601 *et seq.*), or more stringent State criteria (including those contained in any State sludge management plan prepared

pursuant to Title IV of SWDA) applicable to the method of treatment and disposal or use employed by the District.

**“Lateral Sewer”** shall mean a sewer having no other common sewer discharging into it.

**“Main Sewer”** or **“Trunk Sewer”** shall mean a sewer receiving the discharge from one or more submain sewers and transporting it to an Outfall Sewer.

**“Minor Industrial User”** means an Industrial User which discharges non-domestic conventional pollutants to the public sewer in amounts on a routine basis that have little or no impact on the wastewater collection system, wastewater treatment plant, the quality of sludge, or the quality of the effluent or violate the prohibited discharge limitations of the wastewater control rules and regulations. Minor Industrial Users include Industrial Users discharging conventional pollutants which may require the imposition of surcharges and require monitoring to determine the appropriate cost recovery charges. Minor Industrial Users include industrial Users who present the potential to cause sewer obstruction, conventional slug loads or accidental chemical spills.

**“National Categorical Pretreatment Standard,” “Categorical Pretreatment Standard”** or **“Pretreatment Standard”** means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 of the Act (33 U.S.C. § 1347) which applies to a specific category of Industrial User and/or to regulated process wastewater.

**“National Pollution Discharge Elimination System”** or **“NPDES Permit”** means a permit issued pursuant to Section 402 of the Act (33 U.S.C. § 1342).

**“National Prohibitive Discharge Standard”** or **“Prohibitive Discharge Standard”** means any regulation developed under the authority of Section 307(b) of the Act and 40 CFR Section 403.5.

**“Natural Outlet”** shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

**“New Source”** shall mean any wastewater source commenced after the publication of proposed regulations prescribing a Section 307(c)(33 U.S.C. § 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the *Federal Register*. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

**“Outfall Sewer”** shall mean a sewer receiving the discharge from the entire collecting system or major part thereof and conducting it to the treatment plant or point of final disposal.

**“Person”** shall mean any individual, firm, company, limited liability company, partnership, trust, estate, association, society, corporation, group, governmental entity or any other legal entity or their legal representatives, assigns or agents. The masculine gender shall include the feminine and the singular shall include the plural, and vice versa, where indicated by context.

**“pH”** shall mean the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

**“Plant Manager”** shall mean the employee of the District designated and appointed to supervise the sewage collection system and sewage treatment plant.

**“Pollution”** or **“Pollutant”** means the man-made or man-induced alteration of the chemical, physical, biological, and radiological intensity of water, including, but not limited to, any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

**“Pretreated Industrial Wastes”** shall mean industrial wastes that are pretreated before being discharged into a sewer system.

**“Pretreatment”** or **“Treatment”** means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a Wastewater System. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).

**“Pretreatment Requirements”** means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an Industrial User.

**“Private Sewage Disposal System”** shall mean a septic tank with the effluent discharging into a subsurface disposal field, into one or more seepage pits or into a combination of subsurface disposal field and seepage pit, or of such other facilities as may be permitted under the plumbing codes and ordinances of the cities and areas of the county located within the District.

**“Process Wastewater”** shall mean any wastewater generated from commercial or industrial processes; including, but not limited to wash water, dish water, rinse water, mop water, quench water, recirculation water, blow-down water and cleanup water.

**“Properly Shredded Garbage”** shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-fourth inch in any dimension.

**“Public Health Department”** shall mean the Public Health Department of the State of Utah and may, if appropriate, also refer to the Weber-Morgan Health Department.

**“Public Sewer”** shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

**“Publicly Owned Treatment Works” (POTW)** shall mean a treatment works as defined by Section 212 of the Act (33 U.S.C. § 1291) which is owned by the State of Utah or one or more political subdivisions having statutory authority to collect and treat sewage. This definition includes any sewers that convey wastewater to the District treatment plant, except building or lateral sewers. For the purposes hereof, the District’s Wastewater System shall also include any sewers that convey wastewater to the District’s Sewage Treatment Plant from persons outside the District boundaries who are by permit or agreement with the District actual Users of the Wastewater System.

**“Receiving Water Quality”** refers to requirements for the District’s Treatment Plant effluent established by the District or by applicable state or federal regulatory agencies for the protection of receiving water quality. Such requirements shall include effluent limitations and waste discharge standards, requirements, limitations, or prohibitions which may be established or adopted from time to time by state or federal laws or regulatory agencies.

**“Rules and Regulations”** shall mean the Central Weber Sewer Improvement District Wastewater Control Rules and Regulations as adopted and amended from time to time by the Governing Authority.

**“Sample Manhole”** is a manhole into which a person or equipment may be lowered to sample wastewater. (Specifications are on file at the District.)

**“Sanitary Sewer”** shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted. This definition shall also include the terms “public sewer,” “sewer system,” “Customer Agency’s sewer” and “sewer.”

**“Sanitary Wastewater”** is any wastewater that originates from toilets, urinals, sinks, wash basins, showers, or bathtubs that are specifically used to maintain sanitary conditions for human habitation only.

**“Sewage”** shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present. “Wastewater” and “sewage” are synonymous and, thus, interchangeable.

**“Sewage Treatment Plant”** shall mean any arrangement of devices and structures used for treating sewage to render it less dangerous or offensive.

**“Sewage Works”** shall mean all facilities for collecting and transporting the sewage to the sewage treatment plant of the District.

**“Sewer”** shall mean a pipe or conduit and appurtenances for carrying sewage.

**“Shall”** and **“will”** are mandatory; **“may”** is permissive.

**“Shopping Mall”** refers to a grouping of retail establishments in the same geographic area which are rented or leased from a common owner, using a common parking area.

**“Significant Industrial User” (SIU)** means:

(a) Any Industrial User of the Wastewater System who has a non-domestic discharge flow of 25,000 gallons or more within a 24-hour period, or

(b) has a non-domestic flow greater than 2% of the flow in the District’s wastewater treatment system, or

(c) has in its wastes one or more toxic pollutants as defined herein, or pursuant to Section 307 of the Act or Utah Statutes and Rules, or

(d) is found by the District, Utah State Water Pollution Committee, or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the Wastewater System, the quality of a sludge, the System’s effluent quality, or air emissions generated by the System.

**“Significant Non-Compliance”** refers to an Industrial User that meets one or more of the following criteria:

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter.

(b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH).

(c) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of District personnel or the general public).

(d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge.

(e) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.

(f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.

(g) Failure to accurately report noncompliance.

(h) Any other violation or group of violations which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

**“Slug” or “Slug Load”** means any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any one period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during the normal operation of the User or will otherwise cause interference to the Wastewater System.

**“Standard Industrial Classification” (SIC)** refers to a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as modified or amended (including any replacement Manual).

**“Standard Methods”** are procedures described in the latest edition of “Standard Methods for the Examination of Water and Wastewater” as published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation or other procedures as may be adopted by the Governing Authority.

**“State”** means the State of Utah.

**“Storm Sewer” or “Storm Drain”** shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

**“Storm Water”** means any flow occurring during or following any form of natural precipitation and resulting therefrom.

**“Subdivision”** refers to the division of a tract, or lot, or parcel of land into two or more lots, plots, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development or redevelopment, provided, however, that divisions of land for

agricultural purposes or for commercial, manufacturing, or industrial purposes shall be exempt. Further, the above definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of which a plat has been recorded in the office of the county recorder. The word subdivide and any derivative thereof shall have reference to the term subdivision as herein defined.

**“Submain Sewer”** shall mean a sewer receiving the discharge from a number of lateral sewers.

**“Suspended Solids” or “Total Suspended Solids”** shall mean solids that either float on the surface or are suspended in the water, sewage or other liquids, and which are removable by laboratory filtering.

**“Toxic Pollutant”** is any pollutant or combination of pollutants listed as toxic in any schedule attached to this Policy or in regulations promulgated by the Administrator of the Environmental Protection Agency under Section 307(a) of the Act.

**“Uniform Plumbing Code” (UPC)** is a publication of the International Association of Plumbing and Mechanical Officials which provides minimum requirements and standards for the protection of the public health, safety and welfare.

**“User”** means any person who contributes, causes or permits the contribution of wastewater into the Wastewater System or any Customer Agency’s sewer.

**“Utah Pollutant Discharge Elimination System Permit” (UPDES Permit)** is a permit issued by the Water Pollution Control Committee of the State of Utah pursuant to Title 26, Chapter 11 of UTAH CODE ANN. 1953, as amended.

**“Viscosity”** is the property of a fluid that resists flow as a result of counteracting forces.

**“Wastehauler”** refers to any individual, partnership, co-partnership, firm, limited liability company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns, that obtains wastewater from one location and transports it other than through a sewer for disposal to another location.

**“Wastewater”** means the liquid- and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any infiltrating groundwater, surface water, and storm water that may be present, whether treated or untreated, which enters the Wastewater System or any sewer served by the Wastewater System.

**“Wastewater Strength”** refers to the quality of wastewater discharged as measured by its elements, including its constituents and characteristics.

“**Wastewater System**” or “**System**” means the District’s Sewage Works and Sewage Treatment Plant.

“**Watercourse**” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

“**Waters of the State**” shall mean all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the State or any portion thereof.

Section 1.6 Abbreviations

The following is a list of abbreviations used in the District’s Industrial Pretreatment Program. Its purpose is to serve as a quick reference for those who may be unfamiliar with the lettered acronyms or abbreviations that are commonly used to signify terms and phrases associated with the Industrial Pretreatment Program.

ASPP	Accidental Spill Prevention Plan
BMP	Best Management Practices
BMR	Baseline Monitoring Report
BOD	Biochemical Oxygen Demand
BPJ	Best Professional Judgment
BCC	Business Classification Code
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
COD	Chemical Oxygen Demand
CWA	Clean Water Act (P.L. 95-217 as amended)
CWF	Combined Wastestream Formula
EDD	Enforcement Decision Document
EPA	U.S. Environmental Protection Agency
FR	Federal Register
FS	Feasibility Study
FWA	Flow Weighted Average
GC	Gas Chromatography
GC/MS	Gas Chromatography/Mass Spectroscopy
gpd	Gallons Per Day
HRS	Hazard Ranking System
IU	Industrial User
LEL	Lower Explosive Limit
mgd	Million Gallons Per Day

mg/l	Milligrams Per Liter
NCP	National Contingency Plan
NPDES Permit	National Pollutant Discharge Elimination System Permit issued pursuant to Section 402 of the Clean Water Act
NPL	National Priorities List
O&M	Operation and Maintenance
OSHA	Occupational Safety and Health Administration
PA	Preliminary Assessment
POTW	Publicly Owned Treatment Works
PRPs	Potentially Responsible Parties
PSES	Pretreatment Standards for Existing Sources
PSNS	Pretreatment Standards for New Sources
QA	Quality Assurance
QC	Quality Control
RA	Remedial Action
RD	Remedial Design
RCRA	Resource Conservation and Recovery Act
RI	Remedial Investigation
ROD	Record of Decision
SARA	Superfund Amendments and Reauthorization Act
SI	Site Investigation
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SNC	Significant Non-Compliance
SWDA	Solid Waste Disposal Act
TOMP	Toxic Organic Management Plan
TSS	Total Suspended Solids
TSDF	Treatment, Storage, and Disposal Facility
TTO	Total Toxic Organics
UPC	Uniform Plumbing Code
UPDES Permit	Utah Pollutant Discharge Elimination System Permit

## CHAPTER 2

### GENERAL SEWER REGULATIONS

#### Section 2.1 Wastewater Discharge Prohibitions and Limitations

##### 2.1.1 General Discharge Prohibitions and Limitations.

2.1.1.1 Use of Public Sewers Required. No person shall place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the District, or in any area under the jurisdiction of the District, any human or animal excrement, garbage, or other objectionable waste. All sewage shall be discharged to public sewers except as provided in this Policy.

2.1.1.2 Treatment Required. No person shall discharge to any public highway, stream, water course or public place, or into any drain, cesspool, storm or private sewer within the District, or in any area under the jurisdiction of the District, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Policy.

2.1.1.3 Septic Systems. Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, or other facility intended or used for the disposal of sewage within the District.

2.1.1.4 Connection Required. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, situated within the District and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer is hereby required, at the owner's expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Policy, within ninety (90) days after date of official notice to do so, provided that said public sewer is located within three hundred (300) feet of the property.

2.1.2 Extraterritorial Service. No person, either in person or through an agent, employee, or contractor, shall make, allow or cause to be made any sewer connection to the System to service, or for the purpose of servicing property outside the boundaries of the District, except upon recommendation of the Manager and the express approval of the District's Governing Authority. Such connection to the System shall be made by a person who is either a bonded, state licensed sewer contractor (license classification A-8) or plumber (license classification C-18) who has obtained the necessary permits.

## Section 2.2 Private Sewage Disposal

2.2.1 Public Sewer Availability. Where a public sanitary sewer is not available under the provisions of Subsection 2.1.1.4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section 2.2 except as hereinafter provided in this Policy.

2.2.2 Private Sewer Operation. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times in compliance with all federal, state and local laws, rules and regulations at the owner's sole cost and at no expense to the District.

2.2.3 Private Sewer Abandonment. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Subsection 2.1.1.4, a direct connection shall be made to the public sewer in compliance with this Policy, and any septic tanks, or similar private sewage disposal facilities shall be abandoned and filled with suitable material.

2.2.4 Health Requirements. No statement contained in this Section 2.2 shall be construed to interfere with any additional requirement that may be imposed by any health officer.

2.2.5 Local Ordinances. No statement contained in this Section 2.2 shall be construed to interfere with any present or future ordinance adopted by Weber County or the individual municipalities being served by the District. The General Manager of the District will notify the county or the municipality if the General Manager becomes aware that interference does exist, and District and the county or the municipality shall mutually agree on a course of action.

## Section 2.3 Building Sewers and Connections

2.3.1 Approval Required. No unauthorized person shall uncover, make connections with or opening into, use, or disturb any public sewer or appurtenance thereof without first obtaining permission from the appropriate Customer Agency and , if the person or customer is a Significant Industrial User, to obtain a Permit from the District as provided in Subsection 1.3.1.2.

2.3.2 Installation Costs. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall defend, indemnify and hold harmless the District from any loss or damage that may directly or indirectly be occasioned by installation of the building sewer.

2.3.3 Separate Connections. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, in which case the building sewer from the front building may, with the General Manager's consent, be extended to the rear building and the whole considered as one building sewer.

2.3.4 Old Sewer Use. Old building sewers may be used in connection with new buildings only when they are found by the Customer Agency having jurisdiction (and possibly the District if the connection is a Significant Industrial User) to meet all requirements of this Policy.

2.3.5 Construction Standards. The building sewer shall be cast iron soil pipe, ASTM specification (A74-42) or equal; vitrified clay sewer pipe, ASTM specification standard strength C13-54 or equal; or polyvinyl chloride pipe (PVC), ASTM D 3034; or other suitable material approved by the appropriate official of the Customer Agency having authority and by the General Manager on behalf of the District, as appropriate, and allowed by the plumbing code. Joints shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service shall be constructed of cast iron soil pipe with lead joints. Cast iron pipe with leaded joints may be required by the Customer Agency or the General Manager, as appropriate, where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Customer Agency and/or the General Manager.

2.3.5.1 Size and Slope. The size and slope of the building sewer shall be subject to the approval of the Customer Agency having jurisdiction, but in no event shall the diameter be less than four (4) inches and the slope of such 4-inch pipe shall be not less than one-eighth inch per foot.

2.3.5.2 Elevation and Location. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within two (2) feet of any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Cleanout shall be installed at angle points and not more than 100 feet apart.

2.3.5.3 Pumping. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer at the sole cost and risk of the property owner.

2.3.5.4 Excavations. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Customer Agency having authority (and possibly by the District if a Significant Industrial User is involved). Pipe laying and backfill shall be performed in accordance with ASTM specification (C12-54) except that no backfill shall be placed until the work has been inspected.

2.3.5.5 Joints. All joints and connections shall be made gas tight and water tight.

A. Cast Iron Pipe. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification (QQ-L-156), not less than one (1) inch deep. Lead shall be run in one pouring and calked tight, no paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

B. Clay Pipe. All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hot-poured jointing material or cement mortar as specified below.

C. Material for Hot Poured Joints. Material or hot poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of one hundred sixty (160) degrees Fahrenheit, nor be soluble in any wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp, or similar approved material.

D. Cement Joints. Cement joints shall be made by packing a closely twisted jute or oakum gasket, of suitable size to fill partly the annular space between the pipes. The remaining space shall be filled and firmly compacted with mortar composed of 1 part Portland cement and 3 parts mortar sand. The material shall be mixed dry; only sufficient water shall be added to make the mixture workable. Mortar which has begun to set shall not be used or retempered. Lime putty or hydrated lime may be substituted to the extent of not more than 25% of the volume of Portland cement that may be added. Other jointing materials and methods may be used if approved in writing by the General Manager.

2.3.6 Sewer Connections. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the owner shall, at the owners expense, install a "Y" branch in the public sewer at the location specified by the Customer Agency having jurisdiction or the General Manager, as appropriate. Where the public sewer is greater than twelve (12) inches in diameter, and no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about forty-five (45) degrees. A forty-five (45) degree ell may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and water tight by encasement in concrete. Special fittings may be used for the connections only when approved by the Customer Agency having jurisdiction or the General Manager, as appropriate.

2.3.6.1 Supervision. The applicant for the building sewer approval shall notify the designated representative of the local Customer Agency when the building sewer is ready for inspection and connection to the public sewer and the Customer Agency will notify the General Manager if the applicant is expected to be a Significant Industrial User or if the District should be involved for any other reason. The connection shall be made under the supervision of the designated representative of the Customer Agency that will provide sewage collection service to the building

and or, at the request of the Customer Agency or if the applicant will be a SIU, the General Manager.

2.3.7 Building Manholes. When required by the General Manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the local Customer Agency or the General Manager, as appropriate. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

2.3.8 Safety. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the local Customer Agency and, if appropriate, the District.

#### Section 2.4 Use of Public Sewers

2.4.1 Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer. No person shall cause any of the above-mentioned waters to be mixed with that person's sewage in order to dilute the sewage.

2.4.2 Discharge Into Storm Sewers. Storm water, surface drainage, groundwater, roof water runoff, non-contact cooling water and all other unpolluted water shall be discharged to such sewers as are specifically designated as storm sewers which have adequate capacity for the accommodation of said waters, only after obtaining proper permission from the governmental entity regulating the storm sewers. No person shall connect to and/or use sanitary sewers for the above purposes.

2.4.3 General Discharge Prohibitions. No User shall contribute, or cause to be contributed directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the District's treatment plant or the sewer systems of the District or its Customer Agencies. These general prohibitions apply to all Users of the District, whether or not the User is subject to National Categorical Pretreatment Standards or any other federal, state or local pretreatment standards or requirements.

2.4.4 Specific Discharge Prohibitions and Limitations. No person shall discharge wastewater into the District's Sewer System or any Customer Agency sewer containing in excess of the Controlled Limited and Controlled Admissible Pollutants, as established by the Governing Authority or an Customer Agency from time to time as set forth in attached schedules or any amendments thereto. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

A. Temperature. Any liquid or vapor having a temperature higher than 140° F. and any wastewater having a temperature which will inhibit biological activity in the Sewage Treatment Plant resulting in interference, or cause temperature at the headworks of the Sewage Treatment Plant to exceed 104°F.

B. Fat, Oil and Grease. Any water or waste which may contain more than 100 ppm, by weight, of fat, oil, or grease or petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

C. Explosives. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas or any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to any public sewer or POTW or to the operation of any public sewer or POTW. At no time shall two successive readings on any explosion hazard meter, at the point of discharge into any public sewer (or at any point in the System) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (“LEL”) of the meter or with a closed cup flash point less than 140°F. (the RCRA standard for ignitable wastes).

D. pH Limits. Any waters or wastes having an acid pH lower than 5.0 or more alkaline than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of any public sewer or POTW.

E. Toxic Pollutants. Any wastewater containing toxic pollutants in excess of the levels stated in any schedule attached to this Policy, any Controlled Limited Pollutants, either singly or by interaction with other pollutants or any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure, inhibit or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any toxic effect or hazard in the receiving waters of any POTW, contaminate the sludge of the District, or exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

F. Solids. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant including, except as may be authorized in a schedule attached to this Policy, Controlled Limited Pollutants, any solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the proper operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-quarter inch (1/4") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides, or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

G. Noxious Substances. Any noxious or malodorous liquid, gas or solid which, either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or is sufficient to prevent entry into the sewers for their maintenance and repair.

H. Untreatable Substances. Any substances which may cause the District's effluent or any other product of the Sewage Treatment Plant, such as residues, sludge or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the District is pursuing a reuse and reclamation program. In no case shall a substance discharged to the public sewers of the Customer Agencies cause the Sewage Treatment Plant to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act (42 U.S.C. §§ 6901 *et seq.*), the Clean Air Act (42 U.S.C. §§ 7401 *et seq.*), the Toxic Substances Control Act (15 U.S.C. §§ 2601 *et seq.*), or State criteria applicable to the sludge management method being used.

I. UPDES Permit Violation. Any substances which will cause the District to violate its UPDES and/or State Disposal System Permit (or NPDES Permit, if applicable) and/or the receiving water quality standards.

J. Color. Any wastewater with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.

K. Slug Loads. Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow and/or pollutant concentration which a User knows, should know upon reasonable inquiry, or has reason to know, will cause interference to the Sewage Treatment Plant. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation.

L. Radioactive Wastes. Any wastewater containing any radioactive wastes or isotope of such half life or concentration as may exceed limits established by the General Manager in compliance with applicable State or Federal regulations.

M. Hazards or Nuisances. Any wastewater which causes a hazard to human life or creates a public nuisance.

N. Hauled Pollutants. Any trucked or hauled pollutants, except at discharge points designated by the General Manager.

2.4.5 National Categorical Pretreatment Standards. Upon the promulgation of the National Categorical Pretreatment Standard for a particular industrial subcategory, developed pursuant to 40 CFR Part 403.6, the National Standard, if more stringent than limitations imposed in this Policy for sources in that subcategory, shall immediately supersede the limitations imposed

by this Policy. The District General Manager should notify all Customer Agencies and affected Users of the applicable reporting requirements under 40 CFR Part 403.12.

2.4.5.1 Modification of National Categorical Pretreatment Standards.

Where the Wastewater System achieves consistent removal of pollutants limited by National Pretreatment Standards, the District may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. “Consistent removal” means reduction in the amount of a pollutant or alteration of the nature of the pollutant by the Wastewater System to a less toxic or harmless state in the effluent which is achieved by the System in 95% of the samples taken when measured according to the procedures set forth in Part 403.7 of Title 40 of the Code of Federal Regulations (“General Pretreatment Regulations for Existing and New Sources of Pollution”) promulgated pursuant to the Act. The District may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR Part 403.7 are fulfilled and prior approval from the Approval Authority is obtained.

2.4.6 Grease Interceptors. Grease, oil, and sand interceptors shall be provided by the owner when, in the opinion of the General Manager or the designated representative of the Customer Agency, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the General Manager or the designated representative of the Customer Agency, and shall be located as to be readily accessible for cleaning by the User and inspection by District or Customer Agency employees. All plans for grease interceptors shall be submitted to the District and the Customer Agency having jurisdiction for review and approval prior to installation. After installation, the User must request inspection from the District and the Customer Agency.

2.4.6.1 Construction Standards. Sizing criteria in the UPC will be used when the minimum approved size interceptor on file at the District will not adequately service a commercial or industrial establishment. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, and equipped with easily removable covers which, when bolted in place, shall be gas tight and water tight. A grease interceptor shall be installed outside of the establishment which it serves. Access to a grease interceptor shall not be placed in the flow of traffic and shall be accessible at all times.

2.4.6.2 Maintenance. Where installed, all grease, oil and sand interceptors shall be maintained by the User, at the User’s sole expense, in continuously efficient operation at all times. Grease interceptors of restaurants or other establishments which have closed shall be dewatered and cleaned by or under authorization of the owner of said establishment. A representative of the District may inspect and verify that this has been done.

2.4.6.3 New Construction. Grease interceptors shall be required of all new commercial or industrial establishments upon construction where deemed necessary.

2.4.6.4 Existing Construction. All existing commercial or industrial establishments shall have one year upon notification to install a grease interceptor where required.

2.4.6.5 Degreasers. Emulsifiers or degreasers shall not be added to any plumbing leading to, nor directly to the grease interceptor.

2.4.7 Grease Traps. Grease traps, as described in the most recent edition of the Uniform Plumbing Code, shall be required of any User when the General Manager determines they are necessary for the proper handling of wastewater containing grease in excessive amounts; except that such grease traps shall not be required for residential dwelling units. All grease traps shall be of a type and capacity approved by the General Manager.

2.4.7.1 Maintenance. Where installed, all grease traps shall be maintained by the User at the User's sole expense, in continuous, efficient operation at all times.

2.4.7.2 Existing Construction. All existing commercial or industrial establishments shall have one year upon notification to install a grease trap where required.

2.4.7.3 Degreasers. Emulsifiers or degreasers shall not be added to any plumbing leading to, nor directly to the grease trap.

2.4.8 Preliminary Treatment. The admission into the public sewers of any waters or wastes having (a) a 5 day B.O.D. greater than 200 ppm, by weight, or (b) containing more than 200 ppm by weight of suspended solids, or (c) containing any quantity or substances having the characteristics described in Section 2.4.4, or (d) having an average daily flow greater than 2% of the average daily flow of the District, shall be subject to the review and approval of the General Manager. Where necessary in the opinion of the General Manager, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to (a) reduce the B.O.D. to 200 ppm and the suspended solids to 200 ppm, by weight, or (b) reduce objectionable characteristics of constituents to within the maximum limits provided for in Section 2.4.4, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the General Manager and of the Water Quality Board of the State of Utah, and no construction of such facilities shall be commenced until all required approvals have been obtained in writing.

2.4.8.1 Facility Maintenance. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

2.4.8.2 Treatment Bypasses. A bypass of the treatment system is prohibited unless all of the following conditions are met:

(a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There was no feasible alternative to the bypass, including the use of auxiliary treatment or retention of the wastewater; and

(c) The person properly notified the General Manager as described in Subsection 2.4.8.3.

2.4.8.3 Notice. Persons must provide immediate notice to the General Manager upon discovery of an unanticipated bypass. The General Manager may require the person to submit a written report explaining the cause(s), nature, and duration of the bypass, and the steps being taken to prevent its recurrence.

2.4.8.4 Planned Bypasses. A person may allow a bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it is for essential maintenance to ensure efficient operation to the treatment system. Persons anticipating a bypass must submit a notice to the General Manager at least 30 days in advance. The General Manager may only approve the anticipated bypass if the circumstances satisfy those set forth in Subsection 2.4.8.2.

2.4.8.5 Fee Imposition. Where the strength of any waters or waste exceeds 200 ppm by weight of B.O.D. or 200 ppm by weight of suspended solids or 100 ppm by weight of other extractable matter, a daily fee shall be charged for each 100 pounds of such excess, or fractional part thereof, in the amount fixed by the District from time to time by resolution of its Governing Authority. The fee will be billed monthly and continued until such time as the General Manager is notified that preliminary treatment facilities have been provided or that proper housekeeping such as previously stated in this Policy has been established. At that time the General Manager shall inspect the facilities and cause new samples to be tested to determine the extent of effectiveness, at which time the billing shall be changed to comply with the changes.

2.4.9 Dilution Prohibited. No User shall ever dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation adopted by the District or the State.

2.4.10 Testing Standard. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in Sections 2.4.4 and 2.4.8 shall be determined in accordance with “Standard Methods for the Examination of Water and Sewage” and shall be determined at the control manhole provided for in Section 2.3.7, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

2.4.11 Pretreatment Discharge Standards. No person shall discharge wastewater in violation of the pretreatment and discharge standards set forth in Schedule 1(A).

2.4.12 More Stringent Federal Requirements. Upon the promulgation of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, developed pursuant to 40 CFR Section 403.6, the Federal Standard, if more stringent than limitations imposed herein for sources in that subcategory, shall immediately supersede the limitations imposed herein. The Manager shall notify all affected Users of the applicable reporting requirements under 40 CFR Section 403.12.

2.4.13 More Stringent State Requirements. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those contained herein. By way of illustration, but not of limitation, the Water Quality Act, UTAH CODE ANN. §§ 19-5-101, *et. seq* is applicable. The rules and regulations set forth herein are intended, in part, to implement the Water Quality Act as allowed under UTAH CODE ANN. § 19-5-115(7). The District acknowledges that the Water Quality Board may apply and enforce toxic effluent standards and pretreatment standards against Industrial Users of the District as provided in UTAH CODE ANN. § 19-5-108(5).

2.4.14 Right of Revision. The District reserves the right to establish more stringent limitations or requirements on discharges to the Wastewater System if deemed necessary to comply with the objectives of this Policy. The Customer Agencies may establish pretreatment requirements that are more stringent than the limits set forth in this Policy for their respective collection systems.

2.4.15 Access Restrictions. No person shall open any District sewer manhole without permission from the General Manager.

2.4.16 Special User Permits and Contracts. No statement contained in Section 2.4 shall be construed as preventing any special agreement or arrangement between the District and any Industrial User whereby an industrial waste or wastewater of unusual strength or character may be accepted by the District for treatment, subject to payment therefore by the industrial concern and other conditions imposed by the District. Such permit and/or contract, however, may not violate any of the specific prohibitions, District Local Limits, or National Categorical Standards provided herein.

2.4.17 Permits and Contracts with Other POTWs. Whenever its existing sewage treatment capacity is adequate therefor, the District may issue a permit and/or contract to any other organized and established POTW or any other governmental agency or private enterprise for the discharge into the Wastewater System from any part or parts of such POTW, or person or persons living outside the boundaries of the District's service area, upon such terms and conditions and for such periods of time as may be deemed reasonable.

2.4.18 Commercial Developer Responsibility. It is the responsibility of the owner of an industrial park, business park or other commercial business venture to comply with the requirements of this Policy and any other applicable federal, state or local regulations if the owner leases, rents, sublets, etc. to any business, tenant or User that is a Significant Industrial User or would otherwise be subject to the imposition of surcharges.

2.4.18.1 Other Commercial Users. Any other commercial business not specifically covered under Section 2.4.18 may be regulated by the District where necessary to comply with this Policy and any other applicable federal, state or local regulations.

## Section 2.5 Protection from Damage

2.5.1 System Damage Prohibited. No person shall maliciously, willfully, or negligently break, damage, destroy, injure, uncover, remove, deface or tamper with any structure, appurtenance, appliance or equipment which is part of the District's Sewage Works or Sewage Treatment Plant. Any person violating this provision shall be subject to prosecution as provided by law.

2.5.2 Payment of Costs. The User shall pay for the increased costs incurred when the User's discharge causes an obstruction or damage or when, because of the nature of the discharge, costs are increased as when toxic pollutants increase the costs for managing the effluent or the sludge of the District.

## Section 2.6 Powers and Authority of Inspectors

2.6.1 Inspections. All Users shall allow District and Customer Agency representatives bearing proper credentials and identification ready access at all reasonable times to all parts of the premises for the purpose of inspection, observation, measurement, sampling, testing and records examination in the performance of any of the District's or the local Customer Agency's duties or activities. The District, Customer Agency, State and EPA shall have the right to set up and operate on the User's premises such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which require proper identification and clearance before entry into User's premises, the User shall make the necessary arrangement with User's security and supervisory personnel so that upon presentation of identification, representatives from the District and the local Customer Agency will be permitted to enter, without delay, for the purposes of performing inspections, sampling, etc.

2.6.1.1 Failure to Permit Inspection. In the event a duly authorized officer or agent of the District or of the local Customer Agency is refused admission to conduct an inspection, sampling or any other proper activity, the District General Manager and/or the local Customer Agency may cause sewer service to the premises in question to be discontinued until the District's and/or the local Customer Agency's agents are allowed access to the premises and the User's sewer system to accomplish the inspection, sampling and/or other activity.

2.6.2 Sampling. All measurements, tests and analyses of the characteristics of water and wastes to which reference is made herein shall be determined in accordance with 40 CFR Part 136 - Guidelines Establishing Test Procedures for Pollutants, as amended. In the event that no sampling manhole has been required, the point of inspection shall be considered to be the

downstream manhole in the Customer Agency's sewer nearest to the point at which the building sewer is connected to the public sewer.

## CHAPTER 3

### SIGNIFICANT INDUSTRIAL USERS

#### Section 3.1 Wastewater Discharge Permits

3.1.1 Permit Required. No Significant Industrial User (SIU), including SIUs now connected or proposing to connect to a Customer Agency sewer and/or the Sewage Works, shall connect to and/or discharge wastewater into the Sewage Works or any private or public sewer system discharging to the Sewage Works without having first obtained a valid Wastewater Discharge Permit from the District. All references to “Users” in this Chapter shall refer to Significant Industrial Users.

3.1.2 Permit Application. Each SIU (both those existing on or before promulgation of this Policy and new SIUs) shall complete and file with the District an application in the form prescribed by the District and accompanied by fees as set forth in the Schedule of Fees for the District. Subject to Subsection 3.1.2.1, existing SIUs shall file an application, along with appropriate fees, with the General Manager within 90 days after receiving notice from the General Manager that the application is required. Proposed new source Significant Industrial Users shall apply for a Permit at least 90 days prior to connecting to or contributing to a Customer Agency sewer and/or the Sewage Works. In support of the application, the User shall submit, in units and terms appropriate for evaluation, all information required in the application, including but not limited to:

- (a) Name, address, and location of discharge (if different from the address).
- (b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended, modified, or replaced;
- (c) Wastewater quantity and quality. Quality characteristics include, but are not limited to, those set forth in Section 2.4.4 herein as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(h) of the Act and contained in 40 CFR Part 136, as amended;
- (d) Time(s) and duration of discharge;
- (e) Average daily and peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by size, location and elevation. If deemed necessary by the District, such plans shall provide for separate systems for handling sanitary and industrial wastewater;

(g) Description of activities, facilities and plant processes on all of the User's premises, including all materials which are or could be discharged;

(h) Where known, the quantity and specific nature of any pollutants in the discharge which are limited by District, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional O&M and/or additional pretreatment is required for the User to meet applicable Pretreatment requirements; and

(i) Any other information required by the District to evaluate the Permit application.

3.1.2.1 New National Categorical Pretreatment Standards. Where a User that is subject to a National Categorical Pretreatment Standard has not previously submitted an application for a Wastewater Discharge Permit, the User shall apply for a Wastewater Discharge Permit within 30 days after notice of the enactment or modification of an applicable National Categorical Pretreatment Standard.

3.1.3 Permit Modification. Except as otherwise provided herein, upon enactment of a National Categorical Pretreatment Standard and within the time prescribed thereby, the Wastewater Discharge Permit of Users subject to such standards shall be revised to require compliance therewith. The User with an existing Wastewater Discharge Permit shall submit to the Manager, within 30 days after notice of the enactment or modification of an applicable National Categorical Pretreatment Standard, any of the information required by Section 3.1.2 as designated by the General Manager. In addition to the foregoing, the terms and conditions of the Permit shall be subject to modification by the District during the term of the Permit as limitations or requirements are modified or other just cause exists. Any changes or new conditions in the Permit shall include a reasonable time schedule for compliance, as determined by the General Manager.

3.1.4 Permit Conditions. Wastewater Discharge Permits shall be expressly subject to all provisions of this Policy and all other applicable regulations, user charges and fees established by the District and the Customer Agency that provides wastewater collection services to the User. Permits may contain, but are not limited to, the following requirements:

(a) Limits on the average and maximum wastewater constituents and characteristics;

(b) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;

(c) Requirements for installation and maintenance of inspection and sampling facilities;

(d) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

(e) Requirements for submission of compliance schedules;

(f) Requirements for submission of technical reports and/or discharge reports;

(g) Requirements for maintaining and retaining records relating to wastewater discharge as specified by the District, and affording the District access thereto;

(h) Requirements for notification of the District of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the Wastewater System or the Customer Agency's sewer;

(i) Requirements for notification of slug discharges;

(j) Requirements for sampling and for separate systems to handle sanitary and industrial wastewater, such that in the event that the User's industrial wastewater is causing or could cause an interference or a potential interference with the Wastewater System and/or the Customer Agency's sewer, that the industrial wastewater may be severed, preventing discharge into the Wastewater System and/or the Customer Agency's sewer and allowing, if practical, the User's sanitary wastewater to discharge into the Wastewater System and/or the Customer Agency's sewer;

(k) Best Management Practice Plan ("BMPP"). Each SIU shall provide protection from accidental discharge of prohibited materials or other substances regulated herein. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the Industrial User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review, and shall be approved by the District before construction of the facility. All existing SIUs that are not permitted by the District shall complete such plans no later than 90 days following notification to the SIU by the General Manager. No Industrial User who commences contribution to the Wastewater System after the original effective date of this Policy shall be permitted to introduce pollutants into the System until accidental discharge procedures have been approved by the District. Review and approval of such plans and operating procedures shall not relieve the Industrial User from the responsibility to modify the Industrial User's facility as necessary to meet the requirements hereof. In the case of an accidental discharge, it is the responsibility of the Industrial User immediately to telephone and notify the District of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions as outlined in the BMPP; and

(l) Other conditions as deemed appropriate by the District.

3.1.5 Permit Duration. A discharge permit may be issued for a period not to exceed three (3) years. All discharge permits shall be deemed to expire if the conditions existing on the date

of issuance of the permit materially change to increase the volume, nature or characteristics of the discharge. All permit holders shall apply for re-issuance of the discharge permit no less than 180 days prior to the stated date of expiration on the permit. All permits may be revoked prior to the stated expiration date in the event of a violation of this Policy.

3.1.6 No Assignment. A Wastewater Discharge Permit shall not be assigned, transferred, traded or sold.

3.1.7 Compliance Reports. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a new source, following commencement of the introduction of wastewater into the Wastewater System, any User subject to Pretreatment Standards and requirements shall submit to the Manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and requirements and the average, minimum, and maximum daily flow and times for these process units in the User facility which are limited by such Pretreatment Standards or requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Significant Industrial User, and certified to by a qualified professional engineer.

3.1.8 Periodic Reports. Every person required to obtain a Wastewater Discharge Permit and every person to whom a discharge permit has been issued under the provisions of this Policy shall submit to the District a report in writing at the interval described in the discharge permit, or every month if no permit has been issued, describing in words and figures the substances and concentrations thereof discharged to the public sewer and other required information as set forth in the discharge permit. The report must describe the laboratory performing the analysis, the dates of sample collection, the daily average discharge volume, and all information required by the discharge permit. Only the substances which are regulated by Federal Categorical Standards must be reported unless the discharger is notified in writing to report additional pollutants in the discharger's effluent. All sample collection and analysis is required to be in compliance with the procedures of the U.S. EPA, the State of Utah, and the District Pretreatment Program. All data reported as provided above is reported without restriction and is not confidential.

3.1.9 Penalty for Failing to Report. Any person required to file any report required by this Policy including, but not limited to, those reports required by this Chapter shall, in the General Manager's discretion, be subjected to a \$50 fine, or a shut-off notice will be issued requiring that the report be delivered to the District's office within two (2) working days or service to the premises will be disconnected, or the person may be subject to both the fine and the shut-off notice. If service is discontinued pursuant to such a shut-off notice, service will not be resumed until the required report(s) have been delivered, all fines, if any, have been paid, and all fees and charges assessed by the District and/or the local Customer Agency for reconnecting service have been paid. If the Manager opts to impose a \$50 fine and the fine has not been paid and/or the required report(s) has not been filed within five (5) working days after notification to the customer of the assessment

of the fine, a shut-off notice will be issued which will require both the payment of the fine and filing of any required reports in order to avoid the disconnection of service.

### Section 3.2 Accidental Discharges

3.2.1 Telephone Notice. Upon accidental release or upset resulting in a prohibited discharge and/or a discharge in excess of any National Categorical Pretreatment Standard or the District local limits into the Wastewater System and/or any Customer Agency's sewer, the User shall immediately notify the District by telephone of the incident. The notification shall include the date, time and location of the discharge, type of waste, concentration, and volume and the corrective actions taken.

3.2.2 Written Report Required. Within five (5) working days following an accidental discharge, the Industrial User shall submit to the General Manager a detailed written report describing the discharge and its cause; the type of waste, concentration and volume; the duration of the discharge, including the exact date and time it began and ceased and, if the discharge is continuing, the time when it will cease; and all steps taken or to be taken by the Industrial User to reduce, eliminate or prevent similar future occurrences and to reduce or eliminate any adverse effect of the discharge. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the Wastewater System and/or any Customer Agency sewer, fish kills, or any other damage to person or property; nor shall such notification relieve the Industrial User of any fines, civil penalties, or other liability which may be imposed by this chapter or other applicable law.

3.2.3 Notice to Employees. A notice shall be permanently posted on the Industrial User's bulletin board or other prominent place advising employees who to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of all emergency notification procedures.

### Section 3.3 Monitoring Facilities

3.3.1 User to Provide. The User shall provide and operate, at its expense, monitoring equipment and facilities approved by the General Manager, sufficient to allow inspection, sampling, and flow measurement of the building sewer systems. The monitoring equipment and facilities shall be of a size and type approved by the District and be situated on the User's premises or such other location as allowed by the District. There shall be ample room in or near the monitoring manhole or facility to allow accurate sampling and preparation of samples for analysis.

3.3.1.1 Standards and Specifications. Whether constructed on public or private property, the sampling and monitoring equipment and facilities shall be provided in accordance with the District's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the District.

3.3.1.2 Maintenance. The facility and the sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

3.3.2 District Access. All users shall allow the District or its representatives ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, records examination or in the performance of any of its duties. The District, the local Customer Agency, the Approval Authority, the State and the EPA shall have the right to set up on the User's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the User shall make necessary arrangements with the User's guards so that upon presentation of suitable identification, personnel from the District and/or the local Customer Agency will be permitted to enter, without unreasonable delay, for the purposes of performing their specific responsibilities.

3.3.2.1 Access Denial. In the event a duly authorized officer or agent of the District and/or the local Customer Agency is refused admission for any purpose, the General Manager and/or the local Customer Agency may cause sewer service to the premises in question to be discontinued until the District and/or the local Customer Agency agents have been afforded reasonable access to the premises and sewer system to accomplish the inspection and/or sampling.

3.3.3 Laboratory Analysis. All measurements, tests, sample collection and analyses required for the submission of permit compliance reports shall be conducted by a laboratory certified for such analyses and collection by U.S. EPA and the State of Utah.

#### Section 3.4 Pretreatment

3.4.1 User Compliance. Users shall provide necessary wastewater treatment as required to comply with this Policy. Any monitoring equipment and facilities required to pretreat wastewater to a level acceptable to the District shall be provided, operated, and maintained at the User's expense. Such facilities required by the District may include the requirement for separate systems to handle sanitary and industrial wastewater so that both can be discharged into the local Customer Agency's sewer independently of each other. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be approved in writing by the Manager before construction of the facilities. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the User's facilities as necessary to produce an effluent acceptable to the District under the provisions of this Policy. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the District prior to the User's initiation of the changes.

3.4.1.1 Noncompliance List Publication. The District shall annually publish in a newspaper of general circulation within the boundaries of the District, a list of the Users which were not in compliance with any Pretreatment Requirements or Standards at least once during the

12 previous months. The notification shall also summarize any enforcement actions taken against the User(s) during the same 12 months. All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or Approval Authority upon request.

3.4.2 Pretreatment Administrative Options. The District has the option to contract with any governmental or private entity to provide such administrative services as deemed necessary. The District may contract for, but is not limited to contracting for, the following services:

- (a) Permit Processing
- (b) Monitoring Facilities
- (c) Inspection and Sampling
- (d) Pretreatment Processing
- (e) Enforcement Action
- (f) Laboratory Analysis

3.4.3 Pretreatment Compliance Schedule. When pretreatment and/or operation and/or maintenance activities will be required to comply with discharge prohibitions and limitations established in Chapter 2 of this Policy, the Industrial User shall submit to the General Manager a proposed reasonable schedule by which the pretreatment and/or additional operation and maintenance activities will be implemented. The schedule shall be subject to the approval of the General Manager but shall not exceed one (1) year for the District's local limits. Any compliance schedule related to a National Categorical Pretreatment Standard shall not exceed the time limit established in the applicable federal regulations.

3.4.3.1 User Submittal. An Industrial User submitting a proposed compliance schedule shall provide, at a minimum, milestone dates for commencement and completion of construction and start of operations required for the Industrial User to comply with National Categorical Pretreatment Standards and/or District local limits, including details such as completing preliminary and final plans, executing construction or purchase contract(s) for major components, commencing and completing construction or installation, and any other steps necessary to assure the Industrial User's compliance with this Policy and the pretreatment requirements promulgated herein.

3.4.3.2 Time Increments. The General Manager shall not permit a time increment for any single milestone date to exceed six (6) months.

3.4.3.3 Progress Reports. Not later than fourteen (14) days following each approved milestone date and the final date for compliance in the approved compliance schedule, the Industrial User shall submit a progress report to the General Manager. The progress report shall

include a sworn statement of compliance with the milestone deadline if such compliance was achieved. If not, the progress report shall state the date on which compliance with the milestone is expected, the reason for the failure to timely complete the increment progress, and the steps taken to return the compliance to the approved schedule. In no event shall more than six (6) months elapse between such progress reports.

3.4.3.4 Additional Pretreatment. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, a schedule by which the User will provide such additional pretreatment shall be prepared. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standards. The following conditions shall apply to this schedule:

(a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable pretreatment standards;

(b) No increment referred to in subparagraph (a) shall exceed 9 months;

(c) Not later than 14 days following each date in the schedule and the final date for completion, the User shall submit a written progress report to the General manager including, at a minimum, whether or not the User complied with the increment of progress to be met on such date and, if not, the reason for delay and steps being taken by the User to return the construction and operation to the established schedule.

3.4.3.5 Disclosure of Pretreatment, Operation and Maintenance Changes. When new or additional pretreatment and/or operation and maintenance activities are placed in operation, the Industrial User shall disclose within ninety (90) days of startup the nature and concentrations of discharged substances limited or prohibited in Chapter 2 of this Policy together with a statement as provided in subsection 3.5.1(h) indicating whether compliance is being achieved on a consistent basis.

3.4.3.6 User Violations. It shall be a violation of these Rules and Regulations for an Industrial User to fail to meet approved compliance schedule deadlines.

#### 3.4.4 National Categorical Pretreatment Standards Compliance Reports.

3.4.4.1 Baseline Monitoring Reports. Within one hundred and eighty (180) days following the effective date of a National Categorical Pretreatment Standard, any affected Industrial User shall submit to the General manager a Baseline Monitoring Report containing, at a minimum, the information required in Section 3.5.1. If the Industrial User has previously submitted a report within the past three years, then the report may be amended to include the additional information required in subsection 3.5.1(h), (i) and (j).

3.4.4.2 Compliance Date Report. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a new source, following commencement of the introduction of wastewater into any Customer Agency's sewer, any User subject to Pretreatment Standards and Requirements shall submit to the General Manager a report indicating the nature and concentration of all pollutants in the discharge which are limited by Pretreatment Standards and Requirements and the average, minimum, and maximum daily flow and times for all process units in the User's facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards and Requirements. This statement shall be signed by an authorized representative of the Significant Industrial User and certified to by a qualified professional engineer if such certification is required by the General Manager.

3.4.4.3 Periodic Compliance Reports. Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a new source, after commencement of the discharge into the Wastewater System or the Customer Agency's sewer, shall submit to the General Manager during the months of April and October, for the respective preceding six-month period, unless required more frequently in the Pretreatment Standard or the User's Wastewater Discharge Permit, or by the General Manager, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, the report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported under Section 3.5.1 of this Policy. At the discretion of the General Manager and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the General Manager may alter the months during which the required reports are to be submitted.

3.4.4.4 Compliance Schedule Progress Report. Any Industrial User required by the General Manager to implement a compliance schedule shall submit to the General Manager periodic Compliance Schedule Progress Reports on a form and with a frequency to be prescribed by the General Manager.

## Section 3.5 Reporting Requirements for Industrial Users

3.5.1 General Reporting Requirements. Each Industrial User shall, upon request of the General Manager, complete and file with the General Manager, in a form prescribed by him or her, all Industrial User technical information including, but not limited to, the following:

(a) Name, address, and location of discharge (if different from the address);

(b) Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget (1972), as amended;

(c) Wastewater quantity and quality. Quality characteristics include, but are not limited to, those set forth in Sections 2.1 and 2.4 of this Policy as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(h) of the Act and contained in 40 CFR Part 136, as amended;

(d) Time(s) and duration of discharge;

(e) Average daily and peak wastewater flow rates, including daily, monthly and seasonal variations, if any;

(f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by size, location and elevation. If deemed necessary by the District, such plans shall provide for separate systems for handling sanitary and industrial wastewater;

(g) Description of activities, facilities and plant processes on all of User's premises, including all materials which are or could be discharged;

(h) Where known, the quantity and specific nature of any pollutants in the discharge which are limited by the District, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional O&M and/or additional pretreatment is required for the User to meet applicable pretreatment requirements; and

(i) If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, a schedule by which the User will provide such additional pretreatment shall be prepared. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standards. The following conditions shall apply to this schedule:

(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards;

(2) No increment referred to in subparagraph (1) shall exceed 9 months;

(3) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a written progress report to the General Manager including, at a minimum, whether or not the User complied with the increment of progress to be met on such date and, if not, the reason for delay and steps being taken by the User to return the construction and operation to the established schedule.

(j) Any other information as required by the District to evaluate the Permit application.

3.5.2 Initial and Modified Discharge Reports. Both new source Industrial Users (including existing Users who propose to modify their processes and/or wastewater characteristics) and existing Industrial Users shall provide to the General Manager, at least ninety (90) days prior to actual discharge, an estimate of the User's proposed wastewater constituents and characteristics including, but not limited to, materials identified in Section 2.4.4. Within ninety (90) days after the discharge is introduced into the Wastewater System, the Industrial User shall provide to the General Manager a disclosure of wastewater constituents and characteristics in a manner sufficient to enable the General Manager to determine compliance with Sections 2.1 and 2.4, and a verified statement whether compliance with this Policy, in particular Sections 2.1 and 2.4, is being achieved on a constituent basis and, if not, whether additional operation and maintenance activities and/or additional pretreatment is required.

3.5.3 Grease and Sand Interceptor Cleaning Reports. Industrial Users required to install grease and/or sand interceptors shall periodically submit cleaning reports to the General Manager as required by the General Manager. The report shall, at a minimum, list the dates of cleaning and the contractor's name and shall include a copy of the payment receipts or invoices for cleaning.

3.5.4 Owner Reports and Liability. The General Manager, in his or her discretion, may require owners of real property leased to, rented to, or otherwise in the possession and control of an Industrial User, to submit any of the reports that the Industrial User is or may be required to file under this Policy. The General Manager shall serve written notice on the real property owner of any report filing requirements, which notice shall specifically identify the required reports, the substance and content of such reports and the time in which such reports shall be prepared and filed with the General Manager.

3.5.4.1 Property Owner's Report. The General Manager may also require an owner of real property leased to an Industrial User to file a Property Owner's report setting forth, at a minimum, the following:

- (a) Metes and bounds description of the real property and description of any improvements thereon leased to the Industrial User;
- (b) Complete name of the Industrial User;
- (c) Industrial User's street address, mailing address and phone number; and
- (d) Description of the nature of the Industrial User's business and/or operations.

The General Manager may require that the owner submit semi-annual or other updates of this report, which shall set forth all changes in tenant information and use or occupancy of the property during the preceding reporting period.

3.5.4.2 Violation. It shall be a violation of this Policy for any owner of real property subject to this Policy to fail to submit the reports required hereby.

3.5.5 Environmental Control Permits. Industrial Users shall submit to the General Manager upon his or her request a list of all environmental control permits issued to or held by the Industrial User.

3.5.6 Signatory Requirements. All reports submitted to the General Manager in accordance with this Policy shall be signed by:

- (a) an authorized officer of the Industrial User, if a corporation;
- (b) a general partner, if a general or a limited partnership;
- (c) the proprietor, if a sole proprietorship;
- (d) an authorized member or manager, if a limited liability company;
- (e) the owner of the Industrial User, if other than a corporation, partnership, sole proprietorship, or limited liability company;
- (f) a duly authorized employee, if such employee is responsible for the overall operation of the Industrial User; or
- (g) the owner of the real property when reports are required of such owner.

3.5.7 State and Other Governmental Requirements. Industrial Users that discharge into the Wastewater System and/or any Customer Agency sewer shall meet all State reporting requirements or other reporting requirements legally adopted by other governmental entities.

3.5.7.1 RCRA Notification. All Users that discharge hazardous wastes within the District's service area must report, as required in 40 CFR 403.12(p). Industrial Users are to notify POTWs, State and EPA of the nature and mass of RCRA hazardous wastes that they introduce into the sewers.

3.5.8 Accuracy of Reports. All reports required by this Policy shall be subject to the Water Quality Act, as amended, and all other state and federal laws pertaining to fraud, misrepresentation and false statements.

3.5.9 Sampling and Laboratory Analysis. All measurements, tests and analyses required for submission of reports under this chapter shall be conducted by a laboratory certified for such analysis by the State of Utah.

3.5.9.1 Procedures and Techniques. All sampling and laboratory analysis required under this chapter shall be performed in accordance with 40 CFR Part 136 - Guidelines Establishing Test Procedures for Pollutants, as amended. In the event 40 CFR Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April 1977, as amended, or in accordance with other appropriate sampling or analytical procedures approved by the EPA.

3.5.10 Records Retention and Access. Industrial Users subject to this chapter shall keep all written information relating to the monitoring, sampling, laboratory analysis and compliance in general for at least three (3) years. All records pertaining to matters of administrative adjustment or any other enforcement or litigation actions brought by the District or at the request of the District shall be kept by the Industrial User until the enforcement action has been concluded by the District.

3.5.10.1 District Access Unrestricted. The General Manager and/or his or her authorized representatives shall have access to all relevant records of Industrial Users for inspection and copying purposes. Access to such records shall not be denied upon request made by the General Manager. Any denial of such records access shall be a violation of this Policy.

3.5.11 Public Access to Reports. Subject to the requirements of the Government Records Access and Management Act, UTAH CODE ANN. § 63-2-101, *et seq.* ("GRAMA"), the District's GRAMA policy, and applicable restrictions and requirements respecting information and data held by the Customer Agency that provides sewage collection services to User, information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public and any governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the General Manager that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User. Under no circumstances will effluent data be considered confidential. All effluent data shall be available to the public upon request and to Customer Agency, State and U.S. EPA personnel.

3.5.11.1 Trade Secrets. Subject to GRAMA and other applicable law, when requested by the User furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Policy, the Utah Pollution Discharge Elimination System (UPDES) Permit, and/or the pretreatment requirements; provided, however, that such portions of a report shall be available for use by the EPA, the State or

any state agency, the local Customer Agency or the District in judicial review or enforcement proceedings involving the User furnishing the report.

3.5.11.2 Confidential Information. Except as otherwise required by GRAMA and the District's GRAMA policy, information accepted by the District as confidential shall not be transmitted to any member of the public by the District until and unless a 10-day written notification is given to the User by certified mail or personal service.

3.5.11.3 Effluent Data. This chapter specifically shall not prevent disclosure of effluent monitoring reports, data and sample results to the public and all appropriate agencies. Effluent data shall not be considered confidential under any circumstances.

## CHAPTER 4

### WASTEHAULERS

#### Section 4.1 Licensing

Waste haulers must be licensed by the Weber-Morgan County Health Department and shall comply with all federal, state and local regulations, including, but not limited to, those of the Utah Department of Transportation, Division of Motor Vehicles, Weber-Morgan County Health Department, EPA and District.

#### Section 4.2 District Permit

It is the responsibility of the Owner of any waste hauler vehicle to apply for and obtain a permit from the District for each vehicle that the Owner will use at the District dump station. Such permit shall be renewable on an annual basis and be subject to the payment of fees assessed by the District. The District may reject any load if the delivery vehicle does not possess the required permit.,

4.2.1 Permit Revocation. Permits may be revoked at any time by the District for failure to possess the license required under Section 4.1 and for any violation of permit conditions, this Policy, or any other rule or regulation of the District.

#### Section 4.3 Authorized Dumping Location

The contents of a waste hauler's truck shall not, under any circumstances, be emptied into a car wash, recreational vehicle (RV) dump station, manhole or any other unauthorized location. The only authorized location for dumping wastes in the District service area is at the District dump station. The final place of disposal of all loads rejected by the District will be provided by the waste hauler at an approved facility.

4.3.1 Manifest of Origin Required. Before dumping the contents of their vehicles, waste haulers must provide to the District a manifest of origin stating the name, phone number(s) and address(es) of the resident(s) or business(es) from which the contents originated, the date and time when each tank, sump or portable toilet was pumped, the contents of the load and any other information that the District may deem appropriate.

#### Section 4.4 Payment and Liability

Any person operating a waste hauler business shall pay any service charge established from time to time by the District and shall be responsible for all costs, expenses and damages incurred by the District as a consequence of waste and sewage received from the waste hauler including, but not limited to, sampling, analysis, investigations, inspections, damage to facility, plant upset and any fines assessed due to or arising out of any load or materials dumped by the waste hauler's vehicle at the District dump station or elsewhere into any sewer which violates this Policy or any other applicable rules or regulations.

4.4.1 Sampling. Any person operating a wastehauler business shall at a minimum pay for two sampling and analysis events a year, but may be required to pay for more sampling and analysis if the District finds any violation of limits set forth in the wastehauler's permit.

## CHAPTER 5

### FEES AND CHARGES

#### Section 5.1 Purpose

Each User, directly or through the Customer Agencies, shall pay all fees and charges required by the District. Appropriate surcharges will be imposed. It is the purpose of this chapter to provide for the payment of all of the District's maintenance and operation costs. As stated in Section 1.3.1, wastewater collection services are provided by the Customer Agencies to Users of all types (industrial, residential, etc.), and charges for wastewater collection and treatment generally are billed and collected by the Customer Agencies. The District, in turn, prepares an annual budget and assesses each Customer Agency. Even though the District generally does not bill and collect from Users, some fees and other charges may be collected directly from the User by the District, particularly with respect to Industrial Users who are subject to pretreatment requirements. The total annual cost of operation and maintenance of the District shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund. Charges to Industrial Users may be based upon the quality and quantity of the User's wastewater, and also upon the capital and operating costs to intercept, treat and dispose of the wastewater. The rates and charges may be adjusted from time to time by the District to accurately apportion the above-mentioned costs, including energy costs, among the Users of the District through the Customer Agencies.

#### Section 5.2 Fees and Charges

Some District fees and charges may be set forth in attached Schedule 2, Controlled Admissible Pollutants, and Schedule 3, Rates, which may be amended from time to time or they may be stated in separate resolutions and fee structures established by the Governing Authority and, when so established, shall be deemed to be incorporated by reference as part of the attached schedules. Excluding fees and charges that are assessed directly by the District against the User, each Customer Agency shall establish its own schedule of rates and charges to be assessed its customers and each Customer Agency may, in accordance with applicable law, determine how the charges assessed by the District against the Customer Agency will be passed on to Users within the jurisdiction of that Customer Agency provided that the Customer Agency shall have available funds sufficient to pay that portion of the District's annual costs which are attributable or chargeable to the Customer Agency.

5.2.1 Classification of Users. The Users of the Wastewater System and of Customer Agency sewers may be divided into various classifications including, but not limited to: single dwelling units, duplexes, multiple dwelling units and non-residential. Further classifications may be established by the District and/or Customer Agencies for each non-residential User class.

5.2.2 Surcharges. Users may be subject to surcharges which may be adopted from time to time by the Governing Authority and/or the local Customer Agency for excessive BOD, TSS, organic-based oil and grease as provided in Schedule 2 hereof. Surcharges shall be paid in the time and manner specified by the District and/or the local Customer Agency and may be billed and collected by the Customer Agencies.

5.2.3 Fees. The District may adopt fees which may include, but not be limited to, the following:

- (a) Fees for District costs, including maintenance and operation;
- (b) Fees for reimbursement of costs and setting up and operating the District's Pretreatment Program;
- (c) Fees for monitoring, inspections and surveillance procedures, to include but not be limited to laboratory analysis;
- (d) Fees for reviewing accidental discharge procedures and construction;
- (e) Fees for permit applications and any applicable contract applications;
- (f) Fees for consistent removal (by the District) of pollutants otherwise subject to Federal Pretreatment Standards;
- (g) Fees for inspections, surveys and investigations;
- (h) Other fees as the District may deem necessary to carry out the requirements contained in this Policy.

5.2.4 Damage to Facilities. When a User's discharge causes an obstruction or damage, or because of the nature of the discharge toxic pollutants increase the costs for managing the effluent or the sludge of the District, the User may be required to pay the increased cost.

5.2.5 Review of Wastewater Service Charges. The District shall annually review the total cost of operation and maintenance, as well as each Customer Agency's discharge, and will revise charges to the Customer Agencies as necessary to assure equity and sufficient funds to adequately operate and maintain the District. If a Significant Industrial User has completed in-plant modifications which would change that User's discharge, the user may present such factual information to the Customer Agency having authority, and the Customer Agency, after conferring with the District, may determine if the User's wastewater service charge is to be changed.

5.2.6 Notification. Each Customer Agency will be notified, at least annually, of the charges assessed to that Customer Agency which are attributable to wastewater treatment services.

## CHAPTER 6

### ENFORCEMENT

#### Section 6.1 Enforcement Authority

The District may adopt procedures and rules for the implementation and administration of this Policy and shall enforce the provisions contained herein pursuant to applicable state law and county and city ordinances, rules and regulations including, but not limited to Title 17A, Chapter 2, Part 3 and Title 26, Chapter 11 of UTAH CODE ANN. 1953, as amended. The District may take appropriate enforcement actions in accordance with its enforcement response program as adopted and as amended from time to time.

#### Section 6.2 Administrative Enforcement

In responding to any violations of this Policy or an Industrial User's Discharge Permit and violations of any other applicable laws, rules or regulations, the District may incorporate and pursue one or more of the following administrative enforcement actions and/or remedies. Nothing contained herein shall be deemed to preclude the District from utilizing one or more enforcement responses as part of its enforcement process.

6.2.1 Notice of Violation. Any person found to be violating any provision of this Policy, except Section 2.5.1, or a Discharge Permit or order issued thereunder, shall be served by the District or the local Customer Agency, as appropriate, with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction of the condition causing the violation. Any notification shall be served either personally or by registered or certified mail. The offender shall submit an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, to the General Manager or the local Customer Agency, as appropriate. Submission of this plan in no way relieves the offender of liability for any violations occurring before or after receipt of the Notice of Violation and the offender shall, within the period of time stated in such notice, permanently cease all violations, regardless of the successful implementation of the corrective plan.

6.2.1.1 Field Notices. When in the field, the Pretreatment Sampler ("PS"), Pretreatment Inspector ("PI") and Pretreatment Coordinator ("PC") may issue preliminary notices. Such preliminary notices are an immediate notification of a violation of the Discharge Permit and/or the District's rules and regulations. Preliminary notices will be followed up with a written Notice of Violation ("NOV") explaining what the User will have to do to return to compliance.

6.2.1.2 Contents of Notice. The Notice of Violation may require any reasonable measures, including proposed assessment of penalties, the General Manager deems necessary to timely resolve the subject violation and may order the alleged violator to appear for a hearing at a time and place specified in the Notice of Violation and answer the charges. The alleged violator may request a hearing if the General Manager has not ordered one, which request shall be made in writing to the General Manager within ten (10) days of the date of issuance of the Notice of Violation. If a request for a hearing is not timely filed, the NOV shall be final and unappealable. Neither the request for a hearing nor the scheduling of a hearing shall relieve any User from the

responsibility of taking such timely corrective actions as are necessary to terminate the violation and it shall be a violation of this Policy to fail timely to respond to or implement the measures and requirements set forth in a Notice of Violation.

6.2.1.2.1 Emergency Suspension of Service. The General Manager, in conjunction with the Customer Agency providing sewage collection services to the User, may, without notice or hearing, suspend wastewater treatment service and, on its own, the District may suspend a Wastewater Discharge Permit when such suspension is necessary, in the opinion of the General Manager, to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, causes interference to the Wastewater System and/or any Customer Agency's sewer, or causes the District to violate any condition of its UPDES Permit.

6.2.1.3 Means of Suspension. Any person notified of suspension of the wastewater treatment service and/or of the Wastewater Discharge Permit shall immediately stop or eliminate the discharge. In the event of a failure of the User immediately to comply voluntarily with the suspension order, the General Manager shall take such steps as deemed necessary, including immediate severance of the sewer connection to prevent or minimize damage to the Wastewater System and/or any public sewer or endangerment to any individuals. The quickest, most efficient means to suspend wastewater treatment service may be to disconnect water service to the premises with the agreement and assistance of the provider of the water service. The District shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge and the payment of appropriate fees. A detailed written statement submitted by the User describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the District within 15 days of the date of occurrence.

### Section 6.3 Enforcement Actions

Any user who violates the following conditions, or applicable state and federal laws, rules and regulations, is subject to enforcement action:

- (a) Failure of a User to factually report the wastewater constituents and characteristics of its discharge;
- (b) Failure of the User to report significant changes in operations or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring;
- (d) Violation of conditions of the User's Wastewater Discharge Permit;
- (e) Failure to pay any fees or charges; or

(f) Encouraging, permitting, or committing damage or interference to flow measuring or monitoring equipment, personnel acting under the provisions of this Policy and/or surveillance equipment and facilities used to fulfill the enforcement of this Policy.

6.3.1 Surcharges and Costs. Any person violating provisions of this Policy or the User's Permit shall be liable for surcharges assessed for violations of the person's Permit and this Policy and any expense, loss or damage incurred by the District by reason of such violation, including but not limited to increased costs, if any, for managing effluent or sludge. The General Manager, directly or through the Customer Agency, may add such expenses to the User's treatment charge or may bring a civil action in court as provided in Section 6.3.6.

6.3.2 Administrative Orders. The District may issue administrative orders as follows:

6.3.2.1 Consent Orders. The General Manager or the Manager's agent are hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order.

6.3.2.2 Show Cause Orders. The District may order any User to show cause before the General Manager or Governing Authority why a proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Manager or Governing Authority regarding the violation, the reasons why the action is to be or was taken, the proposed enforcement action, and directing the User to show cause before the Manager or Governing Authority why the enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail at least ten days before the hearing.

6.3.2.3 Compliance Orders. When the General Manager finds that a person has violated or continues to violate this Policy or a permit or order issued hereunder, the General Manager may issue an order to the person responsible for the discharge indicating that, following a specified time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances have been installed and are properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring and management practices.

6.3.2.4 Cease and Desist Orders. When the General Manager finds that a person has violated or continues to violate this Policy or any permit or order issued hereunder, the General Manager may issue an order to cease and desist all such violations and direct those persons in noncompliance to:

- (a) Comply forthwith; and

(b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.

6.3.2.5 Service of Orders. Orders and notices may be served on any principal executive, general partner, corporate officer, manager or member of the User. Immediate enforcement actions may be pursued when deemed appropriate by the District without notice or other preliminary proceedings.

6.3.3 Treatment Upsets. Any person who experiences an upset in operations that places such person in a temporary state of noncompliance, which is not the result of an operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation, shall by telephone inform the General Manager immediately upon becoming aware of the upset. Within five days thereafter a written report shall be filed by the person containing:

(a) A description of the upset, its cause(s), and impact on the person's compliance status;

(b) The duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance is continuing, the time by which compliance is reasonably expected to be restored; and

(c) All steps taken or planned to reduce, eliminate, and prevent recurrence of such an upset.

6.3.3.1 Affirmative Defense. A person which complies with the notification provisions of this Section 6.3.3 in a timely manner and promptly corrects the problem may have an affirmative defense to an enforcement action brought by the District for any noncompliance with this Policy, or an order or permit issued hereunder, which arises out of violations attributable to and alleged to have occurred during the period of the documented and verified upset.

6.3.4 Conduct of Hearings. The Manager or the Governing Authority may conduct the hearing and take the evidence, or may designate any of the members of the Governing Authority or any officer or employee of the District, or contract with others to:

(a) Issue in the name of the District notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;

(b) Take the evidence; and

(c) Prepare a report of the evidence and hearing, including transcripts where requested in advance of the hearing, to be paid for by the requesting party, and other evidence, together with recommendations for action thereon.

At any hearing held pursuant thereto, testimony may be recorded.

6.3.4.1 Issuance of Orders. After the Manager or the Governing Authority or other delegated persons have reviewed the evidence, an order of cease and desist may be issued to the User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

### 6.3.5 Post-Hearing Procedures.

6.3.5.1 Request for Reconsideration. Any permit applicant, permit holder, or other User affected by any decision, action, or determination, including cease and desist orders, made by the District in interpreting or implementing the provisions of this Policy, or any permit issued hereunder, may file with the General Manager a written request for reconsideration within 10 days of such decision, action, or determination, setting forth in detail the facts supporting the request. The General Manager may elect to hold a hearing on the request. The request for reconsideration shall be acted upon by the General Manager within 10 days from the date of filing or the close of the reconsideration hearing. The decision, action, or determination shall remain in effect during such period of review by the General Manager.

6.3.5.2 Administrative Appeal. Except as otherwise provided in Subsection 6.2.1.2, if any decision of the General Manager or other delegated persons is unsatisfactory to any affected User, the User may file a written appeal to the Governing Authority within 20 days after receipt of the decision. The Governing Authority may hear the appeal within 30 days after the written appeal is filed and shall make a final ruling on the appeal within 10 days after the hearing. The decision, action, or determination of the General Manager or other delegated persons shall remain in effect during such period of review by the Governing Authority. The decisions of the Governing Authority shall be binding on all entities and the User until and unless ruled otherwise by an appropriate court.

6.3.6 Judicial Proceedings. If any User discharges into the Wastewater System contrary to the provisions of the User's Discharge Permit, this Policy, federal or state Pretreatment Requirements or any order of the District, the General Manager, with consent and approval of the Governing Authority, through the District's attorney, may commence an action in a court of competent jurisdiction in the name of the District as plaintiff for appropriate legal and/or equitable relief, including injunctive relief which restrains or compels activities on the part of the violator.

6.3.6.1 Criminal Prosecution. Violation of a User's Wastewater Discharge Permit, this Policy, the pretreatment and discharge standards (including toxic effluent standards) which are defined in this Policy, and other rules and regulations of the District may constitute a criminal violation subject to prosecution under the Water Quality Act, Title 19, Chapter 5, Section 115, UTAH CODE ANN. Any person who shall continue any violation beyond the time limit stated in the notice issued under Section 6.2.1 may be referred by the District to the proper authorities (including the State and the Weber County Attorney's office) for consultation and possible criminal prosecution. To the extent allowed by law, each day in which any such violation shall continue after the time allowed for correction as provided in the notice issued under Section 6.2.1 may be deemed a separate offense. Prosecution may be deferred when the purpose of prosecution is achieved without the commencement of a criminal complaint.

6.3.6.2 Violation of Local Ordinances. Any User who violates the provisions of any applicable municipal or county ordinance and/or rules and regulations may be subject to a fine or by imprisonment in the county jail, or both, for each violation as provided in the ordinance. Each day in which such a violation shall continue may be deemed a separate offense.

6.3.6.3 Civil Penalties. Any person who has violated or continues to violate this Policy or any order or Permit issued hereunder, upon a showing that the violation occurred, may be subject to a civil penalty as provided in the Water Quality Act, together with any actual damages incurred by the District as a result of such violation or violations. The General Manager, with the consent and approval of the Governing Authority, through the District's attorney, may bring an action in an appropriate court to impose, assess, and recover such sums.

6.3.6.3.1 Termination of Permit. Significant Industrial Users proposing to discharge into the District's Wastewater System must first obtain a Wastewater Discharge Permit from the District as provided in Section 3.1. Any person who violates the following conditions of this Policy or a Wastewater Discharge Permit or any applicable order, or any applicable local, state and federal law, ordinance, rule or regulation, is subject to permit termination:

- (a) Violation of Discharge Permit conditions;
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) Failure to report significant changes in operations of wastewater constituents and characteristics;
- (d) Refusal of reasonable access to the person's premises for the purpose of inspection, monitoring, sampling, or review reports and documents;
- (e) Failure to pay any fees or charges; or
- (f) Failure to comply with any administrative orders.

Noncompliant persons will be notified of the proposed termination of their Wastewater Discharge Permit and be offered an opportunity to show cause under Subsection 6.3.3.2 of this Policy why the proposed action should not be taken.

6.3.6.4 Suspension of Service. The District may terminate or cause to be terminated sewage treatment to any User for a violation of any provision of this Policy. The District and the Customer Agency providing sewage collection services each have rules and regulations which control their activities and their relationships with customers, each other, and other persons. A violation of either the District's rules and regulations (including this Policy), or the ordinances, rules and regulations of the Customer Agency providing sewage collection services, can lead to the discontinuance of service to any building or premises.

6.3.7 Pass-Through of Fines. In the event that a User discharges such pollutants which cause the District to violate any condition of its UPDES Permit and the District and/or any

Customer Agency is fined by the EPA or the State for such violation, then such User shall be fully liable in a civil action for the total amount of the fine assessed against the District and/or any Customer Agency by the EPA or the State.

6.3.8 Penalty for False Statements. As provided and to the extent authorized by law, any User who knowingly makes false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Policy or by a Wastewater Discharge Permit, rule or order issued pursuant to this Policy, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Policy may, upon conviction, be punished by a fine or by imprisonment or by both.

6.3.9 Commercial Property Owner Responsibility. Every owner of improved non-residential commercial property who rents, leases or otherwise permits the use of premises under the ownership and control of the property owner to be occupied by facilities or operations under the ownership and control of others shall report to the District the information required by this Section 6.3.9 for each lessee, person or entity occupying the premises of the owner as frequently as may be requested by the General Manager, but not more frequently than every 30 days. The report must include a list of lessees, a description of the premises leased by the owner, the name of the individual or entity under agreement for the use of the premises with the owner, the street address of the lessee, the mailing address of the lessee, the name, address and telephone number of the principal individual entering into the lease rental agreement or other agreement with the property owner, the telephone number of the business and the nature of the operation or business conducted by the lessee. After the information described above has been provided, should the General Manager so request, the owner shall submit monthly, on or before the tenth day of each succeeding month, a list of each change of tenant with the information required above. Failure by any commercial property owner to submit a required report shall be deemed to constitute a representation and warranty to the District that there have been no tenant changes or other changes affecting the property, which representation and warranty may be relied upon by the District.

6.3.9.1 Owner's Joint Liability. Every owner of improved non-residential real property used for industrial or commercial purposes engaged in the business of leasing premises to others shall be strictly liable jointly with each lessee for each violation of this Policy occurring on the owner's premises. Fines, surcharges and other enforcement penalties of a monetary nature may be assessed by the District against the owners of subject properties and shall, by resolution of the Governing Authority, be certified as and become a lien on the real property to be enforced and collected as charges for sewer service to the owner's premises to the extent allowed by law.

6.3.9.2 Owner Penalty. Should the owner fail to provide any report required by Section 6.3.9, the penalty provisions of Section 3.1.9 shall be applicable, except that the Manager may extend the time periods specified for the payment of fines and the filing of required report(s) specified in Section 3.1.9.

6.3.10 General Liability. Any person violating any of the provisions of this Policy shall become liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.

6.3.10.1 Expenses of Litigation. In addition to any other remedies provided in this Policy, the District may recover reasonable attorney's fees, court costs, court reporters' fees, and other expenses of litigation by appropriate legal action against the User found to have violated any provision of this Policy, or the orders, rules, regulations, and permits or contracts issued hereunder. The attorney for the District, upon request of the Governing Authority, shall petition the District Court to impose, assess, and recover such sums.

## CHAPTER 7

### ADMINISTRATIVE HEARINGS

#### Section 7.1 Notice

Whenever the General Manager has ordered a hearing or a party to a Permit or a Permit applicant has timely requested a hearing in accordance with this Policy, the General Manager shall schedule a hearing and serve on all parties written notice, which notice shall include the following information:

- (a) The names and mailing addresses of all persons to whom notice is being given and the name, title and mailing address of any attorney or employee who has been designated to appear for the District;
- (b) The name of the adjudicative proceeding;
- (c) A statement of whether the proceeding is to be conducted informally or formally;
- (d) If the adjudicative proceeding is to be formal, a statement that each respondent must file a written response at least ten (10) days before the hearing;
- (e) A statement of the date, time and location of the hearing, whether formal or informal, a statement of the purpose for which the hearing is to be held, and a statement that a party who fails to attend or participate in the hearing may be held in default; and
- (f) A statement of the purpose of the proceeding and, to the extent known by the General Manager, the questions to be decided.

7.1.1 Hearing Request. A party to a Permit or a Permit applicant may request a hearing by filing a written notice with the General Manager within ten (10) days after the action, inaction or other decision of the District which is the subject of the appeal.

7.1.2 Hearing Schedule. All hearings authorized pursuant to this Policy shall be conducted at a time, date and place scheduled by the General Manager.

#### Section 7.2 Two-Step Hearing Procedure

Initially, all hearings, whether informal or formal, shall be held before the General Manager, who will issue a decision within twenty (20) days after completion of the hearing. Should the General Manager fail to issue a decision within twenty (20) days, that failure shall constitute a denial to all parties to the proceedings other than the District. The decision of the General Manager may be appealed by any interested person to the Governing Authority by filing a written notice of appeal with the General Manager within twenty (20) days after issuance of the General Manager's decision or within forty (40) days after the hearing, whichever is sooner.

7.2.1 Governing Authority Decisions. All decisions of appeals to the Governing Authority shall be rendered by a majority vote of the Governing Authority and issued in writing under signature of the presiding officer within ten (10) days after the hearing. The failure of the Governing Authority to issue a decision through the presiding officer within ten (10) days shall constitute an affirmance of the decision that is the subject of the appeal.

### Section 7.3 Hearings - Informal

7.3.1 Pleadings. If a hearing is designated as informal, no answer or other pleading responsive to the allegations contained in the notice of hearing need be filed.

7.3.2 Presentations. In any informal hearing the parties named in a Notice of Violation, or any person denied a Permit, or any person who has received from the General Manager a notice of intent to terminate a Permit, or any other person who is a subject of the proceeding, shall be permitted to testify, present evidence, and comment on the issues. Informal hearings shall be open to all parties.

7.3.3 Time of Notice. Hearings will be held only after timely notice to all parties which shall be given in writing at least ten (10) days prior to the hearing date unless a shorter time is agreed to by all parties involved or the General Manager determines that a shorter notice is warranted by the circumstances, in which event the notice must be given at least five (5) days before the hearing.

7.3.4 Discovery. Formal discovery is not required, but the General Manager may issue subpoenas or other orders to compel production of necessary evidence.

7.3.5 Access to Public Information. All parties shall have access to any relevant public information in the possession of the District and to all materials and information gathered in any investigation, by the District, to the extent permitted by law.

7.3.6 Intervention. Intervention is prohibited, except where a federal statute otherwise requires.

7.3.7 Issuance of Decision. Within the time specified in Section 7.2, the General Manager or presiding officer of the Governing Authority, as appropriate, shall issue a signed order in writing that states the following:

- (a) The decision and, if it is a decision of the Governing Authority, the vote;
- (b) The reasons for the decision;
- (c) A notice of any right of administrative or judicial review available to the parties; and
- (d) The time limits for filing an appeal or requesting a review.

7.3.7.1 Basis of Decision. The decision shall be based on the facts presented in evidence at any hearing.

7.3.7.2 Mailing of Decision. A copy of the decision shall be promptly mailed to each of the parties.

7.3.8 Record of Proceedings. Any party may record any hearing stenographically or electronically.

7.3.8.1 Transcript. Any party, at the party's own expense, may have a certified shorthand reporter prepare a transcript from the record of the hearing if one was made.

#### Section 7.4 Hearings - Formal

7.4.1 Pleadings. In all formal hearing procedures involving a Notice of Violation, unless otherwise directed by the General Manager, the alleged violator or other affected party shall serve on the General Manager by personal service or by registered mail a written response to the Notice of Violation, signed by the alleged violator or User's authorized representative within twenty (20) days of receiving the Notice of Violation or within ten (10) days after receiving the hearing notice, whichever is sooner, which response shall include:

- (a) The name of the adjudicative proceeding;
- (b) A statement of the facts that the respondent contends are relevant and material;
- (c) A statement of the relief that the respondent seeks; and
- (d) A statement summarizing the reasons why the relief requested should be granted.

7.4.1.1 Service. The response shall be served by registered mail or hand delivery to the General Manager and one copy shall be sent by certified mail to a member of the Governing Authority representing the area served by the Customer Agency having jurisdiction over the alleged violator or other party.

7.4.1.2 Additional Pleadings. The presiding officer of the Governing Authority, or the General Manager, may permit or require pleadings in addition to the Notice of Violation and the alleged violator's or other party's response. All papers permitted or required to be filed shall be filed with the General Manager and one copy shall be sent by certified mail to each party.

7.4.2 Discovery. In formal hearing proceedings, the parties may conduct discovery either informally or according to the Utah Rules of Civil Procedure, to the extent allowed.

7.4.2.1 Subpoenas. Subpoenas and the orders to secure the attendance of witnesses or the production of evidence in formal hearing proceedings shall be issued by the General

Manager or presiding officer of the Governing Authority when requested by any party, or may be issued by the General Manager or the presiding officer on his or her own motion.

7.4.3 Hearing. When all pleadings and other papers required to be filed have been filed and all discovery is complete, the General Manager shall schedule a hearing and notify all parties of the time and place set therefor.

7.4.3.1 Conduct of Hearing. All formal hearing proceedings shall be conducted as follows:

(a) The General Manager or the presiding officer of the Governing Authority, as appropriate, shall regulate the course of the hearing to obtain full disclosure of relevant facts and to afford all the parties reasonable opportunity to present their positions.

(b) On his or her own motion or upon objection by a party, the General Manager or the presiding officer:

(1) may exclude evidence that is irrelevant, immaterial, or unduly repetitious;

(2) shall exclude evidence privileged in the State courts;

(3) may receive documentary evidence in the form of a copy or excerpt if the copy or excerpt contains all pertinent portions of the original document; and

(4) may take official notice of any facts that could be judicially noticed under the Utah Rules of Evidence, of the record of other proceedings before the State or the District, and of technical or scientific facts within the specialized knowledge of the District.

(c) The General Manager or the presiding officer may not exclude evidence solely because it is hearsay.

(d) The General Manager or the presiding officer shall afford to all parties the opportunity to present evidence, argue, respond, conduct cross-examination, and submit rebuttal evidence.

(e) The General Manager or the presiding officer may give persons not a party to the proceeding the opportunity to present written statements at the hearing.

(f) All testimony presented at the hearing, if offered as evidence to be considered in reaching a decision on the merits, shall be given under oath.

(g) The hearing shall be recorded at the District's expense either electronically or by a certified shorthand reporter.

(h) Any party, at the party's own expense, may have a certified shorthand reporter prepare a transcript of the hearing, subject to the restrictions that the District is permitted by statute, rule or regulation to impose to protect confidential information disclosed at the hearing.

(i) Formal hearings shall be open to all parties and to the public.

(j) This section does not preclude the General Manager or the presiding officer from taking appropriate measures necessary to preserve the integrity of the hearing.

(k) The General Manager or the Governing Authority, as appropriate, may seek advice of legal counsel during the course of the hearing.

(l) The General Manager and the members of the Governing Authority may use their experience, technical competence, and specialized knowledge to evaluate the evidence.

7.4.4 Decision. Within the time specified in Section 7.2, or after the filing of any post-hearing papers permitted or required by the General Manager or the presiding officer, as appropriate, the General Manager or the presiding officer shall sign and issue an order that includes:

(a) A statement of the reasons for the decision;

(b) A statement of any relief ordered;

(c) A notice of any right to apply for reconsideration;

(d) A notice of any right to administrative or judicial review of the order available to aggrieved parties; and

(e) Known time limits applicable to any request for reconsideration or judicial review.

7.4.4.1 Interim Orders. The General Manager or the presiding officer of the Governing Authority may issue interim orders to:

(a) Notify the parties of further hearings;

(b) Notify the parties of a provisional ruling on a portion of the issues presented; and

(c) Otherwise provide for the fair and efficient conduct of the proceeding.

## Section 7.5 Default

The presiding officer or the General Manager may enter an order of default against a party if:

(a) A party in an informal hearing proceeding fails to appear or participate in the proceeding;

(b) A party to a formal hearing proceeding fails to appear or participate in a scheduled hearing after receiving notice; or

(c) An alleged violator or other party in a formal hearing proceeding fails to file a required response.

7.5.1 Order of Default. An order of default shall include a statement of the grounds for default and shall be mailed to all parties.

7.5.1.1 Setting Aside an Order of Default. A defaulted party may seek to set aside the default order of the presiding officer or General Manager by filing a motion to set aside the default with the General Manager within ten (10) days after the order of default was mailed to the party seeking to set aside the default.

## Section 7.6 Governing Authority Review - Procedure

7.6.1 Request for Review. An aggrieved party may file a written request with the General Manager for Governing Authority review of any order issued following an informal or formal hearing before the General Manager within 20 days after the issuance of the order. The request shall:

(a) Be signed by the party seeking the review;

(b) State the grounds for review and the relief requested;

(c) State the date upon which the request was mailed; and

(d) Be sent by certified mail, return receipt requested, to the General Manager and to each party.

7.6.2 Responsive Pleadings. Within fifteen (15) days of the mailing date of the request for review (but, in any event, at least 10 days before the hearing date), any party may file a response with the General Manager. One copy of the response shall be sent by mail to each of the parties.

7.6.2.1 Briefs. To assist in its review, the Governing Authority, through its Chairman, may order the parties to file briefs or other papers, or to conduct oral argument.

7.6.3 Notice of Hearing. A notice of hearings on review shall be mailed to all parties.

7.6.4 Order on Review. The Governing Authority shall issue a written order on review which shall be signed by the presiding officer and shall contain the following:

- (a) A statement of the issues reviewed;
- (b) The reasons for the disposition;
- (c) Whether the decision of the General Manager is affirmed, reversed or modified, and whether all or any portion of the proceeding is to be remanded;
- (d) A notice of any right of further administrative reconsideration or judicial review available to aggrieved parties; and
- (e) The time limits applicable to any appeal or review.

7.6.5 Judicial Review of Final Order. Review of any final order issued by the presiding officer of the Governing Authority may be subject to judicial review in accordance with applicable law.

7.6.5.1 Failure to Exhaust Administrative Relief. Any party who, as a result of having defaulted as provided in Section 7.5 or of having failed to appeal the decision of the General Manager to the Governing Authority as provided in Section 7.6.1 shall, to the extent permitted by law, be precluded from seeking judicial review of the administrative proceedings as a consequence of the failure of the party to exhaust administrative procedures available under this chapter.

7.6.6 Finality of Order. For purposes of this chapter, any order issued by the General Manager shall be deemed final 20 days after issuance if an aggrieved party has not submitted a request for review by the Governing Authority. Any order on review issued by the presiding officer of the Governing Authority shall be deemed final upon issuance unless the matter is remanded to the General Manager for further proceedings.

7.6.7 Emergency Proceedings. The General Manager or the Governing Authority may issue an order on an emergency basis without complying with the requirements of this chapter or Chapter 6 if:

- (a) The facts known by the District or presented to the District show that an immediate and significant danger to the public's health, safety, or welfare exists; and
- (b) The threat requires immediate action by the District.

7.6.7.1 Limitations. In issuing an emergency order, the General Manager or the Governing Authority shall:

- (a) Limit the order to require only the action necessary to prevent or avoid the danger to the public's health, safety, or welfare;
- (b) Issue promptly a written order, effective immediately, that includes a brief statement of findings of fact, conclusions of law, and reasons for utilization of emergency action proceedings; and

(c) Give immediate notice to the persons who are required to comply with the order.

7.6.7.2 Subsequent Proceedings. If the emergency order under this Section 7.6.7 will result in the continued infringement or impairment of any legal right or interest of any party, the District shall thereafter commence a formal or informal proceeding in accordance with the other provisions of this chapter and Chapter 6.

## CHAPTER 8

### MISCELLANEOUS

#### Section 8.1 Conflicts - Repealer

All policies, rules and regulations or parts thereof inconsistent or in conflict with this Policy are hereby repealed except the individual policies, rules and regulations regarding sewer service charges, sewer maintenance, sewer construction, and sewer connections of the various Customer Agencies where they own, maintain and operate their own sewer lines. The individual Customer Agencies shall be responsible for the collection of charges, maintenance and operation, for their lines in conjunction with the provisions of this Policy. The Customer Agencies have the right to establish and collect sewer service charges from customers under their jurisdiction except as noted in Subsection 2.4.8.5 and shall remit payments to the District quarterly or at such other frequency as may be prescribed by the Governing Authority as prescribed by the adopted budget of the District for that year.

#### Section 8.2 Severability

If any provision, paragraph, word, section or chapter of this Policy is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

#### Section 8.3 Proration of Costs

The Governing Authority shall annually review the total cost of operation and maintenance and determine its annual budget and prorate the cost to the Customer Agencies. Generally, one-half of the budget shall be prorated to the Customer Agencies based on population and one-half of the budget shall be prorated based on assessed property valuation. Pretreatment charges arising from Industrial Users may, however, be prorated with a thirty percent (30%) allocation based upon population and assessed valuation and seventy percent (70%) based upon the water usage of Industrial Users within the service area of each Customer Agency. The debt service cost for outstanding revenue bonds, even though the bond proceeds were used for capital projects, will be included as part of the O&M budget. Capital project costs will generally be prorated the same as O&M. The budget and charges to the Customer Agencies will be established as necessary to assure equity and sufficient funds to adequately operate and maintain the Wastewater System.

#### Section 8.4 Service Expansion

All persons within the District's boundaries desiring sewer service who are not served by a Customer Agency shall, upon written notice, inform the Governing Authority of their desire to obtain such service. If none of the Customer Agencies are able or willing to provide the desired service, a political entity may be formed to construct, establish, maintain and operate a sewer system and collect charges for same. The political entity may then be served by the District in accordance with this Policy and other rules, regulations, criteria and requirements established by the District.

8.4.1 Satisfaction of Requirements. All persons not within the boundaries of the District and desiring the sewer services offered by the District shall make provision for same through the Weber County Commissioners or other appropriate political entity upon satisfying all applicable requirements and the payment of required sums and, upon receiving service, shall comply with all provisions of this Policy.

Section 8.5 Amendment Process

The provisions of this Policy may be revised from time to time by the Governing Authority.

## **ATTACHMENTS**

## ATTACHMENTS

Schedule 1(A)	Federal Categorical Pretreatment Standards as Promulgated by U.S. EPA
Schedule 1(B)	Local Limits
Schedule 2	Controlled Admissible Pollutants
Schedule 3	Rates

**SCHEDULE 1 (A)**

FEDERAL CATEGORICAL PRETREATMENT STANDARDS  
AS PROMULGATED BY U.S. EPA, AS AMENDED  
FROM TIME-TO-TIME, ARE INCORPORATED  
HEREIN BY REFERENCE.

**SCHEDULE 1 (B)**

LOCAL LIMITS (METALS/CHEMICAL POLLUTANT, INCLUDING  
NARRATIVE STANDARDS) AS PROMULGATED BY  
THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT,  
AS AMENDED FROM TIME-TO-TIME, ARE INCORPORATED  
HEREIN BY REFERENCE.

## **DISCHARGE LIMITATION CHANGE PROCEDURE**

Discharge limitations are established for regulated chemicals for four distinct reasons:

1. To protect the collection system and treatment plant;
2. To protect workers who must maintain and operate the system and treatment works;
3. To insure that discharge permit requirements will be met at all times;
4. To prevent accumulation of hazardous materials in solid sludge and compost products.

The Local Limits are compiled from the best technical information available and include a safety margin.

Any person, firm, or corporation that wishes to discharge quantities greater than the limits set forth in this Policy may petition the Governing Authority for a change in the discharge limits set forth herein.

Every petition shall contain the name and address of the person or entity proposing the change, identification of the chemical and the proposed limits, and clear and convincing evidence that the proposed limit:

- (a) Will not harm the collection works and treatment works;
- (b) Will not present a hazard to workers who maintain and operate the collection and treatment systems;
- (c) Will insure compliance with current and future discharge permit conditions;
- (d) Will not result in an accumulation of chemical material in solid sledges that will interfere with the disposal or re-use of the sludge materials; and
- (e) Will not result in higher costs to the entities which own, operate, and maintain the treatment and collection systems.

No discharge at a proposed concentration is permitted until final action by the Governing Authority establishes the proposed limitations.

## **SCHEDULE 2**

### **CONTROLLED ADMISSIBLE POLLUTANTS**

Discharge limitations and controls, as established by the Central Weber Sewer Improvement District and as amended from time to time, are incorporated herein by reference. The controlled admissible pollutants may include such things as B.O.D., suspended solids, oil and grease (petroleum, animal and plant), pH and other categories as determined by the District.

### **SCHEDULE 3**

#### **RATES**

##### **PRETREATMENT FEES AND CHARGES**

Permit Fee (once every three years)	\$250.00
Site Inspection (once each year)	\$150.00
Sampling Fee (per setup)	\$ 50.00
Lab Analyses	
COD (Chemical Oxygen Demand)	\$ 25.00
BOD (Biochemical Oxygen Demand)	\$ 30.00
TSS (Total Suspended Solids)	\$ 10.00
Metals ICP	\$ 75.00
Oil and Grease	\$ 60.00
Volatile Organics	\$225.00
TTO (Total Toxic Organics)	\$225.00
Selenium	\$ 10.00
Barium	\$ 10.00
Cyanide	\$ 30.00
Mercury	\$ 30.00

Other fees and charges, as determined from time to time, may also be imposed by the District.