

# **RULES AND REGULATIONS FOR THE OPERATION, MANAGEMENT, MAINTENANCE AND USE OF THE SANITARY SEWAGE COLLECTION SYSTEM FOR RICHLAND COUNTY SEWER DISTRICT "A"**

Adopted by Resolution:

A resolution establishing a sewer use and pretreatment code to regulate the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, the discharge of waters and wastes into the public sewer system(s), and providing penalties for violations thereof in Richland County Sewer District "A".

## **"SEWER USE AND PRETREATMENT CODE"**

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## **GENERAL PROVISIONS · PURPOSE AND POLICY**

This resolution sets forth uniform requirements for Dischargers into the POTW Authority sewage collection and treatment systems, and enables the "Authority" to protect public health conformity with all applicable State and Federal laws relating thereto.

The objectives of this resolution are:

- a. to prevent the introduction of pollutants into the Authority sewage system which will interfere with the normal operation of the system or contaminate the resulting sludge;

- b. to prevent the introduction of pollutants into the Authority sewage system which do not receive adequate treatment in the POTW, and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system;
- c. to improve the opportunity to recycle and reclaim sewage and sludge from the system.

## SECTION 1 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this sub-chapter shall be as follows:

- a. "Authorized Representative of Industrial User" shall mean an authorized representative of an industrial user may be (1) a principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (3) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- b. "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 in 5 days at 20°C., expressed in milligrams per liter by weight.
- c. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning three (3) feet outside the inner face of the building wall.
- d. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- e. "Categorical Pretreatment Standards 11 shall mean the National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a POTW by specific Industrial Dischargers.
- f. "City" shall mean the City of Mansfield, County of Richland, State of Ohio.
- g. "Combined Sewer" shall mean a sewer receiving both surface run-off and sewage.
- h. "Composite Sample" shall mean a sample that should contain a minimum of eight (8) discrete samples taken at equal time intervals over the compositing period or

proportional to the flow rate over the compositing period. More than the minimum number of discrete samples will be required where the wastewater loading is highly variable.

- i. "Commissioners" shall mean the Board of Richland County Commissioners.
- j. "County" shall mean Richland County, Ohio.
- k. "Discharger" shall mean any industrial user who discharges an effluent into a POTW by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, intercepting ditches, and all constructed devices and appliances appurtenant thereto.
- l. "District" shall mean Richland County Sewer District "A".
- m. "Division" shall mean the Richland County Sewer.
- n. "Engineer" shall mean the Registered Professional Engineer designated by the County Commissioners.
- o. "Explosivity" shall mean 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 or hazardous in any other way to the POTW or to the operation of the POTW. Materials that are included, but not limited to this definition, are gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, polychlorinated biphenyls, polybrominated biphenyls, carbides, hydrides, stoddard solvents and sulfides.
- p. "Federal Act" or "Act" shall mean and designate the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, and Clean Water Act (33 U.S.C. 1251 et seq) and any amendments thereto; as well as any guidelines, limitations, and standards promulgated by the U.S. Environmental Protection Agency pursuant to the act.
- q. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- r. "Grab Sample" shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- s. "Indirect Discharge" shall mean the discharge or the introduction of non-domestic pollutants from a source regulated under Section 307 (b) or (c) of the Act, into a POTW.

- t. "Industrial User" or "Industry" shall mean any owner who discharges to the POTW liquid, solid, or gaseous wastes resulting from industrial, manufacturing, trade or business process or from the development, recovering or processing by physical or chemical transformation of natural resources.
- u. "Industrial Waste" shall mean the liquid and water-carried wastes from industries as defined herein.
- v. "Intercepting Sewer" shall mean a sewer intended to receive flows from both combined sewers and sanitary sewers; or a sewer whose primary purpose is to transport wastewater from collector (local) sewers to a Sewage Treatment Plant.
- w. "Interference" shall mean an inhibition or disruption of the sewage treatment processes or operation which contributes to a violation of any requirements of the City's NPDES permit. The term includes prevention of sewage sludge use or disposal by the treatment plant 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, the Clean Air Act, the Toxic Substance Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV or the Solid Waste Disposal Act) applicable to the method of disposal or use employed by the City.
- x. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- y. "NPDES Permit" or "Natural Pollutant Discharge Elimination System Permit" issued under the permit program of the U.S. Environmental Protection Agency or such other lawful permit, document, regulation or requirement under which the POTW is operated.
- z. "National Pretreatment Standard" or "Pretreatment Standards" or "Standard" shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established in 403.5.
- aa. "New Discharger" shall mean any owner that becomes an industrial user of the POTW after the effective date of this resolution.
- bb. "Oil and Grease" shall mean any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that is extracted by freon solvent.
- cc. "O and M" shall mean Operation and Maintenance.
- dd. "Other Wastes" shall mean decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals and all other substances except sewage and industrial wastes.

- ee. "Owner" or "Person" shall mean any individual, firm, company, partnership, association, society, corporation or group.
- ff. "Pass Through" shall mean a discharge of waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable only to such degree that the wastewater treatment plant effluent cannot meet the requirement of other agencies having jurisdiction over discharge to the receiving waters.
- gg. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- hh. "Plumbing Inspector" shall mean and designate the Plumbing Inspector of the Richland County Board of Health.
- ii. "Pollutant" shall mean any substance discharged into a POTW or its collection system, listed in Appendices A and B hereto.
- jj. "POTW" shall mean any sewage treatment works and the sewers and conveyance appurtenances discharging thereto, owned and operated by the City or County.
- kk. "Pre treatment" shall mean 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 POTW.
- ll. "Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.
- mm. "Private Sewer" shall mean a sewer constructed and serving individual owners or persons under private ownership.
- nn. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of foods that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in the POTW, with no particle greater than 1/2 inch in any dimension.
- oo. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority. Public sewers shall include Public Onsite Wastewater systems as defined and regulated by these regulations.
- pp. "Public Onsite Wastewater System" shall mean a publicly owned onsite wastewater system that is owned, operated, and maintained by the County.

- qq. "Risk" shall mean a significant possibility, as contrasted with a remote possibility, that a certain result may occur or that certain circumstances may exist.
- rr. "Sanitary Sewer" shall mean a sewer which carries sewage and wastes and to which storm, surface and ground waters are not intentionally admitted.
- ss. "Septic Tank Wastes" shall mean the waste from water closets, urinals, lavatories, sinks, garbage disposers, bath tubs, showers, privies, privy vaults, septic tanks, cesspools or household laundries resulting from an owner not having an authorized tap into the sanitary sewer system of the County and shall include any waste removed from any private sewage system.
- tt. "Sewage" shall mean water-carried human wastes or a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.
- uu. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- vv. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- ww. "Sewer" shall mean a pipe or conduit for carrying sewage.
- xx. "Shall" is mandatory; "May" is permissive.
- yy. "Sludge" shall mean any solid, semi-solid, or liquid waste generated by a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, or any other waste having similar characteristics and effects as defined in standards issued under Section 402, 405 of the Act and in the applicable requirements under Sections 3001, 3004 and 4004 of the Solid Waste Disposal Act (PL 94-580).
- zz. "Slug" or "Slugload" shall mean any pollutant, including oxygen-demanding pollutants (BOD, etc.) which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation or of such volume or strength as to cause interference to the POTW.
- aaa. "Source" shall mean the total discharge from a plant, commercial business or residential location.

- bbb. "Standard Methods" shall mean the laboratory procedures set forth in the 1980 edition of Standard Methods for the Examination of Water, Sewage, and Industrial Wastes, published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Wastes Associations.
- ccc. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, excluding sewage.
- ddd. "Superintendent" shall mean the County Sewer Superintendent or his authorized representative appointed by the County Commissioners.
- eee. "Surcharge" shall mean the assessment in addition to the service charge which is levied on those persons whose wastes are greater in strength than the concentration values established as representative of normal sewage.
- fff. "Suspended Solids" shall mean total suspended matter that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.
- ggg. "Toxic Pollutants" shall mean those substances capable of producing toxic effects on living organisms and shall include but not be limited to those substances listed in Appendix A.
- hhh. "Unpolluted Drainage" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of the receiving water quality standards and would not be benefited by discharge to the sanitary sewers and sewage works provided.
- iii. "Upset" shall mean an exceptional incident which results in a Discharger unintentionally and temporarily being in a state of noncompliance with the standards set forth in this resolution or which results in the introduction of biological demand material or suspended solids in concentrations which cause damage or interference to the POTW due to factors beyond the reasonable control of the Discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.
- jjj. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- kkk. "Wastewater" shall mean industrial waste, or sewage or any other waste including that which may be combined with any ground water, surface water or storm water, that may be discharged to the POTW.

## SECTION 2 USE OF PUBLIC SEWERS REQUIRED

- a. The owner of all houses, building or structures used for human occupancy, employment, recreation or other purpose, 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 connected to the City of Mansfield sewer system, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the public sewer in accordance with -the provisions of this resolution, within ninety (90) days after date of official notice to do so, provided there is a public sewer available for use and is accessible to the premises following a determination and certification to the Board by the Engineer as to the availability and accessibility of the sewer, all in accordance to O.R.C. Section 6117.51.
- b. Private and semi-private sewers, as defined in Section 1, that are tributary or potentially tributary to the public sewer system of the City of Mansfield shall meet the design and construction standards applicable to public sewers as constructed by the County. The County shall have sufficient access or right-of-way to private sewers for inspection, supervision, testing and enforcement of all health, sanitation, safety and sewer regulations.
- c. It shall be unlawful to dump or dispose of tank wastes at any location, or by any means, other than at the designated location thereof, as determined by the County Commissioners.
- d. Persons desiring to dump or dispose of septic tank wastes shall register the hauling vehicle with the Richland County Health Department, providing such information as may be required. Such dumping or disposal shall be subject to the provisions of Section 6 et seq.
- e. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2a, a direct connection shall be made to the public sewer in compliance with this resolution, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- f. At the discretion of the Richland County Board of Commissioners, the building sewer shall be connected to a public onsite wastewater system complying with the provisions of the regulations of the Richland County Health Department. The county shall operate and maintain the public onsite wastewater system in a sanitary manner at all times. The type, capacities, location, and layout of a public onsite wastewater system shall comply with all provisions of the regulations of the Richland County Health Department.
- g. Remote reading water meters are to be installed on domestic water systems by owners prior to connection to the sanitary sewer at owner's expense. Where the domestic water supply is deemed un-meterable, a flat rate for sewerage will be

determined by the County Commissioners. Public Onsite Wastewater Systems shall be subject to the most current sewer use rates as established by the Richland County Board of Commissioners for Public Onsite Wastewater systems.

### SECTION 3 BUILDING SEWERS AND CONNECTIONS

- a. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Richland County Sewer Department. A licensed sewer tapper making application for a permit shall have the owner's authority to make such application and shall be deemed the owner's agent.
- b. No temporary or accommodation connections or taps to a sanitary sewer within the District shall be permitted to serve property located outside of the sewer district in which such sewer is located. The Division shall have no authority to authorize or permit a connection or tap of the type or character referred to in this section without the expressed approval of the Commissioners.
- c. No permit shall be issued allowing connections to be made with any public sewer, to service or drain any lots or lands, where the owners or former owners of which for any reason have not paid or have refused to pay the portion of the cost of such public sewer allocated by the Commissioners to such lots or lands or who have not paid all assessments levied against such lots or lands for sanitary or drainage purposes, or any lots or lands which have not been assessed for such sewer or drainage unless the owner thereof shall pay to the County such unpaid assessments. Money so paid shall be placed to the credit of an appropriate sewer fund.
- d. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the County. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Division. A permit and inspection fee shall be paid to the County at the time the application is filed. The permit shall be issued by the Division after the required fee for the tap has been deposited with the County and may be revoked for violation of any provision of the Resolution or failure to comply with the reasonable rules, regulations and orders of the County adopted pursuant hereto.
- e. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify and save harmless the County from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- f. A separate and independent building sewer shall be provided for every, building. This section shall not apply to buildings which perform related functions as part of an industrial complex.
- g. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Resolution.
- h. The building sewer shall be vitrified sewer pipe meeting the requirements of the American Society for Testing Materials Designation C-700 with water-tight joints including a compression type gasket conforming to the material and testing requirements of ASTM Designation C-425, Polyvinyl Chloride (PVC) gravity sewer pipe meeting the requirements of ASTM Designation 3034DR35 with integral bell gasketed joints conforming to the material and testing requirements of ASTM Designation 3212, or cast iron soil pipe ASTM Designation A74, with push-on type joints or an approved no-bell stainless steel bank type joint. House sewers shall be not less than six inches (6") in diameter. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay or P.V.C. sewer pipe material may be used if laid on a suitable concrete bed or cradle as approved by the Superintendent.
- i. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than six (6) inches. The slope of such 6-inch pipe shall not be less than 1.04% or one-eighth (1/8) inch per foot.
- j. 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 three (3) 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.
- k. 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.
- l. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM Designation (C12) except that no backfill shall be placed until the work has been inspected. If the construction is backfilled or otherwise covered before such inspection the Superintendent may require the fill or cover to be removed at the expense of the permittee or person making such tap. Such expense if not otherwise paid, shall be an obligation under the bond provided for in Section 5.

- m. Pipe shall be laid on six inches (6") of crushed stone bedding material conforming under ASTM #67 crushed aggregate. It shall be a blend of angular materials in the general size range of 1/4 inch to 3/4 inch. It shall conform to the following sieve analysis: 10% passing one inch; 90-100% passing 3/4 inch; 20-55% passing 3/8 inch; 0-10% passing #4; 0-5% passing #8. Measurement shall be by weight. After the bedding material is placed in the bottom of the trench, the pipe shall be laid in the bedding material with care being taken to insure that the bottom of the pipe is resting on the bedding material for its full length. The pipe shall then be adjusted to the proper elevation by adding or removing bedding material as required. After the piping installation is approved by the Superintendent, it shall be backfilled to a depth of at least six inches (6") above the top of the pipe with granular material conforming to that specified for bedding material. This initial backfill shall be thoroughly tamped to the satisfaction of the Superintendent with precaution taken so that no misalignment and no change in grade will occur during the backfilling operation. The balance of the trench located outside the pavement limits shall be backfilled with the excavated materials free of large stones or lumps. All excavations within the limits of street pavement, parking areas or public drives shall be backfilled with gravel backfill compacted in place. Gravel backfill shall meet with the approval of the Superintendent prior to its installation. All excavations shall be adequately guarded with barricades and lights so as to protect the public from hazard.
- n. The connection of the building sewer into the public sewer shall be made at a wye or tee fitting, if such fitting is available at a suitable location. If the public sewer is fifteen (15) inches in diameter or less, and no properly located wye or tee fitting is available, the owner shall at his expense install a wye or tee fitting in the public sewer at the location specified by the Superintendent. This shall be done by neatly sawing pipe and connecting with stainless steel "no-hub" connectors. Where the public sewer is greater than fifteen (15) inches in diameter, and a wye or tee fitting is not available, connection into the public sewer shall be made by using a saddle completely encased in concrete and made watertight. Long radius forty-five degree (45°) bends shall be used, as required, at the wye or tee fittings.
- o. The applicant for the building sewer permit shall notify the Superintendent twenty-four (24) hours before the building sewer is ready for inspection and connection to the public sewer to insure inspection on the following day. The connection shall be made under the supervision of the Superintendent or his representative.
- p. 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 Superintendent.
- q. No person, authorized and licensed under this Resolution to make openings, taps or connections with sewers, drains or drainage facilities or provide septic tank cleaning or repair services, shall allow his name to be used by another for the purpose of obtaining permits, or of doing any work under a license issued to him.

- r. Each person who makes openings, taps or connections with or construct sewers or drains upon or over public streets or property, shall keep in repair and good order the whole of the work executed by him, until the same is accepted by the Superintendent or his authorized representative, which acceptance shall be given in writing, and if deemed necessary by the Superintendent may be deferred until the expiration of one year after the completion of the work.
- s. In case it is necessary to connect a drain or sewer pipe with a public sewer or drainage facility when no junction is left in the same, the new connection with the public sewer or drainage facility shall be made only when a representative of the County, designated by the Superintendent, is present to see the whole of the work performed.
- t. The Owner shall maintain and repair private sewers lying within the right-of-way limits of dedicated public streets and alleys.
- u. The Superintendent is hereby authorized to make and enforce such regulations as may be necessary or proper in respect to or to provide for:
  - 1. The safe, economical and efficient management and protection of the public sanitary, combined or storm sewer system, facilities and appurtenances;
  - 2. The treatment, pumping and disposal of sewage, wastes, storm waters and any pumping, transmission or facilities therefore.
  - 3. The construction, repair, maintenance and use of the public sewer system, facilities, appurtenances and connections thereto, including the materials used in and methods employed in the performance of work pertaining thereto;
  - 4. Such applications, permits, bonds and other forms or documents as may be necessary or convenient to the discharge of his duties and responsibilities in respect to and the enforcement of the provisions of the Commissioners pertaining to the subject matter hereof. Such rules and regulations when approved by the Commissioners shall be enforceable to the same extent as the provisions of this resolution or other legislation enacted by the Commissioners and violations thereof shall be punished as provided in Section 11.
  - 5. The following fees are hereby imposed and shall be collected pursuant to the provisions of this Resolution:

License and Permit Fees

Sanitary sewer or storm sewer tapper's license:	\$100.00/year
Sanitary sewer or storm sewer tapper's license renewal:	\$25.00/year
Permit to open or tap a sanitary sewer for residential or commercial building:	\$50.00
Permit to open or tap a sanitary sewer for industrial user:	\$50.00
Permit to open or tap either a sanitary or storm sewer manhole:	\$25.00

Each such license or renewal thereof shall be valid until December 31 of the year in which issued unless sooner terminated or revoked as provided herein.

Pretreatment Fees

Fee for filing appeal:	\$25.00
Review of accidental discharge procedures and construction:	\$20.00/hour

**SECTION 4 USE OF PUBLIC SEWERS**

- a. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, footer drainage or subsurface drainage to any sanitary sewer.
- b. Owners of property within the District whose property is served by a connection to sewers maintained and operated by the Commissioners or to sewers that are connected to interceptor sewers maintained and operated by the Commissioners shall:
  - 1. Disconnect storm water inflows to sanitary sewers maintained and operated by the Commissioners and not operated as a combined sewer, or to connections with those sewers;
  - 2. Disconnect non-storm water inflows to storm water sewers maintained and operated by the Commissioners and not operated as a combined sewer, or to connections with those storm water sewers;
  - 3. Reconnect or relocate any such disconnected inflows in compliance with Commissioners rules and applicable building codes, health codes, or other relevant codes;
  - 4. Prevent sewer back-ups into properties that have experienced one or more back-ups of sanitary or combined sewers maintained and operated by the Commissioners;
  - 5. Prevent storm water from entering a combined sewer and causing an overflow or an inflow to a sanitary sewer, which prevention may include projects or programs that separate the storm water from a combined sewer or that utilize a prevention or replacement facility to prevent or minimize storm water from entering a combined sewer or a sanitary sewer.
- c. Except as provided in Ohio Revised Code Section 6117.012(E), the Commissioners shall be reimbursed for moneys expended pursuant to O.R.C. Section 6117.012(C) by either of the following methods, depending solely on the discretion of the Commissioners:

1. A charge to the property owner in the amount of the payment made pursuant to O.R.C. Section 6117.012(C) for immediate payment or payment in installments with interest as determined by the Commissioners not to exceed ten per cent, which payments may be billed as a separate item with the rents charged to that owner for use of the sewers. The Commissioners may approve installment payments for a period of not more than fifteen years. If charges are to be paid in installments, the Commissioners shall certify to the county auditor information sufficient to identify each subject parcel of property, the total of the charges to be paid in installments, and the total number of installments to be paid. The auditor shall record the information in the sewer improvement record until these charges are paid in full. Charges not paid when due shall be certified to the county auditor, who shall place the charges upon the real property tax list and duplicate against that property. Those charges shall be a lien on the property from the date they are placed on the tax list and duplicate and shall be collected in the same manner as other taxes.
  2. A special assessment levied against the property, payable in the number of years the Commissioners determines, not to exceed fifteen years, with interest as determined by the Commissioners not to exceed ten per cent. The Commissioners shall certify the assessments to the county auditor, stating the amount and time of payment. The auditor shall record the information in the county sewer improvement record, showing separately the assessments to be collected, and shall place the assessments upon the real property tax list and duplicate for collection. The assessments shall be a lien on the property from the date they are placed on the tax list and duplicate and shall be collected in the same manner as other taxes.
- d. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet. Unpolluted industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet.
  - e. It shall be unlawful to deposit septic tank wastes into a public sewer, storm sewer, sanitary sewer or drainage system. Septic tank wastes shall be transported to the sewage treatment plant and disposed of in a manner acceptable to the County Commissioners.

#### SECTION 5 SEWER TAPPER QUALIFICATIONS: SEWER TAPPER BOND

No person shall tap, open or make connections with any sanitary or combined sewer within the District or cause the same to be done without first having procured a license to do so as hereinafter provided. Any person desiring to tap, open or make connections with ~such sewer Or engage in the business of sewer tapping and making sewer connections with public sewers or drains, shall make application in writing for such

license to the Superintendent. The Superintendent shall examine or cause to be examined the qualifications of such applicant for such license and shall grant a license if the applicant is found to be qualified therefore and complies with all other requirements of this resolution.

The applicant must have a minimum of four years of acceptable experience in the construction of sewer lines. At least two years of this experience shall be as a foreman or field superintendent over a sewer construction crew, or equivalent experience. The other two years experience shall be as a pipe layer or as an operator of sewer trenching equipment, such as a crane or backhoe, or equivalent experience.

The applicant must possess all equipment necessary in the judgment of the Superintendent or his authorized representative, to adequately make connections to the public sewer system and to construct the related sewer systems being connected to the public sewer. Such equipment shall be of adequate capacity and maintained in proper working order so as to provide adequate performance at all times.

A sewer tapper's license shall authorize the licensee to tap, open and make connection with public sewers, drains and drainage facilities under the provisions of the legislation of the County and laws of the State, provided that such license shall not be issued nor become effective until such applicant files with the Superintendent a bond in the form prescribed by the Commissioners, with surety or sureties licensed to do business in the State of Ohio and approved by the Superintendent in the amount of two thousand dollars and containing provisions that such licensee will indemnify and save harmless any person or the County from all loss or damage that may be either directly or indirectly occasioned by his opening, tapping or making connection with any public sewer or drain, or drainage facility, failure to properly perform the work or any work incident thereto. Should the surety or sureties withdraw from bond, or the bond for any reason becomes of no effect, then the license issued to such applicant shall immediately become void without notice.

The owner of premises of which he is the full time resident shall not be required to post bond if he is deemed competent to perform the work set forth in this Section and if he so does personally perform the work. Provided that annual Bonds covering all such work performed in the District by the same applicant shall be acceptable; and provided further that plumbers duly licensed and bonded pursuant to the regulations of the Richland County Health Department shall not be required to post bond under this Section.

The licensee, in making excavations in any street, alley, public way or other public place shall in all respects be governed by the provisions of law and the legislation of the County now in force or which may be hereafter adopted, regulating excavations. If the licensee violates any of the legislation of the County or laws of the State relative to the excavating of streets or other public places, or the opening, tapping and/or connecting with public sewers, drains and drainage facilities, the Superintendent shall have the power to suspend the license for such time as he may deem proper, or revoke the same as he may deem appropriate in the public interest.

After the suspension of a license and prior to its revocation the Superintendent shall hold a hearing to determine whether to revoke the license for violations of this section. The Superintendent shall hold the hearing within 30 days after the suspension. The licensee shall be given three (3) days prior written notice of the hearing. Service is complete on date of mailing.

By acceptance of a sewer tapper's license, the applicant assumes responsibility for restoring any pavement, curb, sidewalk, driveway, sewer pipe or appurtenance, shrubbery, lawn or other facility in the public right-of-way which was disturbed or damaged by the operation.

The Superintendent or his authorized representative shall have the authority to require the applicant, before work is started in a public right-of-way, to have two people on the job: one operator of trenching equipment and one person as a pipe layer.

Fraudulent statements or other misrepresentations made by the applicant in his application for a license, or failure to show adequate performance in laying of a sewer line, or failure to abide by any of the foregoing provisions, shall be grounds for the denial or revocation of the license by the Superintendent.

## SECTION 6 GENERAL DISCHARGE PROHIBITIONS

No Discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

- a. 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 that exhibit characteristics of explosivity. At no time shall two successive readings on a meter capable of reading L. E. L. (lower explosive limit) at a point at the nearest accessible point to the POTW in a sanitary sewer, at the point of discharge into the POTW, or at any point in the POTW be more than five percent (5%) nor any single reading greater than ten percent (10%).
- b. Solids or viscous substances such as but not limited to straw, metal fragments, glass, rags, plastics, garbage that has not been properly shredded and other wastes which obstruct the flow in a sewer or the risk thereof or cause interference to the operation of the POTW or the risk thereto.
- c. Any wastewater having a pH less than 5.0 or higher than 11.0 or having a corrosive property that causes damage or hazard to structures, equipment, personnel or the system or the risk thereto.

- d. Any wastewater containing toxic pollutants that either singly or by interaction causes damage or interference with any wastewater treatment process or the risk thereto, constitutes a hazard to humans or animals or a risk thereto, or exceeds the limits established by the County in compliance with applicable state and federal regulations.
- e. Any noxious or malodorous liquid, gas or solid that either singly or by interaction creates damage or prejudice to others or the public or hazard to life or the risk thereof or is sufficient to prevent entry into the sewers for the maintenance and repair.
- f. Any substance which shall cause the POTW's effluent or treatment residues, sludges or scums to interfere with the County and City's goals for reclamation and reuse or to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- g. Any substance which will cause the POTW to violate its NPOES and/or other Disposal System Permits or the risk thereof.
- h. Any substance with such color not removed in the treatment process, such as but not limited to dye wastes and vegetable tanning solutions, which place the City in violation of its NPDES permit.
- l. Heat in amounts which will inhibit biological activity in the POTW, but in no case heat in such quantities that the temperature at the POTW exceeds 40 degrees C (104 degrees F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.
- j. Any slugload.
- k. Any unpolluted water including but not limited to non-contact cooling water.
- l. Any wastewater containing any radioisotopes of such half-life or concentration as exceed limits established by the City and County.
- m. Sewage containing more than 50 milligrams per liter of grease and oil.
- n. Biochemical oxygen demand, chemical oxygen demand, suspended solids, or nitrogen in concentration which causes damage or interference to the POTW or the risk thereto.
- o. Flows of a magnitude of variation which causes damage or interference to the POTW or the risk thereto.
- p. Any "Pass Through" of the wastewater treatment plant.

q. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

## SECTION 7 LIMITATIONS ON WASTEWATER STRENGTH

### a. National Categorical Pretreatment Standards

National categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all Dischargers. An application for modification of the national categorical pretreatment standards may be considered for submittal to the Regional Administrator by the City, when the City's wastewater treatment system achieves consistent removal of the pollutants as defined by 40 CFR 403.7.

### b. State Requirements

State requirements and limitations on discharges to the POTW shall be met by all Dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable resolution.

### c. Right of Revision

The County reserves the right to amend this Resolution to provide for more stringent limitations or requirements on discharges to the POTW where deemed necessary to comply with the objectives set forth by the POTW Authority.

### d. Dilution

No Discharger shall increase the use of potable or process water in any way for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in the Resolution. This shall not prohibit the use of equalization tanks utilized to regulate flows.

### e. Supplementary Limitations

No Discharger shall discharge wastewater containing concentrations of the following enumerated materials, exceeding the following values:

<u>Material</u>	<u>Concentration (mg/l)</u>
Arsenic	_____ *
Cadmium	0.5
Copper	3.6
Cyanide	_____ *
total cyanide	1.2
free cyanide	_____ *
lead	0.2
mercury	0.2
nickel	10.4
silver	_____ *
total chromium	11.8
hexavalent chromium	_____ *
zinc	4.0

(\*) Values may be established at a future date.

## SECTION 8 ACCIDENTAL DISCHARGES

Each Discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Resolution. When there is a substantial danger to the public health or welfare or a substantial danger to the environment or of interference to the POTW that would result from an accidental discharge, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the Discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the County to review, and shall be approved by the County before construction of the facility. Construction of the approved facilities shall be completed within six months of notice to provide protection. If facilities are not completed within six months, the County may deny permission to discharge to the sewer system. Review and approval of such plans and operating procedures by the County shall not relieve the Discharger from the responsibility to modify its facility as necessary to meet the requirements of this Resolution. Dischargers shall notify the County immediately upon the occurrence of a "slugload" or accidental discharge of substances prohibited by the Resolution. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume and corrective actions. Any Discharger who discharges slugs or accidental discharge of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the City or County on account thereof under state and federal law. Signs shall be permanently posted in conspicuous places on Discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedure.

## SECTION 9 WASTEWATER DISCHARGERS

It shall be unlawful to discharge sewage, industrial wastes or other wastes to any sewer outlet within the jurisdiction of the County, without having first complied with the terms of this Resolution.

### a. Wastewater Discharge Data Disclosure

#### 1. General Disclosure

All Industrial Dischargers proposing to connect to or to discharge sewage, industrial wastes, and other wastes to the POTW shall comply with all terms of this Resolution.

#### 2. Disclosure Forms

Industrial Dischargers shall complete and file with the County a disclosure declaration in the form prescribed by the County. Industrial Dischargers shall file disclosure forms at least 90 days prior to connecting to the POTW. The County will evaluate the complete disclosure form and data furnished by the Discharger and may require additional information. Within 30 days after full evaluation and acceptance of the data furnished, the County shall notify the Discharger of the County's acceptance or nonacceptance thereof. An approved disclosure form is necessary to meet the requirements of this resolution. When the disclosure form indicates a need for additional pretreatment the County may require additional pretreatment of discharged sewage, industrial waste or other waste. Thereafter following discovery in a discharge of a hitherto unknown pollutant which may exceed limits of this resolution, the discharger shall file in 30 days with the County a method of disclosing the source and quantity of the pollutant. A time schedule of activities which will produce the required information shall be submitted at the same time for review and concurrence by the County.

#### 3. Additional Pretreatment

Where additional pretreatment and/or O&M activities will be required to comply with this Resolution, the Discharger shall provide a declaration of the shortest schedule by which the Discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities. The Discharger's declaration shall be known as the compliance schedule and shall be subject to the following requirements:

- a.) The schedule shall contain milestone dates for the commencement and completion of major events leading to the

construction and operation of additional pretreatment required for the Discharger to comply with the requirements of this Resolution including, but not limited to, dates relating to hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, .completing construction, and all other acts to achieve compliance with this Resolution.

b.) Under no circumstances shall the County permit a time increment for any single step directed toward compliance which exceeds three (3) months.

c.) Not later than 14 days following each milestone date in the schedule and the final date for compliance, the Discharger shall submit a progress report to the County, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay and the steps being taken by the Discharger to return the construction to the approved schedule. In no event shall more than three (3) months elapse between such progress reports to the County.

The County will evaluate the compliance schedule furnished by the Discharger and may require additional information. Within 30 days after full evaluation of the compliance schedule, the County shall notify the Discharger of the County's acceptance or nonacceptance thereof.

#### 4. Standards Modifications

The County reserves the right to amend this Resolution and the terms and conditions hereof in order to assure compliance by the County with applicable laws and regulations. Within nine (9) months of the promulgation of a National Categorical Pretreatment Standard or State Standards on Discharges to the POTW, this Resolution shall be amended to require compliance by Dischargers with such standards within the time frame prescribed by such standards. All National Categorical Pretreatment Standards and all State Discharge Standards adopted after the promulgation of this Resolution shall be adopted by the County as part of this Resolution. Where a Discharger, subject to a National Categorical Pretreatment Standard or State Discharge Standards has not previously submitted a disclosure form as required by Subsection 9(a)(2) hereof, the Discharger shall file a disclosure form with the County within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard by the U.S. FDI!. nr State Discharge Standard. In addition, any Discharger operating on the basis of a previous filing of a disclosure

statement, shall submit to the County within 180 days after the promulgation of an applicable National Categorical Pretreatment Standard or State Discharge Standard, any additional information required by the County. The Discharger shall be informed of any proposed changes in this Resolution at least 30 days prior to the effective date of change. Any changes or new conditions in this Resolution shall include a reasonable time schedule for compliance. The limitations set on toxic pollutants shall be evaluated by the Dischargers of the toxic pollutants discharged and the County when one of the following conditions exists:

- a.) One (1) year after implementation of this Resolution and every year thereafter.
- b.) Anytime the effluent from the sewage treatment plant consistently is above or below the water quality standards of effluent limits established by Ohio EPA.

b. Reporting Requirements for Discharger

1. Compliance Date Report

Within 30 days following the date for final compliance by the Discharger with applicable Pretreatment Standards set forth in this Resolution or 30 days following commencement of the introduction of wastewater into the POTW by a New Discharger, any Discharger subject to this Resolution shall submit to the County a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. 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 Discharger into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Discharger.

2. Periodic Compliance Reports

- a.) Any Discharger subject to a Pretreatment Standard set forth in this Resolution, after the compliance date of such Pretreatment Standard, or in the case of a New Discharger, after commencement of the discharge to the County, shall submit to the County during the months of June and December, unless required more frequently by the County, a report indicating for three (3) consecutive days the nature and concentration of prohibited or regulated substances in the effluent which are limited by the Pretreatment Standards hereof. In addition, this report shall include a record of all measured or estimated average and maximum daily flows during the reporting

period. Flows shall be reported on the basis of actual measurement, provided however, where cost or feasibility considerations justify, the County may accept reports of average and maximum flows estimated by verifiable techniques. The County, for good cause shown, considering such factors as local high or low flow rates, holidays, budget cycles, or other extenuating factors, may authorize the submission of said reports on months other than those specified above. Should a report of any daily composite sampling show a violation of the maximum daily limit, the Discharger will be required to report 14 consecutive calendar days of sampling performed for the pollutant in violation. This sampling must be completed within 30 calendar days of notification of the violation. If the results of the sampling show violation does occur, then the discharger will be notified that a new compliance schedule is required. If the sampling indicates no additional violations, then no further action will be required by the discharger at that time. Where categorical standards allow for a four-day average limit and the report of scheduled sampling show the discharge exceeded the four-day average but within the maximum daily limit, the County will perform a second sampling for the parameter of concern. If the second sampling again indicates the discharge is in excess of the four-day average, the discharger will be notified and will be required to report seven days of sampling for that parameter to show the pollutant does not exceed allowable limits.

b.) Reports of Dischargers shall contain all results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where required by the County. The frequency of monitoring by the Discharger shall be as prescribed in the applicable National Categorical Pretreatment Standard or at intervals determined to be necessary by the County. If pollutant concentration in the discharge is of such varying nature, or if there is a reasonable risk of a "slug" of a pollutant that a "grab" sample of the wastewater cannot be relied upon to furnish a representative analysis of the industry's discharge, then the County may require the installation of special sampling devices. These may include a continuous sampling pump coupled to a flow meter in such a way that the size of the sample is proportional to the total flow. The Discharger shall be responsible for the collection and testing of the aforementioned samples. Samples shall be collected in such a manner as to be representative of the composition of the wastes. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

Analyses - Laboratory procedures used in the examination of industrial wastes shall be those set forth in the edition of one of the following:

- Standard Methods for the Examination of Water and Wastewater, 1980 edition.
- Part 31 of the Standards of the American Society for Testing and Materials, 1981 edition.
- Methods for Chemical Analysis of Water and Wastes Environmental Protection Agency, March 1979 edition.
- Any other technique approved by the Administrator of U.S. EPA.

c.) Monitoring Facilities: Each Discharger shall provide and operate at the Discharger's own expense a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the County. Each monitoring facility shall be situated on the Discharger's premises, except where such a location would be impractical or cause undue hardship on the Discharger, the County may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction shall be completed within 90 days of receipt of written notice from the County directing the Discharger to construct the facilities.

All sewers shall have an inspection and sampling manhole or structure with an opening of no less than 24 inches diameter and internal diameter of no less than 48 inches containing flow measuring, recording, and sampling equipment as required by the County to ensure compliance with this Resolution. Such structure may be utilized by the Discharger for his monitoring program if approved by the County.

d.) Inspection and Sampling: The County may inspect the monitoring facilities of any Discharger to determine compliance with the requirements of this Resolution. The Discharger shall allow the County or its representatives to enter upon the premises of the Discharger at all reasonable hours, for the purposes of inspection; sampling, or records examination. The County shall have the right to set up on the Discharger's property necessary devices to conduct sampling, inspection, compliance monitoring, metering operations, or all of these. The County shall have the right to copy the Discharger's records relevant to determining compliance with the requirements of this Resolution.

e.) Confidential Information: Information and data furnished to the County with respect to the nature and frequency of discharge shall be available to the public or other governmental agency without restriction unless the Discharger specifically requests and is able to demonstrate to the satisfaction of the County that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information of the discharger. When requested by a Discharger furnishing a report, the portions of a report which may 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 Resolution, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit, the Pretreatment Programs, or all of these, provided however, that such portions of a report shall be available for use by the state- or any state agency in judicial review or enforcement involving the Discharger furnishing the report. Wastewater Constituents and characteristics will not be recognized as confidential information. Information accepted by the County as confidential shall not be transmitted to any party except as provided herein and unless a ten-day notification is given to the Discharger.

## SECTION 10 ENFORCEMENT

### a. Violations

No person or discharger shall violate any provision, regulation or requirement of this Resolution.

### b. Notice of Violation

Whenever the Engineer finds a Discharger in violation of this Resolution, he shall immediately notify the Commissioners. The Commissioners may serve written notice upon the violator stating a brief and concise description of the violation and direct compliance with the Resolution within ten (10) days.

Service of the notice shall be made personally or by certified mail upon the Discharger or Authorized Representative of the Industrial User. Service is complete on date of mailing.

### c. Citation and Hearing

When the violation has not been corrected as directed by the Commissioners, the Commissioners may issue a written citation to the Discharger. The citation shall contain a brief and concise description of the particulars of the violation as

well as the time and place of a hearing. The date of the hearing shall be no earlier than ten (10) days nor later than twenty {20} days from the date of service. Service of the citation shall be made personally or by certified mail upon the Discharger or Authorized Representative of the Industrial User. Service is complete on date of mailing.

The County Commissioners shall be the responsible officers before which the hearing shall be conducted. They shall determine the order in which the hearing shall proceed.

At the hearing the Discharger or its representative or attorney shall be permitted to present its position, arguments and contentions. Evidence may be admitted and witnesses may be examined and cross-examined to either support the Discharger's position or to refute evidence and testimony offered by the Engineer. Further, the right to proffer evidence into the record shall be recognized. All witnesses shall be placed under oath and the County Commissioners shall permit subpoenas to be issued upon written request. If neither the Discharger nor its Authorized Representative appear at the hearing, the Commissioners shall proceed with the hearing.

Within thirty (30) days from the date of the hearings, the Commissioners shall render their decision in writing, supported by conclusions of fact supporting their decision, to all parties. The Commissioners may order any appropriate relief including dismissal of the Engineer's findings or termination of wastewater treatment services to the Discharger. The decision of the Commissioners shall be a final administrative order and any Discharger adversely affected by such decision may appeal to the common pleas court according to law.

d. Enforcement Actions - Annual Publication

A list of all significant Dischargers, which were the subject of enforcement proceedings pursuant to Section 10 of this Resolution during the 12 previous months, shall be annually published by the County in the largest daily newspaper published in the County, summarizing the enforcement actions taken against the Dischargers during the same 12 months whose violations remained uncorrected 45 or more days after notification of noncompliance; or which have exhibited a pattern of noncompliance over that 12-month period, or which involve failure to accurately report noncompliance.

e. Operating Upsets

Any Discharger which experiences an upset in operations which places the Discharger in a temporary state of noncompliance with this Resolution shall inform the County thereof within 24 hours of first awareness of the commencement of the upset. Where such information is given orally, a written

follow-up report thereof shall be filed by the Discharger with the County within five (5) days. The report shall specify:

1. Description of the upset, the cause thereof and the upset's impact on a Discharger's compliance status.
2. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which the compliance is reasonably expected to occur.
3. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of noncompliance.

f. Other Remedies

Notwithstanding any other enforcement procedure listed in this Resolution, or in conjunction with any other enforcement procedure, the County may seek to terminate the wastewater treatment services to any Discharger which fails to (a) factually report the wastewater concentrations and characteristics of its discharge; (b) report significant changes in the wastewater concentration or discharge; (c) refuse reasonable access to the Discharger's premises by representatives of the authority for the purpose of inspection or monitoring; or (d) violates the conditions of this Resolution, or any final administrative order entered with respect thereto.

SECTION 11 PENALTIES

a. Penalties

1. Any Discharger that violates any provision of this Resolution or any order made thereunder may be fined not more than \$1,000.00. Each day during which each violation continues shall be considered a separate offense.
2. Any person that violates Section 2 through 5 of this Resolution or any order made thereunder may be fined not more than \$500.00. Each day during which each violation continues shall be considered a separate offense.

b. Recovery of Costs Incurred by the Authority

Any Discharger violating any of the provisions of this Resolution or who discharges or causes a discharge producing a deposit or obstruction, or causes

damage to or impairs the County's wastewater disposal system shall be liable to the County for any expense, loss, or damage caused by such violation or discharge. The County shall bill the Discharger for the costs incurred by the County for any cleaning, repair, or replacement work caused by the violation or discharge. Failure to pay the assessed costs within 90 days shall constitute a violation of this Resolution enforceable under the provisions of Section 10 of this Resolution.

c. Falsifying Information

1. No person shall knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Resolution or with purpose to mislead a public official in performing his official function.

Whoever violates this section shall be guilty of a misdemeanor of the first degree and be fined not more than \$1,000.00 or be imprisoned not more than 6 months, or both.

2. No person shall without privilege to do so, knowingly damage or improperly tamper with any monitoring device or method required or authorized under this Resolution. Whoever violates this section shall be guilty of a misdemeanor of the third degree and be fined not more than \$500.00 and be imprisoned not more than 60 days, or both.

SECTION 12 RECORDS RETENTION

All Dischargers subject to this Resolution shall retain and preserve for no less than 3 years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling, and chemical analyses made by or in behalf of a Discharger in connection with its discharge. All records which pertain to matters which are the subject to Administrative Adjustment or any other enforcement or litigation activities brought by the County pursuant hereto shall be retained and preserved by the Discharger until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

SECTION 13 SEVERABILITY

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

SECTION 14 CONFLICT

All other Resolutions and parts of other resolutions inconsistent or conflicting with any part of this Resolution are hereby repealed to the extent of such inconsistency or conflict.

PASSED: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Richland County Board  
of Commissioners

APPROVED AS TO FORM:

\_\_\_\_\_  
Richland County Prosecutor