

SANITATION DISTRICT NO. 1

RULES AND REGULATIONS



Sanitation District No. 1

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INTRODUCTION

The public mandate for national clean waters resulted in the passage by Congress of the Federal Water Pollution Control Act Amendments of 1972 (PL 92-500). The Act set into motion a federal mandate to improve the sewer systems and wastewater treatment plants of the nation's municipalities. The 1972 Act was further amended by the Clean Water Act of 1977 which gave the Environmental Protection Agency the authority to set effluent standards on an industry basis and established the requirement for a permit (KPDES) to discharge any pollutant into navigable waters. The Clean Water Act resulted in publication of the General Pretreatment Regulations in 1981 (40 CFR, Part 403).

Among the goals of these Rules and Regulations are:

- (a) Prevention of the introduction of pollutants into the municipal wastewater system, which will interfere with the operation of the system including interference with its use or disposal of municipal sludge.
- (b) Prevention of the introduction of pollutants into the municipal wastewater system, which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.
- (c) Improved opportunity to recycle and reclaim wastewaters and sludge from the system.
- (d) Equitable distribution of the cost of the municipal wastewater system.
- (e) Provide for the safety of the treatment plant employees.
- (f) Ensure that the Sanitation District complies with its KPDES or non-discharge permit conditions, sludge permit conditions, including use and disposal requirements and any other federal or state environmental laws to which the municipal wastewater system is subject.

In order to implement the above requirements, these Rules and Regulations provide Sanitation District No. 1 with the legal authority to control the sewer system and monitor the wastewaters discharged to the public wastewater treatment system under its management.

This control, along with other controls affected by these Rules and Regulations herewith presented, is necessary not only to conform to federal and state Environmental Protection Agency laws and regulations, but also to provide for the consistent, reliable, and efficient functioning of the District's wastewater collection and treatment systems.

Any inquiries concerning the enclosed Rules and Regulations should be addressed to the General Manager, Sanitation District No. 1.

These Rules and Regulations shall be in full force and effect from and after their passage and approval as provided by Resolution.

ORIGINAL:

APPROVED by the Board of Directors this 23rd day of November 1983.

REVISION NO. 1:

APPROVED by the Board of Directors this 8th day of June 1987.

REVISION NO. 2:

APPROVED by the Board of Directors this 12th day of December 1988.

REVISION NO. 3:

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REVISION NO. 4:

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REVISION NO. 5:

APPROVED by the Board of Directors this 19th day of June 1995.

REVISION NO. 6:

APPROVED by the Board of Directors this 18th day of November 1999.

REVISION NO. 7:

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REVISION NO. 8:

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REVISION NO. 9:

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REVISION NO. 10:

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REVISION NO. 11:

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REVISION NO. 23:

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ARTICLE 1

DEFINITIONS/ABBREVIATIONS

Unless the context specifically indicates otherwise, the meaning of terms in these Rules and Regulations shall be as follows:

Section 101 – Definitions

"Act" - See "Clean Water Act".

"Act of God" shall mean an unusual or unforeseeable manifestation of the forces of nature that could not be prevented.

"Analytical Testing" shall mean all methods of sample collection, preservation and analysis as prescribed in 40 CFR 136, "Test Procedures for the Analysis of Pollutants."

"Approval Authority" shall mean the Director in a NPDES state with an approved state pretreatment program and the administrator of the E.P.A. in a non-NPDES state or NPDES state without an approved state pretreatment program.

"Assessment Projects" shall mean new sewer line extension projects where the latest version of the District's "Guidelines and Procedures for Extension of Sanitary Sewer Facilities into Previously Unserved Areas Through the Assessment of Costs to Property Owners" are used.

"Auxiliary Meter" shall mean:

- (a) A debit meter or meters used on a primary water supply other than a municipal water supply, i.e., wells, private water company, etc., and/or
- (b) A debit meter or meters used to supplement the meter or meters measuring a municipal water supply and considered necessary in the determination of the sewage service charge and/or surcharge.

"Authorized Representative" shall mean:

- (a) A user who is: (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 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) Any person designated by the Sanitation District to act on its behalf.

"Baseline Monitoring Report" shall mean a report submitted by categorical industrial users which indicates the compliance status of the user with the applicable categorical standard [40 CFR 403.12(b)].

"Beneficial Uses" shall mean uses of the waters of the state that may be protected against quality degradation, including but not limited to, domestic, municipal, agricultural and industrial water supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by federal or state laws.

"Biochemical Oxygen Demand - BOD" shall mean oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Celsius, expressed in milligrams per liter. The values shall be as determined by the methods of analytical testing, except that when the BOD value is to be used in determining wastewater treatment system charges, and the BOD test does not produce an accurate measure of the oxygen demand actually exerted by the waste when undergoing treatment, then for use in determining said charges the BOD shall be calculated by whichever of the following formulas give the more accurate measure of oxygen demand actually exerted.

$$\text{BOD} = (F_1) (\text{COD}) \text{ (Section 111)}$$

or

$$\text{BOD} = (F_2) (\text{TVR})$$

Wherein F_1 and F_2 are constants to be determined for each wastewater treatment plant and TVR is the total volatile residue in milligrams per liter as determined by the methods of analytical testing.

"Board" shall mean the Board of Directors of Sanitation District No. 1.

"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 a building and conveys it to the building sewer. The building drain shall extend to three (3) feet outside the building wall.

- (a) **"Building Drain - Sanitary"** - A building drain which conveys sewage only.
- (b) **"Building Drain - Storm"** - A building drain which conveys storm water or other drainage, but no sewage.

"Building Sewer" shall mean the extension from the building drain to the public sewer or other places of disposal.

- (a) **"Building Sewer - Sanitary"** - A building sewer which conveys sewage only.
- (b) **"Building Sewer - Storm"** - A building sewer which conveys storm water or other drainage, but no sewage.

"CFR" shall mean Code of Federal Regulation.

"Capacity Connection Permit" shall mean a permit issued by Sanitation District No. 1 to connect to a sewer owned and maintained by the District.

"Categorical Industrial User" shall mean an industrial user subject to categorical pretreatment standards, which have been promulgated by the Environmental Protection Agency.

"Chemical Oxygen Demand - COD" shall mean the oxygen equivalent of that portion of the organic matter that is susceptible to oxidation by a strong chemical oxidant. The values shall be as determined by the methods of analytical testing.

"Clean Water Act" shall mean the Federal Water Pollution Control Act, enacted by Public Law PL 92-500 and any amendments thereto; as well as any guidelines, limitations and standards promulgated by the Environmental Protection Agency pursuant to the Act.

"Combined Sewer" shall mean a sewer, which is intended to serve as a storm sewer and a sanitary sewer.

"Commissioner of Sanitation Districts", "Sanitation Commissioner" or "Commissioner" shall mean the commissioner of Sanitation Districts, as provided for in K.R.S. 220.020. Through the reorganization of state government by executive order of the Governor and ratification by the Kentucky legislature the commissioner has been identified as the secretary for the National Resources and Environmental Protection Cabinet, Commonwealth of Kentucky.

"Contamination" shall mean an impairment of the quality of the waters of the state by waste to a degree, which creates a hazard to the public health, e.g., through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the state are affected.

"Cooling Water" shall mean the cleaned wastewaters discharged from any system of heat transfer such as condensation, air conditioning, cooling or refrigeration.

"Daily Maximum" shall mean the maximum allowable value for any single observation in a given day.

"Date of Capacity Approval" shall mean the date when a request for sanitary sewer capacity, made in writing and in accordance with these regulations, is approved by the Board or its designee.

"Dispute Resolution Officer" shall mean the General Manager of the District or his designee.

"District" shall mean Sanitation District No. 1 or Sanitation District.

"E.P.A." shall mean the United States Environmental Protection Agency.

"Easement" shall mean an acquired legal right for the specific use of land owned by others.

"Effluent" shall mean the liquid overflow of any facility designed to treat, convey or retain wastewater.

"Equipment" shall mean all movable, non-fixed items necessary to the wastewater treatment process.

"Federal Act" - See "Clean Water Act"

"Fee Schedule" shall mean the latest resolution fixing rates charged by the District for services rendered as approved or amended by the Board of Directors.

"Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

"Grease Control Equipment (GCE)" shall mean any equipment that removes fats, oils, and grease from wastewater such as a grease trap of which are installed inside the building usually under the counter/sink or in the floor of the kitchen area; or a grease interceptor which is usually installed outside in the ground.

"HCF" shall mean hundred cubic feet.

"Holding Tank Waste" shall mean any sanitary waste from holding tanks or chambers such as are used in connection with boats, chemical toilets, campers, trailers or other isolated facilities from which sanitary waste emanate. This definition includes sanitary wastes from septic tanks.

"Improvement Plan" shall mean the submittal to the District required for District and Kentucky Division of Water approval for the construction of sanitary sewer lines and other infrastructure.

"Industrial Wastes" shall mean the wastes admissible to the wastewater treatment system from industrial manufacturing processes, trade or business or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.

"Interference" shall mean inhibition or disruption of the Sanitation District's sewer system, treatment processes or operations, which contributes to a violation of any requirement of the wastewater treatment system NPDES Permit. The term includes prevention of sewage sludge use or disposal by the Sanitation District in accordance with Section 405 of the Act, or any criteria guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), 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 of SWDA) applicable to the method of disposal or use employed by the Sanitation District.

"KRS 220" refers to Chapter 220 of the Kentucky Revised Statutes, the act of legislature of the Commonwealth of Kentucky, under which Sanitation District No. 1 was created and is operated.

"Maintenance" shall mean keeping the wastewater treatment works in a state of repair and shall include expenditures necessary during the service life of the treatment works to maintain in the capacity (capability) for which said works were designed and constructed.

"Manager" or "General Manager" shall mean the General Manager of Sanitation District No. 1, or assistants.

"May" shall mean permissive (see "shall").

"Medical Waste" shall mean isolation wastes, infectious agents, human blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

"mg/L" shall mean milligrams per liter.

"Multi-Family Residential Development" shall mean a building(s) containing three or more dwelling units used exclusively for residential rental occupancy by three or more families living independently of one another. Such does not include for sale condominiums or landominiums (see "Single Family Development").

"Natural Outlet" shall mean any outlet into a waterway, pond, ditch, lake or other body of surface or groundwater.

"New Source" shall mean any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, and subject to the other provisions as found at 40 CFR 403.3(k).

"Non-Residential Class" shall mean a property that is not within the definition of a Residential Class.

"Normal Strength Sewage" shall mean sewage having daily average concentration values of not more than the following in the pollutant categories indicated:

Biochemical Oxygen Demand	240 mg/L
Suspended Solids.....	300 mg/L
Total Phosphorus as P	10.0 mg/L
Total Kjeldahl Nitrogen as N	30.0 mg/L
Biodegradable oils and greases in less than floating amounts.	

"NPDES Permit" shall mean National Pollutant Discharge Elimination System Permit.

"Nuisance" shall mean anything which is injurious to health, or is indecent or offensive to the senses, or is an obstruction to the free use of property so as to interfere with human comfort or enjoyment of life or property, whether affecting individual interests per se or affecting at the same time an entire community or neighborhood of any considerable number of persons, although the extent of the annoyance, interference or damage may not be inflicted equally upon the persons therein.

"Pass Through" shall mean a discharge, which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from

other sources, is a cause of a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation).

"Persons, Establishment or Owner" shall mean any individual, firm, company, association, society, corporation or group other than a public corporation.

"pH" shall mean the logarithm to the base of 10 of the reciprocal of the concentration of hydrogen ion in grams per liter of solution.

"Phosphorus" shall mean total phosphorus content in wastewater as determined by the methods of analytical testing.

"Placed in Service" shall mean:

- (a) As to a single family or multi-family residential development, the occurrence of: (1) approval of the Improvement Plan by the District and KDOW; and (2) acceptance of the sanitary sewer system by the District; and (3) filing of the record plat with the county clerk.
- (b) As to commercial, industrial, or public development, the occurrence of: (1) approval of the Improvement Plan by the District and KDOW; and (2) approval of the installed sewer system by the District if private, or acceptance of the sewer system by the District if public; and (3) issuance of the capacity connection permit by the District.

"Pollutant" shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water, including medical wastes, chemical wastes, biological materials, radioactive materials, heat, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, CBOD, COD, toxicity, or odor).

"Pollution" shall mean an alteration of the quality of the water of the state by waste to a degree, which affects such waters for beneficial uses or facilities which serve such beneficial uses. Pollution may include contamination.

"Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties on wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process change(s), or other means, except as prohibited by 40 CFR 403.6(d).

"Pretreatment Program" shall mean a program administered by a POTW that meets the criteria established by the Federal Pretreatment Regulations, specifically 40 CFR 403.8 and 403.9, and which has been approved by a regional administrator or state director in accordance with 40 CFR 403.11.

"Pretreatment Standard" or "National Pretreatment Standard" shall mean any regulation containing pollutant discharge limits promulgated by the E.P.A. in accordance with Section 307 (b) of the Act, which applies to industrial users.

"Process Wastewater" shall mean any water, which during manufacturing or processing, comes

into direct contact with or results from the production of or use of any raw material, intermediate product, finished product, by-product, or waste product.

"Production-based Standard" shall mean a discharge limitation expressed in terms of allowable pollutant mass discharge rate per unit of production and is applied directly to an industrial user's manufacturing process.

"Public Authority" shall mean any government entity having jurisdiction.

"Publicly Owned Treatment Works" shall mean a treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned by Sanitation District No. 1. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purpose of these Rules And Regulations, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the District who are, by contract or agreement with the District, users of the District's POTW.

"Public Corporation" shall mean any city, county, school district, water district and any other governmental agency or political subdivision clothed with the power of levying taxes or issuing bonds payable from special funds.

"Public Sewer" shall mean a sewer, which is controlled, owned, operated and maintained by a public authority.

"Pump Station Capacity" shall mean the capacity of an individual pump station as determined from time to time by the District in accordance with standard engineering calculations and regulations of the Kentucky Division of Water.

"Regional Administrator" shall mean the appropriate E.P.A. Regional Administrator or their designated representative.

"Residential Class" shall mean a housing unit that is classified as Residential and/or land use indicating a Residential Use by the local Property Valuation Authority (PVA), that includes single-family detached housing units, condominium units served by individual meters, townhouses served by individual meters, duplex housing units (two-units) served by individual meters, or mobile homes served by individual meters. Attached housing units of three (3) units or more shall be considered within the Non-Residential Class.

"Sanitary Sewage" shall mean sewage containing water-carried wastes contributed from premises by reason of human occupancy and free from storm, surface water and industrial wastes.

"Sanitary Sewer" shall mean a sewer, which carries sanitary sewage and industrial wastes and to which storm, surface and ground waters are not intentionally admitted.

"Sewage" shall mean a combination of the liquid and water-carried waste discharged from premises.

"Sewer" shall mean any pipe or conduit for conveying wastewater or drainage water.

"Sewer Service Charge" shall mean the charge, based upon the amount of water supplied to the

user, that they must pay for the uses of and the services rendered by the sewage works and facilities of Sanitation District No. 1.

"Sewer Systems" shall mean all facilities for collecting, pumping and transporting Wastewater to the treatment facilities.

"Shall" is mandatory – (see "may").

"Significant Industrial User" shall mean: (a) all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and (b) any other industrial user that; discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blow-down wastewater); contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Sanitation District as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement [in accordance with 40 CFR 403.8(f)(6)].

"Single Family Residential Development" shall mean 1) a building(s) containing one or two independent dwelling units, each of which is occupied by no more than one family, and 2) all condominiums and landominiums intended for sale to individual unit owners.

"Slug Loading" shall mean the discharge of any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the wastewater treatment system.

"Special Meter" shall mean a credit meter designed to measure the quantity of water not actually entering the wastewater treatment system. Special Meters shall only be available for Non-Residential Class properties.

"Standard Methods" shall mean the publication: Standard Methods for the Examination of Water and Wastewater, latest edition, American Public Health Association, American Water Works Association, Water Environment Federation.

"State" shall mean Commonwealth of Kentucky.

"Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm waters, surface runoff, street wash waters and drainage, but which excludes sanitary sewage and industrial wastes, other than unpolluted cooling water.

"Storm Water" shall mean any flow occurring during or following any form of natural precipitation and resulting therefrom.

"Surcharge" shall mean the charge, which the user must pay in addition to the sewer service charge if the sewage which is discharged into the sewage system exceeds the specifications for the normal strength sewage.

"System Capacity" shall mean the overall capacity of the system as determined from time to time by the District in accordance with standard engineering calculations and regulations of the Kentucky Division of Water.

"Total Kjeldahl Nitrogen" shall mean the sum of free-ammonia and organic nitrogen compounds, which are converted to ammonium sulfate $(\text{NH}_4)_2\text{SO}_4$, under test conditions. The value shall be as determined by the methods of analytical testing.

"Total Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering, expressed in milligrams per liter. The value shall be as determined by the methods of analytical testing.

"Toxic Organic Management Plan" shall mean a written plan submitted by industrial users as an alternative to TTO monitoring, which specifies the toxic organic compounds used, the method of disposal used and procedures for assuring that toxic organics do not routinely spill or leak into wastewater discharged to the POTW.

"User" shall mean any person that discharges, causes or permits the discharge of wastewater into a public sewer.

"User Classification" shall mean the identification of a user as to the type of premises from which wastewater is discharged. Such classification shall be assigned by the District and shall include residential, industrial, public and commercial users.

"Residential User" shall mean any contributor to the District's wastewater treatment works whose lot, parcel, or real estate, or building is used for domestic dwelling purposes only.

"Industrial User" shall mean any user, which discharges industrial wastes.

"Public User" shall mean and include any public or parochial school, college or university, churches, public parks, public or governmental buildings, charitable institutions and other similar users of an eleemosynary nature.

"Commercial User" shall mean any and all users of the wastewater treatment system not otherwise classified.

"Waste" shall mean sewage and any and all other waste substances (liquid, solid, gaseous, or radioactive) associated with human habitation, or of human or animal origin, or from any production, manufacturing, or processing operation of whatever nature, including such wastes placed within containers of whatever nature prior to, and for purposes of, disposal.

"Wastewater" shall mean a combination of the liquid and water-carried wastes from premises.

"Wastewater Constituents and Characteristics" shall mean the individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate, and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

"Wastewater Discharge Permit" shall mean a permit issued to industrial users, which authorizes discharges to the public sewer.

"Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

"Wastewater Treatment System" shall mean all of the connected treatment works necessary to meet the requirements of Title III of the federal act and involved in: (a) the transport of wastewaters from premises to a plant or facility wherein treatment of the wastewater is accomplished; (b) the treatment of the wastewaters to remove pollutants; (c) the ultimate disposal, including recycling or reuse of the treated wastewater and residues resulting from the treatment process.

"Wastewater Treatment System (WTS) Service Charge" - Refer to "Sewer Service Charge."

"Wastewater Treatment System (WTS) Surcharge" - Refer to "Surcharge."

"Waterway" or "Watercourse" shall mean a channel in which waters of the state flow 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 102 – Abbreviations

BOD	Biochemical Oxygen Demand
CBOD	Carbonaceous Biochemical Oxygen Demand
C°	Celsius
CCF	Capacity Connection Fee
CFR	Code of Federal Regulations
CN, A	Cyanide, Amenable
CN, T	Cyanide, Total
COD	Chemical Oxygen Demand
ERP	Enforcement Response Plan
EPA	United States Environmental Protection Agency
F°	Fahrenheit
GPM	Gallons Per Minute
HCF	Hundred Cubic Feet
KDOW	Kentucky Division of Water
KPDES	Kentucky Pollutant Discharge Elimination System
KRS	Kentucky Revised Statutes
LEL	Lower Explosive Limit
MGD	Million Gallons per Day
mg/L	Milligrams per Liter
N	Nitrogen
NOV	Notice of Violation
NEMA	National Electrical Manufacturers Association
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
P	Phosphorus
pH	Negative Log of Hydrogen Ion Concentration
POTW	Publicly Owned Treatment Works
PVC	Polyvinyl Chloride
SNC	Significant Noncompliance
SPCC	Spill Prevention Control and Countermeasure Plan
SU	Standard Units
SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
TKN	Total Kjeldahl Nitrogen
TOMP	Toxic Organic Management Plan
TRC	Technical Review Criteria
TSS	Total Suspended Solids
TTO	Total Toxic Organics
TVR	Total Volatile Residue
USC	United States Code
USGS	United States Geological Survey
WTS	Wastewater Treatment System

ARTICLE 2

USE OF PUBLIC SEWERS REQUIRED

Section 201 - Use of Public Sewers Required

The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the District and abutting on any street, alley, sewer easement or right-of-way in which there is located a public sanitary or combined sewer, is hereby required, at their expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of these Rules and Regulations within ninety (90) days after date of official notice to do so. The deadline to connect such facilities as a result of an assessment project shall be within thirty (30) days after the sewer is in operation and/or accepted by the governmental agency having jurisdiction over the sewer.

ARTICLE 3

USE OF THE WASTEWATER TREATMENT SYSTEM RESIDENTIAL, COMMERCIAL, INDUSTRIAL

Section 301 - General

1. Storm water and all other unpolluted drainage shall be discharged into such sewers as are specifically designed and designated as storm sewers or to a natural outlet. Within areas served by a combined sewer system, discharge may be made to the combined system.
2. Any person owning or having possession, charge or management of any lot or parcel of real estate in which there exists public or private wastewater treatment works and on which a fill or partial fill is to be made, shall, before making such fill, apply to the General Manager for a permit authorizing the same to be made. The application shall state the location of the tract and the nature and dimensions of the fill proposed. If the General Manager is satisfied that the proposed fill will not obstruct, damage or interfere with any lawfully existing public or private wastewater treatment works under their management, permission authorizing the fill may be granted.
3. In the event it becomes necessary to adjust, relocate or otherwise modify any existing public or private wastewater treatment works as a result of placing the fill, the applicant authorized to make the fill shall, at their expense, make such adjustments, relocations or modifications, as required by the General Manager, subject to the Commissioner's review and approval, before or during the filling operation. The applicant is responsible for obtaining any review required by the State Division of Water.
4. The applicant shall post a bond, in an amount to be determined by the General Manager, covering the replacement cost of the existing or modified wastewater treatment works and guaranteeing that the aforementioned fill will not damage the wastewater treatment works either as existing or modified. The bond shall be in force for a period of one (1) year after the fill is completed.
5. Sewer backups or overflows resulting from acts of God which cause property damage will not be the responsibility of the Sanitation District.
6. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, deface, cover or tamper with any wastewater treatment works which is a part of the wastewater treatment system under the General Manager's management. Any person violating this provision shall be subject to immediate prosecution.

Section 302 - Prohibited Discharges

1. No person shall discharge or cause to be discharged, either directly or indirectly, to the sanitary sewer system, surface water, groundwater, roof runoff, subsoil drains or subsurface drainage.
2. Any such connections made either before or after the effective date of these Rules and Regulations shall be considered illegal and shall be subject to immediate removal by the owner of the premises so connected and at such owner's expense.
3. Should the owner of such an illegally connected premises fail to remove the illegal connection within ninety (90) days of being notified by the General Manager to do so, the General Manager may cause the connection to be removed and the cost thereof to be billed to the owner of the premises.
4. No person shall discharge or cause to be discharged to any natural outlet or storm sewer any sanitary sewage or other polluted waters. Effluent from privately owned individual household disposal devices shall not be discharged to storm sewers.
5. No person constructing a sanitary sewer or sanitary building sewer, shall leave same open, unsealed or incomplete in such fashion as to permit storm or subsurface water to enter such sewers.
6. In the separate sanitary sewer system, no person shall discharge any substances directly into a manhole or other opening in the wastewater treatment system other than through an approved building sewer, unless otherwise approved by the General Manager in writing. In the combined sewer system, no person shall discharge any substances directly into a manhole or other opening in the wastewater treatment system other than through an approved building sewer.

ARTICLE 4
SEWER SERVICE CHARGE
ALL USERS

Section 401 Classes of Users

A. Sewer Service Charge – Residential Class

1. General

- A. Effective April 1, 2010, the sewer service charge for normal strength sewage shall be calculated for customers receiving quarterly water meter readings upon a usage factor determined annually based on the highest quarterly water usage, divided by three (3), occurring completely during the previous October 1 through April 30 period. The sewer service charge for normal strength sewage shall be calculated for customers receiving monthly water meter readings upon a usage factor determined annually based on the average water usage of the previous November 1 through February 28 (three (3) readings), as measured by the public water supply meter or meters. This usage factor will be used for billing the time frame beginning April 1 through March 31 and reset annually. The basic sewer service charge shall be calculated based upon the usage factor and at rates as provided by the SD1's fee schedule approved by resolution of the SD1 Board of Directors.

- B. New or existing customers where a usage factor has not or cannot be established will be billed at a factor of six hundred (600) cubic feet of water per month, until such factor has been established.

B. Sewer Service Charge – Non-Residential Class

1. General

- A. The sewer service charge for normal strength sewage is based on the water usage as measured by the public water supply meter or meters, and/or by any supplementary meter, meters, or other means as hereinafter provided. The basic sewer service charge shall be determined upon the metered flow and at rates as provided by the District's fee schedule approved by resolution of the Board of Directors of Sanitation District No. 1.

C. Sewer Service Charge – All Classes

1. General

- A. The minimum billing factor per month is two hundred (200) cubic feet per month for consumption between zero (0) and two hundred (200) cubic feet.
- B. In addition to the Sanitation District sewer service charges, the District may also bill and collect charges related to sanitary sewers through contractual agreements the District may have with counties, cities, organizations or individuals within the service area. These charges shall appear on the regular Sanitation District bill as separate items and are not part of the sewer service charge and/or rates established by the District.
- C. When the sewer is available, it will be presumed that the sewage from the premises is discharged either directly or indirectly into the sewer and the property shall be billed for sewage service. This shall apply to all premises within the jurisdictional boundary of Sanitation District No. 1.
- D. Where new sanitary sewers are constructed, all premises shall be connected to the new sewer in accordance with regulations herein set out and shall be subject to the sewer service charge as soon as connections are made to the new sewer. However, if the making of the connection is delayed, the property shall be subject to the sewer service charge thirty (30) days after the sewer is in operation and/or accepted by the governmental agency having jurisdiction over the sewer. This shall apply to all premises within the jurisdictional boundary of Sanitation District No. 1.
- E. Claims for exemption from the sewer service charge because of non-availability of sewers may be made in writing to the General Manager giving the public water supplier account and meter numbers. Exemptions from the charge will be effective only from and after such application has been investigated and approved by the General Manager.
- F. Wells or sources of water supply other than municipal water supplies shall be registered in writing to the General Manager, giving name of individuals or firm, address, source and amount of water supply other than that from the public water supplies, together with a sketch to a scale showing plan of property, water distribution system, sewer layout and existing meters. All sources of water that enter the sewer system shall be properly metered and subject to the sewer service charge.
- G. Any customer who has been paying a sanitation service bill where sewer service is not available as described in Article 2 of these Rules and Regulations, may be entitled to a refund for the periods for which a receipt or evidence of payment can be provided.
- H. Any customer who is found to be connected to the sewer system but has not been billed shall be back-billed one (1) year from time the connection is discovered.

2. **Payment for Services**

- A. The sewer service charge and surcharge, if any, are billed and collected by Sanitation District No. 1.
- B. Payment of the sewer service charge and surcharge must be as made to the Sanitation District or one of its assigned collection agents.
- C. In case of failure of any user to pay for services rendered, the Board may compel payment and may enjoin further use until the payment is made, or it may institute an action in any court having jurisdiction for the recovery of charges for services rendered, or the Board may, by a notice in writing, signed by its president or any member of said Board, notify the municipality or the person, firm, commission, or corporation which furnishes water to the user's premises, to shut off the water service to said user's premises, until such time as all delinquent charges, plus a reasonable charge for turning off and on the water service against such user, are paid in full or have acceptable payment arrangements made.
- D. Bills shall be rendered according to the name and address on the respective water meter reading records.
 - Quarterly bills will be due and have a payment due date of thirty (30) calendar days past the billing date.
 - Monthly bills will be due and have a payment due date of twenty-one (21) calendar days past the billing date.
- E. A penalty of ten (10%) percent of the amount of all bills shall be added to those not paid by the due date.
 - Quarterly bills not paid within thirty (30) days from the date of billing, or by the payment due date will be considered delinquent and are subject to the penalty.
 - Monthly bills not paid within twenty-one (21) days from the date of billing, or by the payment due date will be considered delinquent and are subject to the penalty.
- F. If a bill is rendered to a customer who is not the property owner, and the bill becomes unpaid and/or delinquent, then the property owner shall bear the responsibility of payment.
- G. Property with no public water service will be billed a flat rate according to the current approved rate schedule and will be rendered to the registered owner of the property.
- H. When any bill has remained unpaid past the payment due date, the user will be notified by mail.
 - When any quarterly bill has remained unpaid for thirty (30) calendar days past the original payment due date, the Board of Directors will authorize the

notification of the municipality or the person, firm, commission, or corporation which furnishes water to the user's premises, to shut off the water service to such user's premises until such time as all delinquent charges plus a reasonable charge for the turning off and on of water service against such user, are paid in full or have acceptable payment arrangements made. The Board of Directors may institute actions in a court having jurisdiction for the recovery of such delinquent bills.

- When any monthly bill has remained unpaid past the due date the delinquent amount plus the penalty will show on the next monthly bill. When a delinquent balance has remained unpaid for thirty (30) calendar days past the original due date, the Board of Directors will authorize the notification of the municipality or the person, firm, commission, or corporation which furnishes water to the user's premises, to shut off the water service to such user's premises until such time as all delinquent charges plus a reasonable charge for the turning off and on of water service against such user, are paid in full or have acceptable payment arrangements made. The Board of Directors may institute actions in a court having jurisdiction for the recovery of such delinquent bills.
- I. In the event that a customer moves out of a premises and has a delinquent account balance, this balance will be applied to the customer's new account if it is within the District's service area. If a customer moves from the District's service area, any delinquent balance will be submitted to a collection agency for action.
 - J. Upon receipt of such notice in writing, the municipality, person, firm, or corporation which furnishes water to the said user's premises will immediately shut off and discontinue the water service to said user's premises (KRS 220.510).
 - K. Upon full payment of such delinquent account plus a reasonable service charge from the municipality, water district, person, firm, or corporation that furnishes water to the said user's premise, or upon an acceptable payment arrangement made, the water service will be ordered back on. The service fee(s) or charge(s) collected shall be paid to the municipality, person, firm, commission, or corporation providing the service.
 - L. Payment of the sewer service charge may be made by check and/or direct withdrawal from checking or savings accounts. Customers who pay by check or direct withdrawal assume all responsibility for insuring there are sufficient funds to cover the amount issued for payment of sewer service charges. Payment is considered to be made only when the funds are transferred from the customer's bank account to the District's account.
 - M. A service fee in such amount as approved on the District's fee schedule as approved by resolution of the Board of Directors shall be applied to the customer's account for each check or direct withdrawal returned from the customer's bank (for any reason). This fee will be added to the outstanding sewage charge balance for which payment was originally intended. The service fee is necessary to cover extra incurred expenses by the District for processing the returned check.

- N. A notice will be sent to the customer after the returned check or direct withdrawal is received by the District. This notice will inform the customer of the service fee and also inform the customer that if all outstanding sewer service charges (including the returned fee) are not paid within ten (10) calendar days from the postmarked date of the notice, all water service will be secured to the account in accordance with Sections 401-2-B through N or other applicable sections hereinbefore.
- O. The service fee for returned items is in addition to all other charges and penalties as described in the District's Rules and Regulations.

Section 402 - Reduced Sewer Service Charge

1. RESIDENTIAL CLASS

- A. A request for consideration for a reduction to the usage factor as defined in Section 401(1)(A) herein may be made orally and/or submitted in writing clearly indicating the reason(s) for the adjustment. The District may require additional information including potentially sending an inspector to verify the information submitted.

2. NON- RESIDENTIAL CLASS

- A. Requests for reduction in the sewer service charge (as determined and described herein and hereinafter) will be allowed for water not entering the sewer system if measured with a special meter and approved in accordance with the procedures described hereinafter. All meters shall be installed in accordance with the standards, rules and regulations of the applicable public water supplier.
- B. Reduction in the sewer service charge may be allowed when water that is not measured by a special meter does not enter the sewer system. A letter must be submitted clearly indicating the reason for the water not reaching the system. The District may send an inspector to verify the information submitted.
- C. Requested reductions or credits to a user's sewer service charge, other than refunds for special meters, will not be less than a minimum bill per the current approved rates for the applicable billing period. Residual credit will be carried to the next billing period. No refund checks will be issued for less than five dollars (\$5.00) unless approved by the General Manager.

Section 403 - Auxiliary and Special Meters

1. General

- A. Auxiliary or special meters shall be installed at the expense of the owner. No meter shall be installed before approval of the installation is granted by the General Manager. All meters shall be installed in accordance with the standards, rules and regulations of the applicable public water supplier.
- B. Meters to be used as auxiliary meters or special meters which will be approved are as follows:
 - 1. Meters purchased from any municipality, or the person, firm or corporation which furnished water to said user's premises and meters similar to and equal to those specified by said water supplier and tested by the water supplier.
 - 2. Crest or turbine type meters of two (2) inch size and over, to be used where it is established the particular meter is under a full head at all times, provided such meters are tested and passed for large constant flows by an independent testing laboratory or a water department and certified by same.
 - 3. Existing private meters now in place may be continued in use on conditional basis. If such meters are suspected of faulty registration, they are subject to a test when so ordered by the General Manager.

2. Auxiliary Meters – All Classes

The General Manager has the authority to require an additional debit (charge) meter(s) to be installed at the applicant's expense, so as to measure the quantity of water actually entering the wastewater treatment system and to determine the sewer service charge or surcharge.

- A. Auxiliary meters for determining the sewer service charge or surcharge shall be installed, owned and maintained by the property owner. However, following the installation of such meters and approval of the installation by the District, meters may not be removed without the prior approval of the General Manager.
- B. When an auxiliary meter is so located that it is not read by the public water supplier, it shall be the responsibility of the user to make reports of meter readings before each billing period. Meter reading forms are available from the District. If the required meter reading reports for auxiliary meters are not received at the District before each billing period, the District shall compute the user's sewer service charge by using an estimated consumption total based on consumption history.

- C. Where private meters are used on wells, or in an industrial, commercial or private water distribution system and such meters are set behind the meters used to register the primary water supply to a lot, land or premises, the installation is subject to the inspection and approval of the General Manager.
- D. Where total sanitary wastewater flow is to be measured, the auxiliary meter(s) must be installed to measure all flow streams discharging to the sewer.
- E. If the General Manager finds that it is not practical to measure the quantity of wastewater by meters, the General Manager shall determine the quantity of wastewater entering the wastewater treatment system (WTS) in any manner or by any method found reasonable and practical. The quantity so determined shall be the quantity of wastewater to which the WTS charges shall be applied.

3. Special Meters – Non-Residential Class ONLY!

- A. All requests for installation of special meters and reductions in sewer service charge must be in writing, using the special meter installation form, to the District's Account Services Department.
- B. **Special Meter Requirements** - An approved, permanently installed special meter (no hose connections or portable meters) designed for measurement of water flows must be used to measure all water which does not enter the sewage system. All special meters must register in the same units (gallons or cubic feet) as the public water supply meter which serves the user.
- C. **Meter Approval** - All special meters must be approved by the District to receive credit. It shall be the responsibility of the user to verify that the water does not enter the sewage system. Only water measured with the approved special meter shall qualify for a reduction in sewer service charges. Where a portion of the special metered water discharges to the WTS, only partial credit will be given based on information supplied by the user and as determined by the Sanitation District. No refunds, credits, reductions or allowances will be given covering any period prior to the date the General Manager approves the request for installation of a special meter.
- D. **Right to Inspect Meters** - The District reserves the right to enter a user's premises, to inspect the installation of all special meters and to verify all readings. If completed forms do not correspond with actual readings, then all reductions will be based on actual meter readings.
- E. **Special Meter Responsibility** - The District assumes no responsibility for installation, maintenance or mechanical condition of the meter. No reductions will be approved if the meter fails to operate properly. No estimated readings will be acceptable as a basis for reduction in sewer service charges. If a meter is suspected of faulty registration, the General Manager may order a test and/or replacement of meter.

- F. **Improperly Installed or Faulty Meter-** The District reserves the right to reverse all reductions that were previously made if it is determined that the Special Meter was improperly installed and/or faulty.
- G. **Meter Reading Submittal** - The user is responsible for reporting all readings to the District. The District assumes no responsibility for the readings until received at the main office. All readings must be recorded on the official form provided by the District and mailed to the District's main office. Forms will be automatically forwarded to the user on a yearly basis. All reductions will be computed based on the District's current approved rate schedules in effect at the time the water was used.
- H. **Meter Reading Time Limit-** All special meter forms must be received by the District before the sewer service charge is processed for each billing period. If the reading is not received before the processing of the sewer service charge, then the total water consumption from the public water supply meter and any auxiliary meter will be used. In the event a Non-Residential customer is required to turn in Special Meter readings, per an agreement with Sanitation District No. 1, and does not do so in the agreed period of time, the District will allow only 90% of the requested reduction once received.

For annually read special meters, the special meter refund forms must be completed and mailed to the District's customer service department within thirty (30) days of when the District mailed the forms to the user. No reductions will be allowed to a user's sewer service charge once the billing has been computed and/or processed. The reduction will be carried forward to the next billing period. No reduction in a user's sewer service charge will be allowed for accounts that have been inactive for a period of twelve (12) months or more since the last form submittal.

Furthermore, if the tardiness in submitting readings continues, the non-residential customer may forfeit the right to participate in the Special Meter Program.

- I. **Special Meter Refund Limitations-** Requested reductions or credits to a user's sewer service charge will not be greater than a minimum bill per current approved rates, for the applicable billing period. Credit will be carried to the next billing period. The amount of reduction associated with a special meter credit cannot amount to more than the total sewer service charges associated with the usage from the user's water supply meter(s) for the same period of time.

For annually read special meters refunds will be processed at 100% if sent in the proper time frame. In the event the special meter reading is submitted the following year (approximately 1 year late) a refund of 50% will be issued. In the event a reading is submitted 2 or more years later than required, no credit will be issued and the reading will be used as a start reading for the next period.

ARTICLE 5

WASTEWATER DISCHARGES
INDUSTRIAL AND COMMERCIAL USERS

Section 501 - General Regulations

1. **Prohibitions**

General and specific prohibitions apply to all commercial and industrial users introducing pollutants into a wastewater treatment system whether the user is subject to other national pretreatment standards, or any national, state, or local pretreatment requirements. SD1 has the right to deny, control, or condition discharges to the wastewater treatment system and has the right to require compliance with the federal, state, and SD1 Rules and Regulations, per 40 CFR 403.8(f)(1). The following prohibitions apply to all SD1 service areas.

- A. **General Prohibition** - No user may introduce into the wastewater treatment system any pollutants or wastes which cause, threaten to cause, or are capable of causing, either alone or by interaction with other substances, system releases, or interference, or pass through.
- B. **Specific Prohibitions** - No user shall discharge to the wastewater treatment system the following:
 - (1) Waste causing a fire or explosion hazard. This includes pollutants, 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 SD1's wastewater treatment systems and/or personnel. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%), nor any single reading more than ten percent (10%), of the lower explosive limit (LEL) of the meter for the particular gas to be measured.

Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorides, perchlorates, bromates, carbides, hydrides, sulfides, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in Code of Federal Regulations at 40 CFR 261.21, and any other substances which SD1, the state EPA. Has notified its user is a fire hazard or a hazard to the system.

- (2) Any water or wastes, acid or alkaline in reaction and having corrosive properties capable of causing damage or hazard to structure, equipment or personnel of SD1, but in no case have a pH lower than 5.0 standard units (S.U.). Refer to the "effluent discharge limits" for further pH limitations and enforcement.
- (3) Solid or viscous pollutants or waste streams in amounts which may or will cause obstruction of flow in or damage or injury to the wastewater treatment system.
- (4) Any pollutant or waste streams, including oxygen-demanding pollutants (BOD, etc.), discharged at a flow rate and/or pollutant concentration which will cause interference with the wastewater treatment processes.
- (5) Heat in liquid or vapor form in amounts which will inhibit biological activity in the wastewater treatment plant resulting in interference, or cause the temperature at the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
- (6) Any water or waste containing floating fat, oils, or grease or containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils, emulsified or not, in amounts that will cause system releases, interference or pass through. Refer to Section 501-2 for effluent discharge limits.
- (7) Any water or wastes containing toxic gases, vapors, dissolved gases (such as hydrogen sulfide, sulfur oxides and ammonia) or fumes in concentrations sufficient to cause poisonous or toxic fumes or wastewater within the wastewater treatment system in a quantity that may cause acute worker health and safety problems or harmful condition.
- (8) Any trucked or hauled pollutants, except at discharge points designated and controlled by SD1.
- (9) Waste that causes a danger to life or safety of personnel, including, but not limited to, medical or infectious wastes.
- (10) Waste that causes a nuisance or prevention of the effective maintenance or operation of the wastewater treatment system through having a strong, unpleasant odor.
- (11) Waste that causes air pollution by the release of toxic or malodorous gases or malodorous gas-producing substance.

- (12) Any substance which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under Section 405 of the Federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the state.
- (13) Waste that causes a detrimental environmental impact or a nuisance in the water of the state or a condition unacceptable to any public authority.
- (14) Waste that causes any condition, e.g., discoloration in the wastewater treatment system's effluents such that receiving water quality requirements established by law cannot be met.
- (15) Waste that causes conditions at or near any wastewater treatment works which violate any statute, permit, rule, or regulation of any public authority.
- (16) Quantities or rates of flow which overload any wastewater treatment works or cause excessive SD1 operation and/or maintenance costs, or use a disproportionate share of wastewater treatment works.
- (17) Any ashes, cinders, sand, inorganic materials, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, waxes, wood, asphaltic materials, cement or concentrate, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery spent grains, chemical residues, paint residues, cannery waste bulk solids, or any other solid or viscous substances, in amounts capable of causing obstruction to flow in, or interference with the proper operation of a wastewater treatment works.
- (18) Any water or wastes containing objectionable or toxic substances to such a degree that any such material received in the composite wastewater at a wastewater treatment plant exceeds the limits established by the Executive Director or designee to comply with the objectives presented in the Introduction of these Rules and Regulations.
- (19) Toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to humans or animals, or to create any hazard in waters which receive treated effluent from the wastewater treatment plant.
- (20) Any water or wastes containing surfactants that results in a system release, cause interference and/or pass through of the wastewater treatment system causing foaming in the receiving stream.

- C. **Radioactive Material** - No person shall discharge material licensed by the Federal Nuclear Regulatory Commission or other radioactive material into the wastewater treatment works. Excreta from individuals undergoing medical diagnosis or therapy with radioactive material shall be exempt.

- D. **Garbage Grinders**
 - (1) No person shall discharge wastes from garbage grinders into the wastewater treatment system except:
 - a. Wastes generated in preparation of food normally consumed on the premises, or
 - b. Where the user has obtained permission for that specific use from the Executive Director or designee.

 - (2) All garbage grinders shall shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials or garden refuse for discharge to the wastewater treatment system.

- E. **Dilution** - Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement, or in any other pollutant-specific limitation developed by SD1 or the state. (Comment: Dilution may be an acceptable means of complying with some of the prohibitions set forth in this section for pH regulations.) The Executive Director or designee may impose mass limitations on industrial users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations is appropriate.

2. **Wastewater Effluent Discharge Limits**

A. **Dry Creek Wastewater Treatment Plant Service Area Effluent Discharge Limits**

In addition to the General Regulations for prohibitions identified in Section 501, users shall not discharge:

- (1) Heat in liquid or vapor form in amounts which will inhibit biological activity in the wastewater treatment plant resulting in interference, or cause the temperature at the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).

- (2) Any liquid or vapor in a wastewater discharge into the wastewater treatment system having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- (3) Any wastewater or waste containing floating fat, oils, or grease of animal or vegetable origin, or containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils in amounts that will cause interference or pass through, is prohibited.
- (4) Any wastewater or waste containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils, emulsified or not, in excess of fifty (50) mg/L grease and oil hydrocarbon.
- (5) Any wastewater or waste containing substances which may solidify or become viscous at temperatures between 32° F. (0° C) and 140° F. (60° C), in amounts that will cause interference or pass through.
- (6) Any water or wastes that contain phenols in excess of 31.0 mg/L. The limit may be modified if the aggregate of contributions throughout the wastewater service area create treatment difficulties or produce wastewater treatment plant effluent discharges to receiving waters which may be prohibitive.
- (7) Any water or wastes, acid or alkaline in reaction and having corrosive properties capable of causing damage or hazard to structure, equipment or personnel of SD1. The acidic or alkaline character of such wastes must be neutralized at all times to within the permissible range of pH, which range is between 6.0 and 10.0 S.U. Violation of this requirement is subject to a penalty and each violation shall be considered a separate offense; the illegal flow shall be continuous for the following time periods:

Prohibited	< 5.0 S.U.
1 hour for pH	5.0 to 5.9 or 10.1 to 11.0 S.U.
15 minutes for pH	11.1 to 12.0 S.U.
5 minutes for pH	12.1 to 13.0 S.U.
Prohibited	>13.0 S.U.

The Executive Director or designee may assess the penalties for such violations and add such penalties to the user's charges and fees. Such penalty shall not be construed as liquidated damages and shall accrue in addition to any liability for any consequential damages resulting from the violation for which the penalty is imposed.

- (8) Any wastewater containing metals or substances in concentrations greater than those listed in Table 501-1, or applicable federal categorical wastewater discharge limits if more stringent. The sampling performed for each pollutant is accurate and representative, refer to Section 501, 6., G. Proper Sampling and Analysis.

These effluent discharge limits apply to total sanitary flow being discharged to the wastewater treatment system.

These effluent limitations have been established to assure compliance with the objectives presented in the Introduction of these Rules and Regulations.

- (9) SD1 reserves the right to establish more stringent limitations or requirements on discharges to the wastewater treatment system if deemed necessary to comply with the objectives presented in the Introduction to these Rules and Regulations.
- (10) Except as modified to meet conditions at the wastewater treatment plant, measurements, tests and analyses of the characteristics of wastewaters shall be determined in accordance with standard methods and applicable EPA approved methods.

TABLE 501-1 Dry Creek Wastewater Treatment Plant Service Area Effluent Discharge Limits

Discharge Pollutant Parameters	Sampling Method	Daily Maximum Limit (mg/L)
Arsenic (As), Total	Composite	2.70
Barium (Ba), Total	Composite	100.0
Cadmium (Cd), Total	Composite	1.30
Chromium (Cr), Total	Composite	6.00
Copper (Cu), Total	Composite	5.00
Lead (Pb), Total	Composite	2.00
Mercury (Hg), Total	Composite	0.0005
Nickel (Ni), Total	Composite	5.00
Selenium (Se), Total	Composite	2.40
Silver (Ag), Total	Composite	1.00
Zinc (Zn), Total	Composite	3.50
Cyanide, Amenable	Grab	2.00
Cyanide, Total	Grab	3.50
pH	Grab	6.0 - 10.0 (S.U.)
Temperature	Grab	150 degrees F (65 degrees C)
Phenols	Composite	31.0
Grease & Oil, Hydrocarbon	Grab	50

**B. Western Regional Water Reclamation Facility
Service Area – Effluent Discharge Limits**

In addition to the General Regulations for prohibitions identified in Section 501, users shall not discharge:

- (1) Heat in liquid or vapor form in amounts which will inhibit biological activity in the wastewater treatment plant resulting in interference, or cause the temperature at the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
- (2) Any liquid or vapor in a wastewater discharge into the wastewater treatment system having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- (3) Any wastewater or waste containing floating fat, oils, or grease of animal or vegetable origin, or containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils in amounts that will cause interference or pass through, is prohibited.
- (4) Any wastewater or waste containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils, emulsified or not, in excess of fifty (50) mg/L grease and oil hydrocarbon.
- (5) Any wastewater or waste containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit (0 degrees Celsius) and 140 degrees Fahrenheit (60 degrees Celsius); in amounts that will cause interference or pass through.
- (6) Any water or wastes that contain phenols in excess of 31.0 mg/L. The limit may be modified if the aggregate of contributions throughout the wastewater service area create treatment difficulties or produce wastewater treatment plant effluent discharges to receiving waters which may be prohibitive.
- (7) Any water or wastes, acid or alkaline in reaction and having corrosive properties capable of causing damage or hazard to structure, equipment or personnel of SD1. The acidic or alkaline character of such wastes must be neutralized at all times to within the permissible range of pH, which range is between 6.0 and 10.0 S.U. Violation of this requirement is subject to a penalty and each

violation shall be considered a separate offense; the illegal flow shall be continuous for the following time periods:

Prohibited	< 5.0 S.U.
1 hour for pH	5.0 to 5.9 or 10.1 to 11.0 S.U.
15 minutes for pH	11.1 to 12.0 S.U.
5 minutes for pH	12.1 to 13.0 S.U.
Prohibited	>13.0 S.U.

The Executive Director or designee may assess the penalties for such violations and add such penalties to the user's charges and fees. Such penalty shall not be construed as liquidated damages and shall accrue in addition to any liability for any consequential damages resulting from the violation for which the penalty is imposed.

- (8) Any wastewater containing metals or substances in concentrations greater than those listed in Table 501-1, or applicable federal categorical wastewater discharge limits if more stringent. The sampling performed for each pollutant is accurate and representative, refer to Section 501, 6, G. Proper Sampling and Analysis.

These effluent discharge limits apply to total sanitary flow being discharged to the wastewater treatment system.

These effluent limitations have been established to assure compliance with the objectives presented in the Introduction of these Rules and Regulations.

- (9) SD1 reserves the right to establish more stringent limitations or requirements on discharges to the wastewater treatment system if deemed necessary to comply with the objectives presented in the Introduction to these Rules and Regulations.
- (10) Except as modified to meet conditions at the wastewater treatment plant, measurements, tests and analyses of the characteristics of wastewaters shall be determined in accordance with standard methods and applicable EPA approved methods.

**TABLE 501-2 Western Regional Water Reclamation Facility
Service Area Effluent Discharge Limits**

Discharge Pollutant Parameters	Sampling Method	Daily Maximum Limit (mg/L)
Arsenic (As), Total	Composite	1.44
Cadmium (Cd), Total	Composite	0.052
Chromium (Cr), Total	Composite	6
Copper (Cu), Total	Composite	1.48
Lead (Pb), Total	Composite	0.608
Mercury (Hg), Total	Composite	0.0005
Nickel (Ni), Total	Composite	4.91
Selenium (Se), Total	Composite	0.572
Silver (Ag), Total	Composite	0.307
Zinc (Zn), Total	Composite	3.94
Chromium, Hexavalent	Grab	0.84
Cyanide, Amenable	Grab	0.21
pH	Grab	6.0 - 10.0 (S.U.)
Temperature	Grab	150 degrees F. (65 degrees C)
Phenols	Composite	31.0
Grease & Oil, Hydrocarbon	Grab	50

C. Eastern Regional Water Reclamation Facility Service Area - Effluent Discharge Limits

In addition to the General Regulations for prohibitions identified in Section 501, users shall not discharge:

1. Heat in liquid or vapor form in amounts which will inhibit biological activity in the wastewater treatment plant resulting in interference, or cause the temperature at the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
2. Any liquid or vapor in a wastewater discharge into the wastewater treatment system having a temperature higher than 104 degrees Fahrenheit (40 degrees Celsius).
3. Any wastewater or waste containing floating fat, oils, or grease of animal or vegetable origin, or containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils in amounts that will cause a system release, interference or pass through, is prohibited.
4. Any wastewater or waste containing petroleum oil (including synthetic petroleum replacements), non-biodegradable cutting oil, products of mineral oil origin, or other non-biodegradable oils, emulsified or not, in excess of one hundred (100) mg/L grease and oil-Total.
5. Any wastewater or waste containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit. (0 degrees Celsius) and 140 degrees Fahrenheit (60 degrees Celsius); in amounts that will cause system releases, interference or pass through.
6. Any water or wastes, acid or alkaline in reaction and having corrosive properties capable of causing damage or hazard to structure, equipment or personnel of SD1. The acidic or alkaline character of such wastes must be neutralized at all times to within the permissible range of pH, which range is between 5.0 and 10.0 S.U. Violation of this requirement is subject to a penalty and each violation shall be

considered a separate offense; the illegal flow shall be continuous for the following time periods:

Prohibited	< 5.0 S.U.
1 hour for pH	10.1 to 11.0 S.U.
15 minutes for pH	11.1 to 12.0 S.U.
5 minutes for pH	12.1 to 13.0 S.U.
Prohibited	>13.0 S.U.

The Executive Director or designee may assess the penalties for such violations and add such penalties to the user's charges and fees. Such penalty shall not be construed as liquidated damages and shall accrue in addition to any liability for any consequential damages resulting from the violation for which the penalty is imposed.

7. Any wastewater containing metals or substances in concentrations greater than those listed in Table 501-3, or applicable federal categorical wastewater discharge limits if more stringent. The sampling performed for each pollutant is accurate and representative, refer to Section 501, 6., G. Proper Sampling and Analysis.

The effluent limits apply to total sanitary flow being discharged to the wastewater treatment system.

These effluent limitations have been established to assure compliance with the objectives presented in the Introduction of these Rules and Regulations.

8. SD1 reserves the right to establish more stringent limitations or requirements on discharges to the wastewater treatment system if deemed necessary to comply with the objectives presented in the Introduction to these Rules and Regulations.
9. Except as modified to meet conditions at the wastewater treatment plant, measurements, tests and analyses of the characteristics of wastewaters shall be determined in accordance with standard methods and applicable EPA approved methods.

**TABLE 501-3 Eastern Regional Water Reclamation Facility
Service Area - Effluent Discharge Limits**

Discharge Pollutant Parameters	Sampling Method	Daily Maximum Limit (mg/L)
Arsenic (As), Total	Composite	0.47
Cadmium (Cd), Total	Composite	0.02
Chromium (Cr), Total	Composite	1.26
Copper (Cu), Total	Composite	0.58
Lead (Pb), Total	Composite	0.06
Mercury (Hg), Total	Composite	0.0005
Nickel (Ni), Total	Composite	0.66
Selenium (Se), Total	Composite	0.03
Silver (Ag), Total	Composite	0.12
Zinc (Zn), Total	Composite	1.15
Cyanide, Total	Grab	0.03
pH	Grab	5.0 - 10.0 (S.U.)
Temperature	Grab	104 degrees F. (40 degrees C)
Chloride	Composite	2,000 daily max. 1,522-monthly avg
Grease & Oil, Total	Grab	100
Chromium, Hexavalent	Grab	0.56

3. **Sampling/Flow Monitoring**

A. **SD1 Right of Access and Monitoring of Wastewater**

- (1) Persons or occupants of premises of any industrial user where wastewater is created or discharged shall allow the employees of SD1 ready access at all reasonable times to all parts of the premises for the purpose of inspection and sampling or for the performance of any of their duties as stated in Article 9 in these Rules and Regulations. SD1 shall have the right to enter and set up, on company property, such devices as are necessary to conduct a gauging and sampling operation and to begin such operation without advance notice to the company.
- (2) 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 its security guards so that upon presentation of suitable identification, personnel from SD1 will be permitted to enter immediately or in non-emergency events, as deemed by SD1, within fifteen (15) minutes of arrival for the purpose of performing their specific responsibilities. While performing the work, SD1 personnel shall observe all safety rules applicable to the premises established by the user; or the company or premise shall install suitable gauging and sampling manholes outside the security limits, which manholes will, at all times, be immediately accessible to SD1 personnel.

B. **Installation of Monitoring/Sampling Chamber**

- (1) The Executive Director or designee may require any industrial user to construct, at the user's expense, monitoring facilities. The plans for the monitoring facilities must be reviewed by the Executive Director or designee prior to installation. The monitoring facilities would allow for observation, sampling and flow measurement of the building sewer or internal drainage systems. SD1 may also require sampling or metering equipment to be provided, installed and operated at the user's expense.
- (2) The monitoring facility shall be situated on the user's premises and located so that it will not be obstructed by landscaping or parked vehicles.
- (3) The personnel of SD1 shall have access to the monitoring facilities at all times for inspection and sample collection

as stated in Article 9 in these Rules and Regulations. If the facilities are locked, special arrangements shall be made to allow access. SD1's personnel shall also have the right to set up monitoring devices at the facilities. There shall be ample room in or near such monitoring facilities to allow accurate sampling and compositing of samples for analysis. The monitoring facilities, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

- (4) Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with SD1's requirements and all applicable local agency construction standards and specifications. Unless a time extension is otherwise granted by the Executive Director or designee, construction shall be completed within ninety (90) days following the issuance of written notification by SD1.

4. **Spill/Slug Prevention**

- A. Each user shall provide facilities for protection from accidental discharge of prohibited materials or other regulated wastes and slug discharges. Such facilities shall be provided and maintained at the user's expense. Detailed plans, delineating such facilities and detailed operating procedures to provide the protection, shall be maintained by the user and available for inspection by SD1 at any reasonable time, upon request of SD1.
- B. When SD1 determines that chemicals or other materials stored on a site may represent a possible hazard to the sewer system, the Executive Director or designee may require the development of an accidental spill prevention or slug control plan. Per 40 CFR 403.8(f)(2)(v), the plan should state at a minimum a description of discharge practices, including non-routine batch discharges. The plan must describe areas of production, areas where raw chemicals and waste chemicals are stored, and state where the spill or slug potentials exist. The procedures to be taken to control or countermeasure a spill or slug must be stated and include SD1_twenty-four (24) hour phone number (859-547-1673) for reporting accidental spills for immediate notification and require a written follow-up notification to be sent to SD1 within five (5) days of the incident. Refer to the General Reporting Requirements [Section 501(6)(C)] for spill reporting. The plan must include, where necessary, procedures for inspection and maintenance of each aspect of the slug control plan, including measures and equipment of the emergency response.

- C. A new or modified accidental spill prevention or slug control plan may be required and submitted to SD1 when any person institutes the use of a new process or change in its manufacturing or processing facilities or when there is a significant change in its existing operation or wastewater constituents or characteristics.
 - D. Where required by Federal Categorical Regulations, a Spill Prevention Control and Countermeasure Plan (SPCC) [Section 502(2)(B)(6)], a Toxic Organic Management Plan (TOMP) [Section 502(2)(B)(7)], a Pollution Management Plan (PMP) [Section 502(2)(B)(8)] or a Best Management Practice (BMP) [Section 502(2)(B)(9)] shall be submitted to SD1. Refer to the categorical industrial user section of these Rules and Regulations.
5. **Wastewater Pretreatment** - Wastewater pretreatment or control facilities may need to be installed for a user to attain compliance with SD1's Rules and Regulations. SD1 can require pretreatment to be installed when deemed necessary. Plans, specifications and any other pertinent information relating to wastewater pretreatment or control facilities are required to be submitted to SD1 within ninety (90) days prior to installation for review. Failure to make a timely submittal shall be grounds for revocation or refusal to issue or renew a wastewater discharge permit. Changes made to existing pretreatment or control facilities must also be submitted to SD1 within ninety (90) days prior to installation for review.
- A. **Review of Pretreatment or Control Facilities** - Review of existing or proposed pretreatment or control facilities or equipment by SD1 does not, in any way, guarantee that these facilities or equipment will function in the manner described by their constructor or manufacturer; nor shall it relieve any person of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose of pretreatment or control.
 - B. **Pretreatment Operations and Records** - Where pretreatment or control facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense and shall be subject to periodic inspection by SD1. The user shall maintain operating records and submit to SD1, as required by the Executive Director or designee, reports of the character of the influent and effluent to show the performance of the pretreatment or control facilities.
 - C. **Wastewater Interception Devices** - Grease, oil and sand interception devices or traps shall be provided when, in the opinion of the Executive Director or designee, they are necessary for the proper handling of liquid wastes containing oil or grease in excessive amounts, sand or other harmful

ingredients, except that such interception devices or traps will not be required for private living quarters or dwelling units. All interception devices or traps shall be of the type and capacity approved by the Executive Director or designee and the plumbing codes of state and local regulations and shall be so located as to be readily and easily accessible for cleaning and inspection. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, gas-tight, watertight and equipped with easily removable covers. Where installed, all grease, oil and sand interception devices or traps shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

D. Pretreatment Bypassing

(1) Intentional Bypassing

An industrial user may allow any bypass, defined as the intentional diversion of waste streams from any portion of an industrial user's treatment facility, to occur only if it also is for essential maintenance to assure efficient operation and does not cause pretreatment standards or requirements to be violated.

These bypasses are subject to the provisions of the following:

- a. If an industrial user knows in advance of the need for an intentional bypass, the user shall submit prior notice to SD1, if possible at least ten (10) days before the date of the bypass.

(2) Unanticipated Bypass

An industrial user shall submit oral notice of an unanticipated bypass SD1 within twenty-four (24) hours from the time the industrial user becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the industrial user becomes aware of the bypass. The written submission shall contain the information required in 40 CFR 403.17. SD1 may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

- (3) If the bypass discharge is prohibited, SD1 may take enforcement action against an industrial user for a bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury or severe property damage;
 - b. There was no feasible alternative to the bypass; and/or
 - c. The industrial user submitted notices as required above.

SD1 may approve an anticipated bypass, after considering its adverse effects and if SD1 determines that it will meet the three (3) conditions noted above.

6. **General Reporting Requirements**

A. **Changes in Operation, Wastewater Volume or Character of Pollutants**

All industrial users shall promptly notify SD1 in advance of any substantial change in production operation and in the wastewater volume or character of pollutants, including the listed or characteristic hazardous wastes for which the industrial user has submitted an initial notification under 40 CFR 403.12(p). See Section 501(6) (D), Hazardous Waste Discharge Reporting. Enforcement action will be taken if a significant industrial user fails to notify SD1 of such changes and a slug discharge occurs.

- B. **Slug Loading** - The discharge of any pollutant, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which may cause interference with the wastewater treatment system must be reported to SD1 prior to the discharge and abide by all the conditions of SD1's Rules and Regulations and any conditions SD1 imposes on the discharge. If any waste is discharged or is proposed to be discharged to the wastewater treatment system which may contain substances or possess the characteristics enumerated in Section 501 of these Rules and Regulations and which, in the judgment of the Executive Director or designee, have a detrimental effect on the wastewater system and/or receiving waters, or which may otherwise create a hazard to life or constitute a public nuisance, the Executive Director or designee may:

- (1) Reject the wastes;

- (2) Require pretreatment to an acceptable condition for discharge to the wastewater treatment system;
- (3) Require control over the quantities and rates of discharge; and/or
- (4) Require payment to cover the added costs of handling, treating and disposing of the wastes not covered by the wastewater treatment system sewer service charge.

C. Accidental Discharge/Spill Reporting

- (1) Users shall notify SD1 immediately of any slug loading, accidental discharges or any other discharges or highway spills of wastes in violation of these Rules and Regulations to enable countermeasures to be taken by SD1 to minimize damage to the wastewater treatment system and/or the receiving waters. SD1 twenty-four (24) hour phone number is 859-547-1673. The user shall identify the type of chemical, volume of spill, location, time and date of occurrence and the countermeasures taken to control.
 - a. This notification shall be followed, within five (5) calendar days of the date of occurrence, by a detailed written statement from the user describing the causes of the discharge and the measures being taken to prevent its future occurrence.
 - b. Such notification will not relieve users of liability for any consequential expense, loss or damage to the wastewater treatment system or for any fines and/or penalties imposed on SD1 which result from the violating discharge.

D. Hazardous Waste Discharge Reporting

- (1) The industrial user shall notify SD1, the EPA Regional Waste Management Division Director and state hazardous waste authorities, in writing, of any discharge into the treatment system of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the information requested in 40 CFR 403.12(p). Industrial users who commence discharging after the effective date of this rule shall provide the notification no later than one hundred and eighty (180) days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements

of these Rules and Regulations or 40 CFR 403.12(b), (d) and (e).

- (2) Discharges are exempt from the requirements of this section during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
- (3) In the case of any new regulations under Section 3001 of Resource Conservation and Recovery Act identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify, as noted above, of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (4) In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

E. Non-Categorical Industrial User Self-Monitoring and Reporting

Significant non-categorical industrial users shall submit to SD1, at least once every six (6) months (or on dates specified by SD1), a description of the nature, concentration and flow of pollutants required to be reported to SD1. The self-monitoring reports are due to SD1 no later than the 20th day after each monitoring reporting period. This sampling and analysis may be performed by SD1 in lieu of self-monitoring by the significant non-categorical industrial user. Where SD1 itself collects all the information required for the report, the non-categorical significant industrial user will not be required to submit the report. All sampling performed during the required reporting periods must be reported to SD1. All sampling data reported must be representative of the wastewater conditions during the reporting period.

F. **Compliance Schedules**

If sampling indicates that the pretreatment standards are not being met on a consistent basis and additional operation and maintenance (O&M) and/or additional pretreatment is required for the industrial user to meet the pretreatment standards and requirements, the industrial user will provide the shortest compliance schedule by which the additional pretreatment and/or O&M will be provided, as required by 40 CFR 403.12(c).

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 Industrial User to meet the applicable categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.). No increment of this section shall exceed nine (9) months.

Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the Industrial User shall submit a progress report to SD1 including, at a minimum, whether or not it complied with the increment of progress to be met on such 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 Industrial User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Control Authority.

G. **Proper Sampling and Analysis**

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- (1) Except as indicated in Section (2) and (3) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by SD1.

Where time-proportional composite sampling or grab sampling is authorized SD1 and documented, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during

a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by SD1, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits. See 40 CFR 403.12(g)(3).

- (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (3) For sampling required in support of baseline monitoring and 90-day compliance reports required in 40 CFR 403.12(b) and (d), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, SD1 may authorize a lower minimum.

For the reports required for Categorical Industrial User periodic reports of continued compliance (40 CFR 403.12(e) and Non-Categorical Industrial Users periodic reports of continued compliance 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements. See 40 CFR 403.12(g)(4).

All reports required of industrial users shall be based on analysis performed in accordance with procedures established by the EPA Regional Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136 and amendment thereto or with any other test procedures approved by the EPA Regional Administrator. Sampling shall be performed in accordance with the techniques approved by the EPA Regional Administrator. Except as modified to meet conditions at the wastewater treatment plant, measurements, tests and analyses of the characteristics of such wastewaters shall be determined in accordance with standard methods.

Section 502 - Industrial Users

1. General

SD1 may inspect or monitor all commercial/industrial users in the service area as needed. To obtain important information of a commercial/industrial establishment, SD1 may require a commercial/industrial establishment to complete and file with the Executive Director or designee an industrial waste questionnaire containing pertinent information on their production, quantity of flow, a

chemical analysis of their wastes to be discharged, and waste disposal. For new establishments, the questionnaire may be required to be completed before wastewater discharges begin.

All discharges from a commercial/industrial establishment shall remain the responsibility of the user who discharges. The owner of the building, in the case of leasing or a multi-tenant situation, may also be liable to enforcement action for discharges in violation of SD1 Rules and Regulations or may have to install and pay for monitoring facilities or wastewater pretreatment.

Commercial/industrial establishments discharging into wastewater collection systems not owned by SD1 shall be regulated by the multi- or extra-jurisdictional agreement between SD1 and the owner of the wastewater collection system. Where SD1 is contracted by a client to operate and maintain the wastewater collection system and or wastewater treatment system, the commercial/industrial discharges shall be regulated per the contract between SD1 and the client.

2. **Significant Industrial Users (SIU)**

Industrial Users that are determined to be significant by SD1, as defined in Article 1, are required to be permitted by SD1. A significant industrial user can be a surcharged industry, a categorical industrial user, a non-significant categorical user, or any industrial user SD1 determines that should be permitted as an SIU. Most SIUs are required to perform self-monitoring of their effluent and send a self-monitoring report to SD1 on a specified periodic basis. In some cases, SD1 may perform the sampling for the SIU.

A. **Surcharged Industries**

A surcharged industry is a significant industrial user who discharges wastewater into the wastewater treatment system which exceeds the specifications for normal strength sewage. A surcharge is applied to these industrial users where an additional wastewater charge is applied above and beyond the normal strength wastewater service charge. A wastewater discharge permit will also be issued to all surcharged industries.

Every user whose premises are served by a sewer connection and which discharges sanitary sewage, industrial wastes, water or other liquid, other than normal strength sewage, either directly or indirectly into the wastewater treatment system under the management of SD1, shall be charged and shall pay a wastewater treatment system surcharge in addition to the wastewater treatment system service charge.

The surcharge shall be determined on the basis of any of constituents of the following:

- Total Suspended Solids (Section 101)
- BOD (Section 101)
- Total Kjeldahl Nitrogen (Section 101)
- Phosphorus (Section 101)

In the case of a new industry with high strength wastes, or when a surcharged industry is unable to self-monitor and report to SD1 analysis of the wastes to SD1 when requested, the WTS surcharge shall be based on a chemical analysis of a similar process or other data acceptable to SD1 and shall continue in effect until such time as an analysis of the wastes is submitted by the company and confirmed by SD1.

(1) Surcharge Calculation

When the concentrations of any one (1), any combination or all of these three (3) constituents exceed the values for normal strength sewage (see Section 1, Definitions), the excess concentrations shall be subject to charges at a rate calculated from the following formula:

$$R = \frac{A (\text{TSS}-300) + B (\text{BOD}-240) + C (\text{TKN}-30) + D (\text{P}-10)}{1,000,000}$$

Wherein:

R = Total surcharge rate in dollars per hundred cubic feet of wastewater flow.

TSS = Total suspended solids (Section 101)

BOD = Biochemical oxygen demand (Section 101)

TKN = Total Kjeldahl nitrogen (Section 101)

P = Total phosphorus (Section 101)

300 = Maximum total suspended solids in normal strength sewage

240 = Maximum BOD in normal strength

30 = Maximum total Kjeldahl nitrogen in normal strength sewage

10 = Maximum total phosphorus in normal strength sewage

A, B and C are numerical factors related to unit costs of providing primary and secondary treatment for the indicated pollutants. The values shall be:

- A = (Values to be furnished upon request)
- B = (Values to be furnished upon request)
- C = (Values to be furnished upon request)
- D = (Values to be furnished upon request)

(2) **Surcharge Sampling**

- a. The sewage strength of the wastewater discharge shall be determined from wastewater samples taken at a sampling point at such time, duration and manner as SD1 may elect or at any place mutually agreed upon between the user and SD1. The results of routine sampling and analysis by the user may also be used in determining the amount of the surcharge, after approval by SD1.
- b. The average wastewater strength found by analysis shall be used in determining the amount of the surcharge. The surcharge shall be applied to the total water consumption, less that portion exempted by SD1.

(3) **Surcharge Reduction by Flow Reduction**

- a. Where certain types of business and industrial users discharge clear water, not contaminated as the usual wastewater entering the wastewater treatment system, and if such users shall install and have in operation equipment to prevent said water from entering the wastewater treatment system, they shall be exempt from payment of WTS surcharges for the water so eliminated. The owner shall install meters at his expense to measure that amount of water so disposed of, or diverted. All surcharge reduction procedures listed above must be reviewed by SD1 prior to installation. Refer to Special Meters for more information.
- b. For difficult situations, a commercial or industrial establishment may submit to SD1 for review and request for permission to install a total sanitary flow meter to accurately measure the amount of wastewater being discharged to the sanitary sewer system to account for water evaporation or water

contained in product. No estimations of water losses are acceptable.

- c. If the Executive Director or designee finds that it is not practical to measure the quantity of wastewater by incoming water meters feeding the establishment, he shall determine the quantity of wastewater entering the wastewater treatment system in any manner or by any method he may find reasonable and practical. The quantity so determined shall be the quantity of wastewater to which the WTS surcharge shall be applied.

(4) **Surcharged Industrial Sampling and Reporting**

- a. EPA requires surcharged industries to self-monitor their wastewater and report the results to SD1 for the six-month periods beginning January 1 through June 30 and July 1 through December 31 of each year. Reports are due by July 20 and January 20 of each year. SD1 has the option to perform this required monitoring for the surcharged industries.
- b. SD1 shall conduct, at a minimum, one (1) wastewater discharge sample per location per calendar year, without cost to the person, industry or company. This sample shall be obtained any time during the calendar year and shall serve as the basis for future WTS surcharges.

- (5) **Request for Additional Surcharge Sampling** - If a person, industry or company disagrees with the analysis on which the WTS surcharge is based, he may request in writing another wastewater sampling. SD1 will review this request on a case-by-case basis as to whether to grant the request. The full cost of the sampling (including labor, equipment and analytical costs), shall be payable by the requesting party. After the sampling is completed and at the discretion of SD1, the new sampling data will be averaged in with the other sampling data in question, unless SD1 agrees that the other data in question is inaccurate. The new average sampling results, higher or lower than the previous sampling results, shall become the basis for the WTS surcharge.

The request for additional sampling must be made no later than October first in a calendar year.

B. **Categorical Industrial Users (CIU)**

EPA designated specific categories of industrial users in order to regulate the amount of specific pollutants being discharged to the sewer systems and natural water ways. All EPA designated categorical industries in SD1's service area must report to SD1 Industrial Pretreatment Department for proper wastewater discharge management and control, per federal regulations. The federal categorical pretreatment standards are applied to the regulated process discharge per the respective specific category. SD1 shall notify all affected users about the specific categorical regulations that apply and of the applicable reporting requirements under 40 CFR 403.12.

The promulgation of a federal categorical pretreatment standard limit for a particular industrial subcategory immediately supersedes, if more stringent SD1's Effluent Discharge Limits.

An "existing source" industrial user is a user already in production before the promulgation of an applicable categorical pretreatment standard. "Existing source" industrial users shall be in compliance with the categorical pretreatment standards within three (3) years of the effective date of the pretreatment standards unless a shorter compliance time is specified in the appropriate subpart of 40 CFR Chapter 1, Subchapter N. "Existing source" industrial users can become "new source" industrial users if they make changes that would qualify them as a "new source" industrial user per 40 CFR 403.3(m).

"New source" industrial users must be in compliance with the applicable categorical pretreatment standards before beginning to discharge to the sanitary sewer system. Should noncompliance occur, the "New source" industrial user must meet all applicable pretreatment standards within the shortest feasible time [not to exceed ninety (90) days].

(1) **CIU Baseline Report**

- a. "Existing" industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to SD1 shall be required to submit to SD1 a baseline report which contains the information as required by 40 CFR 403.12(b). This report is due within one hundred and eighty (180) days after the effective date of a categorical pretreatment standard, or one hundred and eighty (180) days after the final administrative decision made upon a categorical determination submission under 40 CFR 403.6(a)(4), whichever is later.

- b. At least ninety (90) days prior to commencement of discharge, "New Sources" industrial users and "new sources" industries that become industrial users subsequent to the promulgation of an applicable categorical pretreatment standard, shall be required to submit to SD1 a baseline report which contains the information as requested in 40 CFR 403.12(b)(1)-(5). "New Source" industrial users are required to include information on the method of pretreatment to be used to meet applicable pretreatment standards. New sources shall give estimates of the information requested in 40 CFR 403.12(b)(4)-(5).
- c. The report shall include the certification statement indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional Pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements; This report shall also include the certification statement as set forth in 40 CFR 403.6(a)(2)(ii) and shall be reviewed and signed by an authorized representative of the industrial user as defined in 40 CFR 403.12(l) and certified by a qualified professional.

(2) **Compliance Schedules** - See Section 501(6)(F).

(3) **Compliance with Categorical retreatment Standards Report (90 Day Compliance Report) (40 CFR 403.12(d))**

- a. Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards or in the case of a "new source" industrial users following commencement of the introduction of wastewater into SD1, any user subject to pretreatment standards and requirements shall submit to the Executive Director or designee a report containing the information as required by the 40 CFR 403.12(b) (4)-(6). For Industrial Users subject to equivalent mass or concentration limits established by SD1 in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long term production rate. For all other Industrial Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall

include the User's actual production during the appropriate sampling period.

- b. This report shall include the certification statement as set forth in 40 CFR 403.6(a) (2) (ii) and shall be reviewed and signed by an authorized representative of the industrial user as defined in 40 CFR 403.12(l) and certified to by a qualified professional.

(4) Periodic Reports on Continued Compliance

- a. Any industrial user subject to a categorical pretreatment standard (except a Non-Significant Categorical User as defined in 40 CFR 403.3(v)(2)), after the promulgation date of such pretreatment standard, or, in the case of a "new source", after commencement of the discharge into the SD1 sewer system, and after the 90 day Compliance Report submittal, shall submit a continued compliance wastewater discharge report to the Executive Director or designee at a minimum after the six-month period beginning January 1 through June 30 and July 1 through December 31 of each year, unless required more frequently in the pretreatment standard or by the Executive Director (or designee) or the approval authority, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period. SD1 may require a more detailed reporting of flows. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (or pollution prevention alternative), the User shall submit documentation required by SD1 or the Pretreatment Standard necessary to determine the compliance status of the User. At the discretion of SD1 and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., SD1 may modify the months during which the above reports are to be submitted.
- b. For Industrial Users subject to equivalent mass or concentration limits established by SD1 in accordance with the procedures in 40 CFR 403.6(c), the report required shall contain a reasonable measure of the User's "long term" production rate. For all other Industrial Users

subject to categorical Pretreatment Standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report shall include the User's "actual average" production rate for the reporting period.

- c. Where waiver of required pollutant parameter sampling has been granted per SD1 and in conjunction with the respective State or Federal Categorical Regulations, a certification statement must be submitted with each self-monitoring report, such as a total toxic organic (TTO) certification statement must be provided in lieu of required TTO monitoring per 40 CFR 433.12(a) & (b). Refer to Section 501(B) (6)–(9).
- d. **Report Certification Statement and Authorized Representative Signature** - This report shall include the certification statement as set forth in 40 CFR 403.6(a) (2) (ii) and shall be reviewed and signed by an authorized representative of the industrial user as defined in 40 CFR 403.12(l).
- e. If an industrial user subject to this reporting requirement monitors any pollutant more frequently than required by SD1, using the procedures prescribed in Section 501(6)(G), the results of this monitoring shall be included in the report.
- f. **Pollutant Parameter Limits Violation Resampling/Reporting** - If sampling performed by an industrial user indicates a violation, the user shall notify SD1 within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to SD1 within thirty (30) days after becoming aware of the violation. Where SD1 has performed the sampling and analysis in lieu of the Industrial User, SD1 has performed the sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis. Resampling is not required if:
 - i. SD1 performs sampling at the Industrial User at a frequency of at least once per month; or

- ii. SD1 performs sampling at the User between the time when the initial sampling was conducted and the time when the User or SD1 receives the results of this sampling.
 - g. **Middle Tier CIU Sampling/Reporting** - SD1 (at its discretion) may allow a Middle Tier CIU to self-monitor and report to SD1 on a less frequent basis if they meet the qualifications of 40 CFR 403.12(e)(3). Should they fail to continue to meet these qualifications they will immediately revert back to being a regular CIU.
- (5) **Additional Reporting** - Refer to General Reporting under Section 501(6).
- (6) **Spill Prevention Control and Countermeasure Plan (SPCC)**
- a. Industrial users under the oil handling facilities regulations (40 CFR Part 112) must prepare a Spill Prevention Control and Countermeasure (SPCC) Plan.
 - b. Each user who is required to prepare an SPCC Plan shall have an initial and on-going safety and accident prevention training program. This training and education program shall include, but not be limited to, appropriate work practices, protective measures, and emergency procedures. The details and frequency of the training programs should be provided as part of the SPCC Plan for the facility. SD1 shall have the authority to require different frequencies of training for industries with frequent spills and/or spill histories.
- (7) **Toxic Organic Management Plan (TOMP)** - If industrial users under the categories of 40 CFR Part 413 (Electroplating), 433 (Metal Finishing), and 469 (Electrical and Electronic Components), do not want to sample for the required total toxic organics, then the industrial user shall submit a TOMP that specifies to the satisfaction of SD1, the toxic organic compounds used, the method of disposal used instead of dumping, and procedures for ensuring that toxic organics do not spill or leak into the wastewater.
- (8) **Pollution Management Plan (PMP)** - If industrial users under the 40 CFR Part 442 Transportation Equipment cleaning Point Source Category do not want to sample for

the required pollutant parameters, then the industrial user shall submit a PMP. The PMP must be in accordance with the requirements of 40 CFR 442 regulations and a certification statement of the intent to utilize the PMP must be signed by an authorized representative as defined in 40 CFR 403.12(l).

- (9) **Best Management Plan (BMP)** – Where allowed by SD1, BMPs are (defined in 40 CFR 403.3(e)) schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. The BMP practices must protect against the potential for Pass Through and/or Interference. Where permitted by SD1, the User would only have to comply with BMP based SD1's effluent discharge limits or BMP based Federal Categorical Pretreatment Standards. BMPs must be demonstrated to be enacted properly, and in accordance with the respective 40 CFR 403.12(b), (e), and (h). The BMP must be submitted to SD1 for approval. An authorized representative (as defined in 40 CFR 403.12(l)) of the User must annually sign a certification statement of the intent to utilize the BMP. Any reporting of the use of BMPs must be sent in as required by the BMP. Violations of any of these requirements can result in the exclusion of the use of these alternative BMP based limits or standards and the default SD1 Effluent Discharge Limits or the Federal Categorical Standards will apply.
- (10) **Consistent Removal Credit** - Where the wastewater treatment system achieves consistent removal of pollutants limited by a categorical pretreatment standard(s), SD1 may apply to the approval authority for modification of specific limits in the federal pretreatment standards. SD1 may then modify, at its discretion and subject to the conditions of 40 CFR 403.7, pollutant discharge limits in the federal pretreatment standards. Sewer overflows must be taken in account depending if an industrial user is in a combined sewer system.
- (11) **Mass Limits, Equivalent Mass Limits, Equivalent Concentration Limits**
 - a. When the pollutant discharge limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, SD1 may convert the limits to equivalent limitations

expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users. The limits conversion shall be calculated as shown at 40 CFR 403.6(c).

- b. Any industrial user operating under a control mechanism incorporating equivalent mass or equivalent concentration limits calculated from a production based standard shall notify SD1 within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying SD1 of such anticipated change will be required to meet the mass or concentration limits in its control mechanism that were based on the original estimate of the long term average production rate.

(12) **Combined Waste Stream Formula**

Where process effluent is mixed prior to treatment with wastewaters other than those generated by the regulated process, fixed alternative discharge limits may be derived by SD1, or by the industrial user with the written concurrence of SD1. These alternative limits shall be applied to the mixed effluent and shall be calculated as shown at 40 CFR 403.6(e) using the combined waste stream formula. Modification is authorized whenever there is a material or significant change in the values used in the calculation to fix alternative limits for the regulated pollutant. An industrial user must immediately report any such material or significant change to SD1. The industrial user may change monitoring points only after receiving approval from SD1.

- (13) At SD1's discretion upon request from a CIU, SD1 may authorize the CIU to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the CIU has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. The CIU must meet the qualifications in 40 CFR 403.12(e) (2) and submit a certification statement with each self-monitoring report. Failure to maintain these qualifications may result loss of the waiver.

C. **Non-Significant Categorical Industrial Users (NSCIU)**

SD1 at its discretion may allow a CIU to become a non-significant industrial user if they can meet the qualifications. An NSCIU is a CIU designated by SD1 as "non-significant." To qualify as an NSCIU, the CIU must never discharge more than one hundred (100) gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling, and boiler blowdown wastewater, unless specifically included in the categorical Pretreatment Standard). The CIU must also: Have consistently complied with all applicable Pretreatment Standards; annually submit a certification statement (40 CFR 403.12(q)); and never discharge any untreated concentrated wastewater. An NSCIU can immediately become a CIU if they no longer meet the qualifications stated above.

D. **Miscellaneous Significant Industrial Users**

Miscellaneous significant industrial users are industrial users which are neither surcharged nor categorical.

3. Wastewater Discharge Permitting

Permits are control documents that guide the industrial/commercial user on what regulations and requirements that they need to adhere to in order to be in compliance with SD1's Rules & Regulations, State, and Federal Regulations. The permit may be designed specific to the User such as an SIU/CIU/FOG permit or it may be a general permit that addresses a group of users.

A. **Permit Requirements** - All significant industrial users shall obtain an Industrial User's Wastewater Discharge Permit before connecting to or discharging into the wastewater treatment system. All significant industrial users shall complete and file with SD1, a permit application in the form prescribed by the Executive Director or designee and accompanied by the applicable fees. SD1 will evaluate the data furnished by the user and may require additional information. After evaluation of the data furnished, the Executive Director or designee may issue an Industrial User's Wastewater Discharge Permit subject to terms and conditions provided herein.

B. **Wastewater Discharge Permit Provisions**

(1) Wastewater discharge permits shall be expressly subject to all provisions of these Rules and Regulations. Permits shall contain, at a minimum, the following conditions:

a. Statement of duration

- b. Statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator
 - c. Effluent limits, including Best Management Practices, based on applicable general pretreatment standards in part 403 of Title 40 of the Code of Federal Regulations, categorical pretreatment standards, effluent discharge limits, and state and local law
 - d. Self-monitoring, sampling, reporting, notification and record keeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency and sample type, based on the applicable general pretreatment standards in part of 403 of Title 40 of the Code of Federal Regulations, categorical pretreatment standards, effluent discharge limits, and state and local law
 - e. Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule. Such schedule may not extend the compliance date beyond applicable federal deadlines
 - f. Requirements to control slug discharges, if determined by SD1 to be necessary.
 - g. Additional requirements as determined by the Executive Director or designee.
- (2) All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in the pretreatment ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that may become effective during the term of this permit. The user can contest provisions of the permit within (30) thirty days of receipt of the permit revisions.

C. Permit Length of Time

- (1) Permits shall be issued for a specified period of time but in no event shall a permit extend beyond five (5) years of the date of issuance. Thirty (30) days prior to the

expiration of the permit, the user shall apply to SD1 for a renewal of the permit.

- (2) The user shall be notified in writing of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. The notice shall include a specified time schedule for compliance. This time schedule shall be based on practical delivery and construction time requirements and shall become part of the permit.

D. Permit Changes

- (1) SD1 reserves the right to re-open the wastewater discharge permit to establish changes in limitations or requirements on discharges to the wastewater sewer system, if deemed necessary.
- (2) If your facility wishes to appeal or challenge any conditions of this permit you must respond, in writing, within (30) thirty days of receipt of the new permit.

E. Permit Transfers - Industrial users' wastewater discharge permits are issued to a specific user for a specific operation. An industrial user's wastewater discharge permit shall not be reassigned, transferred or sold to a new owner, or significantly changed operation unless permission is granted by SD1. If a change in ownership, name, production, or location occurs, a letter so indicating must be submitted at least sixty (60) days prior to the proposed change date, along with a new permit application.

F. Permit Expiration - Should the wastewater discharge permit expire, the permit and permit conditions shall remain in effect until a new permit is issued, but in no case beyond five (5) years of the date of issuance.

G. Permit Revocation - Refer to Article 10(2), Enforcement Action.

4. Record Keeping

A. Any industrial user subject to reporting requirements established in these Rules and Regulations or any other state or federal pretreatment regulations shall maintain records of all information resulting from any monitoring activities required by the regulations. Such records shall include for all samples:

- (1) The date, exact place, method and time of sampling and the names of the person or persons taking the samples;
- (2) The date(s) analyses were performed;

- (3) The facility that performed the analyses;
 - (4) The analytical techniques/methods used; and
 - (5) The results of such analyses.
- B. Any industrial user subject to these reporting requirements shall be required to retain for a minimum of three (3) years any records of monitoring activities and results (whether or not such monitoring activities are required by regulation) and shall make such records available for inspection and copying by SD1. This period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or when requested by the Executive Director (or designee) or the EPA Regional Administrator.
- C. Any records kept by any industrial user on Best Management Practices (including Pollution Management Plan, Toxic Organic Management Plan, or Spill Prevention Control & Countermeasure Plan) are required to be retained for a minimum of three (3) years and they shall make such records available for inspection and copying by SD1.

5. **Confidential Information**

- A. Information and data on a user obtained from reports, questionnaires, permit applications, permits, monitoring programs, inspections and sampling activities shall be available to the public or any governmental agency without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of SD1 that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user under applicable state law. Any such request must be asserted at the time of submission of the information or data.
- B. When requested and demonstrated by the person/entity furnishing the information that such information should be held confidential, the portions of a report that 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 ordinance, the Kentucky Pollutant Discharge Elimination System (KPDES) Permit, State Disposal System Permit, the pretreatment program and/or in enforcement proceedings involving the person/entity providing the information. Wastewater constituents and characteristics and other effluent data as defined by 40 CFR 2.302 will not be recognized as confidential information.

- C. Information accepted by SD1 as confidential shall not be transmitted to any governmental agency or to the general public by SD1 until and unless a ten (10) day notification is given to the user.

6. **Miscellaneous Fees**

SD1 may adopt charges and fees which may include:

- A. Fees for reimbursement of costs of setting up and operating the pretreatment program of SD1;
- B. Fees for monitoring, inspection and surveillance procedures;
- C. Fees for reviewing accidental discharge procedures and construction;
- D. Fees for permit application;
- E. Fees for filing appeals;
- F. Fees for consistent removal (by SD1) of pollutants otherwise subject to federal pretreatment standards; and/or
- G. Other fees as SD1 may deem necessary to carry out the requirements contained herein.

Section 503 – Restaurants and Other Commercial Users

- 1. All restaurants and food service establishments within the boundaries of SD1 must, upon request, complete a Restaurant/Food Service Grease Handling Questionnaire. SD1 will determine the need to issue a Food Service Discharge Permit along with any applicable fees.
 - a) Effective January 1, 2012, SD1 will require that all new food service establishments obtain a Food Service Discharge Permit, as well as any food service establishment that undergoes a significant remodel. SD1 may issue a Food Service Discharge Permit to any food service establishment that is found to be in an area experiencing grease/FOG issues or determined to be the cause of a grease/FOG related sewer overflow.
 - b) Significant remodeling is defined as modification made to an existing food service establishment (FSE) sufficient to require issuance of a building permit or the temporary closure of the FSE for building renovation.

2. Food Service Discharge Permit fees will be assessed annually and fines may be levied due to non-adherence to conditions of the discharge permit.
3. All Food Service Discharge Permit provisions must be adhered to at all times.
4. SD1 reserves the right to require the Grease Control Equipment (GCE) to be installed when deemed necessary. Refer to Section 501(5.)(C) Wastewater Interception Devices.
5. SD1 may inspect the GCE to determine if the GCE is functioning properly and being maintained. SD1 may require modifications to be made to the GCE if deemed necessary.
6. SD1 reserves the right to require additional cleaning or additional pretreatment if the GCE is of inadequate size or not working properly.
7. SD1 requires all new restaurant construction within its boundaries to submit a detailed drawing of the GCE and complete a Food Service Discharge Permit Application/Questionnaire.
8. Use of additives (including enzymes and biological) are prohibited in plumbing tied into GCE unless express written permission is received from SD1. In no case shall the use of an SD1 approved additive extend the required cleaning frequency of the trap/interceptor.
9. Other commercial users may be inspected by SD1 to monitor chemical storage, usage and disposal methods.

Section 504 - Disposal of Hauled Waste

1. All individuals or companies must apply for and obtain a "Waste Hauler Discharge Permit" before discharging holding tank waste to SD1. Permits are issued on an annual basis and all provisions of the permit must be adhered to at all times. A permit fee shall be applicable for each waste hauler.
2. A "Waste Hauler Manifest" shall be completed and submitted to SD1 for each shipment of waste discharged, at the time of discharge.
3. No person shall discharge holding tank wastes into any watercourse or storm sewer.
4. Hauled wastes originating within SD1's service area shall be discharged into SD1's main wastewater treatment plant or other locations as approved by SD1 in writing.

5. Hauled wastes other than GEC waste originating outside the boundaries of the counties served by SD1 are prohibited from being discharged into SD1's wastewater treatment system unless prior written permission is granted by the Executive Director or designee.
6. GCE waste originating outside SD1's boundaries will not be accepted in any case.
7. Any person discharging hauled wastes into an SD1 designated disposal facility shall pay SD1 a sewage disposal charge.
8. Any person violating the provisions of this section and or their Waste Hauler Discharge Permit shall be subject to a penalty not to exceed one thousand dollars (\$1,000.00) per violation and/or suspension or revocation of their permit. In addition, such person may be liable for any expense, loss or damage occasioned by reason of such violation.
9. No person shall discharge or cause to be discharged, either directly or indirectly, into the wastewater treatment system of SD1, wastes other than domestic sewage without the prior written approval of the Executive Director or designee. Domestic sewage includes septic tank waste, portable toilet waste, and restaurant GCE waste. All other wastes require prior written approval from the Executive Director or designee.
10. Combined loads of domestic sewage must have a separate Waste Hauler Manifest for each source of sewage. Combined loads are defined as domestic sewage from two (2) or more sources. GCE waste cannot be combined with any other waste.
11. GCE must be pumped out completely (total pump), and no water from the trap will be discharged back into the GCE after the pumping is complete, unless prior approval is given. The GCE should be filled with "fresh water" after the total pump out.
12. The transfer of the Waste Hauler Discharge Permit is prohibited unless the Executive Director or designee grants prior written approval.
13. The full price of discharging to an SD1 designated disposal facility will be charged for partial loads unless a properly functioning sight glass or float is installed on the truck tank to determine volume being discharged.

Section 505 - Unusual Discharges

1. A letter of request must be submitted to the Executive Director or designee to discharge waste of an unusual nature, including one-time discharges, to the wastewater treatment system. SD1 will determine, on a case-by-case basis, if the request will be granted. The letter of request

must contain enough information to make a determination, such as a description of the reason for the discharge, the nature and characteristic of the discharge, proper analyses of the discharge to determine compliance with the discharge limits, pretreatment proposed, estimated volume, etc.

2. The responsible party for the discharge shall have an acceptable means of measuring the volume to be discharged and is responsible for paying any fees incurred such as SD1's employee time involved, equipment/vehicle costs, and fees associated with the wastewater characteristics and volume of the actual discharge. Refer to SD1's rate and fee schedule.
3. There shall be no unusual discharges during a rain event in the combined sewer service area.
4. SD1 must be notified at least twenty-four (24) hours in advance of any approved discharges.
5. All discharges shall be in compliance with all of the conditions of SD1's Rules and Regulations and applicable federal and state regulations.
6. SD1 reserves the right to halt or condition all discharges to the sanitary sewer system.
7. The responsible party is liable for any adverse effects to the sewer system, wastewater treatment plant, the environment, or hazards to the public/SD1 personnel that may be caused by the discharge, whether by itself or in conjunction with other discharges.

ARTICLE 6

**STANDARDS FOR
DESIGN AND CONSTRUCTION
OF SEWERS AND PUMP STATIONS**

Section 601 - Approval

No sanitary sewer which discharges either directly or indirectly into the wastewater treatment system under the management of the District, wastewater lift stations or wastewater treatment plants shall be constructed without prior written approval by the District of the plans therefore, as to (a) concept and (b) detail.

The construction of new pump station facilities shall be in accordance with the following rules and guidelines. The purpose of this policy is to provide equitable distribution of the cost for the transport and treatment of municipal wastewater, in accordance with KRS 220.515.

1. The District has the authority to require the installation of a gravity sewer, in lieu of a pump station, and shall have authority to recoup any additional expenses as provided under KRS 220.515.
2. Sanitation District No. 1 shall prohibit the construction of pump stations serving less than forty (40) homes, unless payment is provided in accordance with Article No. 3 below. Pressure sewers with house pumps discharging into a common force main or other conveyance method shall be required if fewer than forty (40) homes are projected in the service area.
3. As provided in KRS 220.515, the District may establish a surcharge or other rate, fee or charge to be made applicable to users in areas where facilities are to be acquired, constructed or established, and to amortize part or all of the costs thereof, in addition to the charge authorized by KRS 220.515. The District, therefore, may identify the cost to each user, in accordance with the procedures in KRS 220.593(2), and set a rate based upon the operating cost of the proposed pump station. For any pump stations constructed that serve less than forty (40) homes or the equivalent flow of 10,360 gallons per day from commercial and/or industrial facilities, the District may require one of the following payment options:
 - a. An initial lump sum payment for operating and maintaining the pump station over a twenty (20) year life expectancy. The payment shall be based on a present worth cost analysis.
 - b. A surcharge on the users' quarterly sewer usage bill to recoup operations and maintenance costs. This surcharge shall provide the District with a reasonable rate of return (not to exceed ten percent) during the finance period, in accordance with KRS 220.515.

1. **Reservation of Sanitary Sewer Capacity**

1. **Statement of Purpose**

The purpose of Section 602 is to state the procedure for reserving and allocating sanitary sewer capacity. Capacity may be limited as to the system as a whole or the capacity at one or more pump stations affected by a proposed development. Due to the location of projects and use or non-use of a pump station or pump stations, capacity may be available for one development while unavailable for another development. Consequently, capacity must be calculated, monitored, reserved, and allocated for each pump station, as well as for the system as a whole.

2. **Reservation of Sanitary Sewer Capacity**

A request for a reservation of sanitary sewer capacity for a development may be granted by the Board or its designee based upon pump station capacity and system capacity. Where there are multiple requests for a reservation and either insufficient pump station capacity or insufficient system capacity to approve all of the requests then approval shall be granted based on time or by need as follows:

- A. **Priority by Time** – Subject to priority by need, reservations of sanitary sewer capacity shall be granted to developments according to the filing date of the request for reservation.
- B. **Priority by Need** – Reservations of sanitary sewer capacity based upon regional interests related to health, economic growth, and the welfare of the general public, as approved on a project-by-project basis by the Board or a majority of the three County Judge-Executives, shall take precedence over developments having a prior filing date of the request for reservation. A priority by need shall not, in any event, cause the revocation of a capacity approval previously approved by the Board or its designee.
- C. **Review by District** – The District shall use its best efforts to review and approve or deny a request for reservation within sixty (60) calendar days.

3. **Reservation of Sanitary Sewer Capacity to Commercial and Industrial Users**

The Board may, at its discretion, approve or deny a request for sanitary sewer capacity to a commercial, industrial or institutional user requiring 25,000 gallons of capacity per day or greater. This decision shall be based upon the Board's determination of whether the allocation is an appropriate use of the available sanitary sewer capacity, and shall apply regardless of whether sufficient capacity exists to meet the user's needs.

4. **Reservation of Sanitary Sewer Capacity to Single Family and Multi-Family Residential Developments**

Single family and multi-family residential development will be treated the same for purposes of reservation of sanitary sewer capacity.

5. **Amount of Reservation**

The amount of reservation granted shall be based upon the proposed usage of a development, but only to the extent the usage shall be placed in service within a five-year period beginning on the date of capacity approval. The District shall determine the final amount of reservation granted, which may differ from the amount requested.

6. **Reservation Fee**

A reservation fee may be required by the District in such amount and on such terms as the District may, from time to time, determine but in no case shall exceed the then current capacity connection fee. Failure to pay a required reservation fee within thirty (30) days following the date of capacity approval shall cause an immediate revocation of the reservation. The reservation fee, if required, may be applied against the capacity connection fee.

7. **Term of Reservation**

- A. A sanitary sewer capacity reservation granted by the District will be effective for a period of five (5) years, commencing on the date of capacity approval.
- B. An extension to this five-year reservation may be granted by the District upon the occurrence of extraordinary circumstances, not to include general economic or market fluctuations or circumstances substantially attributable to the applicant. A request for extension must be made in writing and must be filed with the District no less than 90 days prior to the expiration of the five-year period.
- C. A sanitary sewer capacity reservation for infrastructure improvements paid for by the developer will be granted for 15 years, commencing on the date of the acceptance of the infrastructure by the District. A five-year extension will be granted upon request which shall be made in writing no less than 90 days prior to the expiration of the 15-year period.

8. **Request for Reservation**

- A. A written request for reservation of capacity shall be filed with the District on such form(s) as required by the District together with such additional information as the District shall reasonably require.
- B. Any amendment made to an improvement plan, which has previously been granted a sanitary sewer reservation which results in the need for additional sanitary sewer capacity shall constitute a new request for reservation. An amendment to an improvement plan that requires additional sanitary sewer capacity may only be made at the end of the six-month period following the date of capacity approval and thereafter in six-month intervals.

9. **Waiting List**

If there is insufficient system capacity or insufficient pump station capacity to adequately satisfy the request of an applicant, the development may, upon the written request of the applicant, be placed on a waiting list until sufficient capacity becomes available, either through new capacity or the revocation of a previously allocated reservation.

Priority on the waiting list shall be granted based on time or by need as follows:

- A. **Priority by Time** – Subject to priority by need, reservations of sanitary sewer capacity shall be granted to developments according to the filing date of the request for reservation.
- B. **Priority by Need** – Reservations of sanitary sewer capacity based upon regional interests related to health, economic growth, and the welfare of the general public, as approved on a project-by-project basis by the Board or a majority of the three County Judge-Executives, shall take precedence over developments having a prior filing date of the request for reservation.

10. **Revocation of Reservation**

- A. The unused amount of reserved capacity granted to a development shall be revoked unless 80 percent of the development as set forth in the application for reservation of sanitary sewer capacity has been placed in service by the end of the five-year period beginning with the date of capacity approval, or a later date if an extension has been granted; for those developments that meet the 80 percent threshold, a two-year extension shall be granted upon written request for extension of reservation of capacity submitted no less than 90 days prior to the expiration of the five-year period and on such form(s) as required by the District together with such additional information as the District shall reasonably require.

- B. If an improvement plan has not been approved by both the District and the Kentucky Division of Water by the end of the one-year period beginning on the date of capacity approval, the Board may, at any time thereafter, revoke the unused amount of reserved capacity granted to a development.
- C. Revocation of reservation in the above-mentioned situations is automatic. The District shall not be required to provide notice of the revocation or the right to cure.

11. Transfer of Reservation/Reallocation of Excess Capacity

A reservation of sanitary sewer capacity shall only apply to the development for which an approval has been granted and may not be transferred to any other development. If ownership of a development is transferred written notice of the transfer shall be filed by the transferee with the District.

Once capacity for an intended development has been accounted for with the infrastructure improvements, such as a new pump station, the District will determine how the remaining capacity, if any, will be allocated. No reimbursement will be given. The District will evaluate if any design capacity may be sold or allocated to other development sites on a case-by-case basis.

12. Request for Reconsideration

If an applicant wishes, he may petition the Board's appointed Dispute Resolution Officer for a reconsideration of any final decision made by the District concerning reservation of sanitary sewer capacity. A request for reconsideration should be directed to the Dispute Resolution Officer, stating the basis for the request. A written request for reconsideration shall be filed with the Dispute Resolution Officer within ten (10) days of receipt of the final decision of the District. The Board's appointed Dispute Resolution Officer shall review the complaint and all relevant facts and issues. The Board's Dispute Resolution Officer shall make a determination and submit a summary report to the Board. At its next regular meeting, the Board shall adopt, modify, or reject the determination based on the information in the report. The Board's Dispute Resolution Officer shall notify the complainant of the determination. If the petition for reconsideration is denied by the Dispute Resolution Officer, such denial shall be deemed a final District action and therefore appeal-able to a court of competent jurisdiction. If the petition for reconsideration is granted and the Dispute Resolution Officer finds cause for re-determination, he will take appropriate action. The Dispute Resolution Officer's decision will be communicated, in writing, to the person filing such petition within ten (10) days of receipt of the applicant's request for reconsideration.

Design and plan submission requirements for review shall be as follows:

2. **Concept Review**

A. **Letter** (to contain the following):

- (1) A request for plan review and approval.
- (2) Type of development, e.g., residential, commercial, industrial, etc. Include information as to size of development, number of units, etc.
- (3) An estimate of sanitary flow generated by the proposed development.
- (4) An estimate of cost for the wastewater treatment works, including a separate item for any wastewater treatment plant or wastewater lift station proposed in the design.
- (5) A time schedule for construction of the development in terms of dwelling units per year or proportion of the estimated flow to be added to the wastewater treatment system.

B. **Plans**

- (1) Two (2) prints showing proposed development on a 200-scale topographic map. This plan should show street layouts, existing sanitary, combined and storm sewers, including sewer numbers, sizes, grades, locations and invert elevations. All existing work should be shown with dashed line work. With solid line work, engineer should show proposed sanitary and storm sewers locations, sizes, grades and flow arrows (or invert elevations).
- (2) In lieu of the above, the engineer may elect to submit detailed construction drawings for concept review. In such cases, the same number of sets as outlined above will be needed. The letter containing the information requested above will be necessary in either case.
- (3) Grading plan.

3. **Detail Review**

- A. Prior concept approval.
- B. Five (5) sets of detailed plans.
- C. Drainage area map.

4. **Concurrent Concept and Detail Review** - If the nature or simplicity of the proposed wastewater treatment works is such that concept and detail reviews can, in the opinion of the District, be effectively and efficiently accomplished concurrently, the District may elect to do so.

5. **Building Sewers** - All building sewers which connect directly or indirectly into the wastewater treatment system under the management of the District shall be inspected by and subject to, testing under the supervision of the District or its designated representative.
6. **Main Sewers** - All sewers which will connect either directly or indirectly into the wastewater system under the management of the District and which are to be constructed by any person, shall be inspected by and subject to, the testing under the supervision of the District or its designated representative.
7. **Design** - The design and construction of all sanitary sewers connected either directly or indirectly to the wastewater treatment system managed by the District shall, as a minimum, meet all published standards and specifications as established by the District.
8. **Permits** - No statement contained in these Rules and Regulations shall be construed as preventing any special agreement or arrangements between the General Manager and the developer or as preventing the General Manager from stopping issuance of additional permits or revoking outstanding permits should conditions warrant such action in the opinion of the General Manager.

Section 602 - Plans

1. General

All plans for sewage works shall bear a suitable title showing the name of the municipality, city or institution. They shall show the scale in feet, a graphical scale, the north point, date and the name of the engineer, with their Kentucky civil engineer's certificate number and imprint of their registration seal.

The plans shall be clear and legible (suitable for microfilming). They shall be drawn to a scale which will permit all necessary information to be plainly shown. Generally, the size of the plans should not be larger than twenty-four (24) inches by thirty-six (36) inches. Datum used should be indicated. Locations and logs of test borings, when made, shall be shown on the plans. Title sheet shall have vicinity map showing location of sewer.

Detail plans shall consist of: plan views, elevations, sections and supplementary views which, together with the specifications and general layouts, provide the working information for the contract and construction of the works. They shall also include: dimensions and relative elevations of structures, the location and outline form of equipment, location and size of piping, water levels and ground elevations.

2. Plans of Sewers

- A. **General Plan** - A comprehensive plan of existing and proposed sewers shall be submitted for projects involving new sewer systems and

substantial additions to existing systems. This plan shall show the following:

- (1) **Topography and elevations** - Existing or proposed streets and all streams or water surfaces shall be clearly shown. Contour lines as suitable intervals should be included.
 - (2) **Streams** - The direction of flow in all streams and high and low water elevations of all water surfaces at sewer outlets and overflows shall be shown.
 - (3) **Boundaries** - The boundary lines of the municipality and the area to be sewered shall be shown.
- B. **Sewers** - The plans shall show the location, size and direction of flow of all existing and proposed sanitary sewers draining to the treatment works concerned.
- C. **Detail Plans** - Detail plans shall be submitted. Profiles should have a horizontal scale of not more than one hundred (100) feet to the inch and a vertical scale of not more than ten (10) feet to the inch. Plan views should be drawn to a corresponding horizontal scale and preferably be shown on the same sheet. Plans and profiles shall show:

- (1) Location of streets and sewers.
- (2) Line of ground surface; size, material and type of pipe; length between manholes; invert and surface elevation at each manhole; and grade of sewer between each two (2) adjacent manholes.

Where there is any question of the sewer being sufficiently deep to serve any residence, the elevation and location of the basement floor shall be plotted on the profile of the sewer which is to serve the house in question. The engineer shall state that all sewers are sufficiently deep to serve adjacent basements except where otherwise noted on the plans.

- (3) Locations of all special features such as concrete encasements, elevated sewers, etc.
- (4) All known existing structures and utilities, both above and below ground, which might interfere with the proposed construction, particularly water mains, gas mains, storm drains and telephone and power conduits.
- (5) Special detail drawings, made to a scale to clearly show the nature of the design, shall be furnished to show the following particulars:

All stream crossings and sewer outlets, with elevations of the streambed and of normal and extreme high and low water levels

and with rock line elevation.

Details of all special sewer joints and cross-sections.

Sewer plans to serve existing houses shall list the street address and owner's name.

- D. **Plan Approval** - Six (6) complete sets of plan and profile sheets shall be submitted to the Sanitation District. The District will review the plans and submit them to the Kentucky Division of Water for approval. Drawings shall be considered approved when notice is received from the Division of Water in Frankfort, Kentucky. Construction is not to begin until this notice is received.

3. **Plans of Sewage Pumping Stations**

- A. **Location Plan** - A plan shall be submitted for projects involving construction or revision of pumping stations. This plan shall show the following:

- (1) The location and extent of the tributary area
- (2) Any municipal boundaries within the tributary area
- (3) The location of the pumping station and force main and pertinent elevations

- B. **Detail Plans** - Detail plans shall be submitted showing the following, where applicable:

- (1) Topography of the site
- (2) Existing pumping station
- (3) Proposed pumping station, including provisions for installation of future pumps
- (4) Elevation of high water at the site and maximum elevation of sewage in the collection system upon occasion of power failure
- (5) Maximum hydraulic gradient in downstream gravity sewers when all installed pumps are in operation
- (6) Tests borings and groundwater elevations
- (7) Profiles of force main

- 4. **Specifications** - All sewers designed or constructed within the area served by Sanitation District No. 1 shall be designed or constructed in accordance with the District's specifications for sanitary sewers.

- 5. **Revisions to Approved Plans** - Any deviations from approved plans or

specifications affecting capacity, flow, operation of units, or point of discharge shall be approved, in writing, before such changes are made. Plans or specifications so revised shall be submitted well in advance of any construction work which will be affected by such changes to permit sufficient time for review and approval. Structural revisions or other minor changes not affecting capacities, flows or operation will be permitted during construction without approval. "As-built" plans clearly showing such alterations shall be submitted at the completion of the work.

Section 603 - Design of Sewers

1. **Approval of Sewers** - In general, the Sanitation District and the Kentucky Division of Water will approve plans for new systems, extensions to new areas or replacement sanitary sewers.
2. **Design Flow - Sanitation District No. 1 requires that the sewers be sized and placed on a grade that will provide adequate carrying capacity to serve the total upstream watershed, at full development and at peak flow conditions based upon the following guidelines:**
 - A. **Per Capita Flow**
 - (1) New sewer systems shall be designed on the basis of an average per capita flow of sewage of not less than one hundred (100) gallons per day and 400 gpd per single-family residence. This figure is assumed to cover normal infiltration.
 - (2) For existing sewer systems, an additional per capita allowance shall be made where the average annual flow exceeds this value and immediate remedial measures are not proposed.
 - B. **Peak Design Flow**
 - (1) Sanitary sewers shall be designed on a peak design flow basis using:
$$\text{Peak hourly flow equals } \frac{18 + \sqrt{P}}{4 + \sqrt{P}} \times \text{average daily flow}$$
Where: P=population in thousands
 - (2) Use of other values for peak design flow will be considered if justified on the basis of extensive documentation.
3. **Details of Design and Construction**
 - A. **Minimum Size** - No gravity sewer conveying raw sewage shall be less than eight (8) inches in diameter.
 - B. **Depth** - In general, sewers should be sufficiently deep to receive

sewage from basements and to prevent freezing. Minimum cover shall be 3'-0" over PVC pipe. Where cover is less than 3' 0", pipe shall be ductile iron.

- C. **Slope** - All sewers shall be designed and constructed to give mean velocities, when flowing full, of not less than 2.0 feet per second, based on Kutter's formula using an "n" value of 0.013.

The following are the minimum slopes which should be provided; however, slopes greater than these are desirable:

<u>SEWER SIZE</u>	<u>MINIMUM SLOPE IN FEET PER 100 FEET (m/100m)</u>
8 inch	0.40
10 inch	0.28
12 inch	0.22
15 inch	0.15
18 inch	0.12
21 inch	0.10
24 inch	0.08
27 inch	0.067
30 inch	0.058
36 inch	0.046

- D. Sewers shall be laid with uniform slope between manholes.
- E. Where velocities greater than fifteen (15) feet per second are attained, special provision shall be made to protect against displacement by erosion and shock. Ductile iron pipe shall be used.
- F. Sewers on twenty percent (20%) slopes or greater shall be anchored securely with concrete anchors or equal, spaced as follows:
 - (1) Not over thirty-six (36) feet center to center on grades twenty percent (20%) and up to thirty-five percent (35%)
 - (2) Not over twenty-four (24) feet center to center on grades thirty-five percent (35%) and up to fifty percent (50%)
 - (3) Not over sixteen (16) feet center to center on grades fifty percent (50%) and over
- F. Sewers on thirty-five percent (35%) slope or greater shall be ductile iron pipe.
- H. **Alignment** - Sewers twenty-four (24) inches or less shall be laid with straight alignment between manholes. The alignment shall be checked using a laser beam.
- I. **Changes in Pipe Size**
 - (1) When a smaller sewer joins a larger one, the invert of the

larger sewer should be lowered sufficiently to maintain the same energy gradient. An approximate method for securing these results is to place the 0.8 depth point of both sewers at the same elevation.

- (2) Sewer extensions shall be designed based on projected capacity.

J. **Materials**

- (1) Materials for sanitary sewers shall be PVC or ductile iron pipe. Concrete pipe may be used when special conditions warrant with prior approval of the Sanitation District.
- (2) Ductile iron pipe shall be required at stream crossings, state road crossings or when height of cover is less than three (3) feet or greater than twenty (20) feet.

- K. **Easements** - All public sewers shall be constructed on a public right-of-way or on a separate easement when crossing private property. Minimum easement width shall be twenty (20) feet, centered on the sanitary sewer pipe.

L. **Manholes**

- (1) **Location** - Manholes shall be installed: at the end of each line; at all changes in grade, size or alignment; at all intersections; and at distances not greater than four hundred (400) feet for sewers fifteen (15) inches or less, and five hundred (500) feet for sewers eighteen (18) inches to thirty (30) inches, except that distances up to six hundred (600) feet may be approved in cases where adequate modern cleaning equipment may be permitted in larger sewers. Cleanouts may be used only for special conditions and shall not be substituted for manholes nor installed at the end of laterals greater than one hundred fifty (150) feet in length.
- (2) **Drop Type** - Drop manholes shall not be allowed unless approved by the Sanitation District. Where the difference in elevation between the incoming sewer and the manhole invert is less than twenty-four (24) inches, the invert should be filleted to prevent solids deposition.
- (3) **Diameter** - The minimum diameter of manholes shall be forty-eight (48) inches; larger diameters are required for large diameter sewers. A minimum access diameter of twenty-two (22) inches shall be provided. Sewer diameter greater than twenty-four (24) inches requires a sixty (60) inch diameter manhole.
- (4) **Flow Channel** - The flow channel through manholes should be

made to conform in shape and slope to that of the sewers.

(5) **Water-tightness**

Manholes shall be of the pre-cast concrete type. The poured-in-place concrete type may be used in certain situations with the prior approval of the Sanitation District.

Inlet and outlet pipes shall be joined to the manhole with a gasketed flexible watertight connection.

Watertight manhole covers are to be used whenever the manhole tops may be flooded by street runoff or high water.

(6) **Covers** - Standard cover shall be Neenah R-1733 or equal. Standard watertight cover shall be R-1916E or equal. Frames shall be bolted to cone section with four (4) - 5/8-inch diameter concrete bolts.

M. **Inverted Siphons** – Inverted siphons will only be allowed when approved by the Sanitation District. Special conditions for inverted siphons may be required. These conditions may include, but are not limited to, air jumpers and biofilters.

N. **Sewers in Relation to Streams**

(1) **Cover Depth** - The top of all sewers entering or crossing streams shall be at a sufficient depth below the natural bottom of the streambed to protect the sewer line. In general, the following cover requirements must be met:

- a. One (1) foot of cover is required where the sewer is located in rock
- b. Three (3) feet of cover is required in other material. In major streams, more than three (3) feet of cover may be required
- c. In paved stream channels, the top of the sewer line should be placed below the bottom of the channel pavement
- d. Ductile iron pipe shall be used for all stream crossings

(2) **Horizontal Location** - Sewer lines shall be located at least fifty (50) feet away from a stream which appears as a blue line on a USGS seven and one-half (7-1/2) minute topographic map except where the sewer alignment crosses the stream. The distance shall be measured from the top of the stream bank. The State of Kentucky Natural Resources and Environmental Protection Cabinet may allow construction within the buffer if adequate methods are used to prevent the soil from entering the stream.

- 3) **Structures** - The sewer outfalls, headwalls, manholes, gate boxes or other structures shall be located so they do not interfere with the free discharge of flood flows of the stream.
- 4) **Alignment** - Sewers crossing streams should be designed to cross the stream as nearly perpendicular to the stream flow as possible and shall be free from change in grade. Sewer systems shall be designed to minimize the number of stream crossings.

O. **Aerial Crossings**

- (1) Support shall be provided for all joints in pipes utilized for aerial crossings. The supports shall be designed to prevent frost heave, overturning and settlement.
- (2) For aerial stream crossings, the impact of floodwaters and debris shall be considered. A construction permit from the State of Kentucky Natural Resources and Environmental Protection Cabinet shall be required for construction in or along a stream whose watershed is greater than one (1) square mile.

P. **Protection of Water Supplies**

- (1) **Water Supply Interconnections** - There shall be no physical connections between a public or private potable water supply system and a sewer, or appurtenances thereto, which would permit the passage of any sewage or polluted water into the potable supply. No water pipe shall pass through or come in contact with any part of a sewer manhole.
- (2) **Relation of Water Mains**
 - a. **Horizontal Separation** - Sewers shall be laid at least ten (10) feet horizontally from any existing or proposed water main. The distance shall be measured edge to edge. In cases where it is not practical to maintain a ten (10) foot separation, the appropriate reviewing agency may allow deviation on a case-by-case basis, if supported by data from the design engineer. Such deviation may allow installation of the sewer closer to a water main, provided that the water is in a separate trench or on an undisturbed earth shelf located on one side of the sewer and at an elevation so that the bottom of the water main is at least eighteen (18) inches above the top of the sewer.
 - b. **Crossings** - Sewers crossing water mains shall be laid to provide a minimum vertical distance of eighteen (18) inches between the outside of the water main and the outside of the sewer. This shall be the case where the

water main is either above or below the sewer. The crossing shall be arranged so that the sewer joints will be equidistant and as far as possible from the water main joints. Where a water main crosses under a sewer, adequate structural support shall be provided for the sewer to prevent damage to the water main.

- c. **Special Conditions** - When it is impossible to obtain proper horizontal and vertical separation as stipulated above, the sewer shall be designed and constructed equal to water pipe and shall be pressure tested to assure water-tightness prior to backfilling.

Section 604 - Design of Sewage Pumping Stations

1. General

- A. **Flooding** - Sewage pumping station structures and electrical and mechanical equipment shall be protected from physical damage by the one hundred (100) year flood. Sewage pumping stations should remain fully operational and accessible during the twenty-five (25) year flood.
- B. **Accessibility** - The pumping station shall be readily accessible by maintenance vehicles during all weather conditions. The facility should be located off the traffic way of streets and alleys. A ten-foot wide access road from a public street shall be provided. The access road should be paved with the same material as the public road.
- C. **Grit** - Where it is necessary to pump sewage prior to grit removal, the design of the wet well and pump station piping shall receive special consideration to avoid operational problems from the accumulation of grit.
- D. **Odor Control** - An odor control system approved by the Sanitation District shall be required for all pumping stations. This odor control system shall include the initial supply of chemicals required for the proposed application.
- E. **Influent Lines** - The outlet end on all influent lines to pump stations shall discharge the flow to the wet well in a submerged condition to reduce odors. Trash bars shall be installed in the first manhole upstream of the pumping station wet well. An overflow line shall be provided from this first manhole and discharge into the wet well to prevent surcharging of the manhole if the trash bars become overloaded.

2. Design

- A. **Type** - Sewage pumping stations should be of the submersible type.
- B. **Equipment Removal** - Provisions shall be made to facilitate removal

of pumps, motors and other mechanical and electrical equipment.

- C. **Access** - Suitable and safe means of access shall be provided to wet wells.
- D. Sewage pump stations shall be designed in accordance with Sanitation District No. 1 specifications entitled "Small Pump Stations." All hardware items (bolts, conduit straps, brackets, etc.) used in the pumping station wet well shall be Type 316 stainless steel.
- E. For built-in-place pump stations, a stairway with rest landing shall be provided at vertical intervals not to exceed twelve (12) feet. For factory-built pump stations over fifteen (15) feet deep, a rigidly fixed landing shall be provided at vertical intervals not to exceed ten (10) feet. Where a landing is used, a suitable and rigidly fixed barrier shall be provided to prevent an individual from falling past the intermediate landing to a lower level.
- F. References should be made to local, state and federal safety codes which, if they are more stringent, shall govern.

G. **Pumps**

(1) **Multiple Units**

- a. At least two (2) pumps shall be provided. A minimum of three (3) pumps shall be provided for stations handling flows greater than one (1) MGD.
- b. If only two (2) units are provided, they should have the same capacity. Each shall be capable of handling flows in excess of the expected maximum flow. Where three (3) or more units are provided, they should be designed to fit actual flow conditions and must be of such capacity that with any one (1) unit out of service the remaining units will have capacity to handle maximum sewage flows.

(2) **Pump Openings** - Pumps shall be capable of passing spheres of at least three (3) inches in diameter and pump suction and discharge piping shall be at least four (4) inches in diameter.

(3) **Electrical Equipment** - Electrical systems and components (e.g., motors, lights, cables, conduits, switchboxes, control conduits, etc.) in raw sewage wet wells, or in enclosed or partially enclosed spaces where hazardous concentrations of flammable gases or vapors may be present, shall comply with the National Electrical Code requirements for Class I Group D, Division 1 locations. In addition, equipment located in the wet well shall be suitable for use under corrosive conditions. Each flexible cable shall be provided with a watertight seal and separate strain relief. A fused disconnect switch located above ground shall be provided for all pumping stations. When such

equipment is exposed to weather, it shall meet the requirements of weatherproof equipment (NEMA 3R).

H. **Controls**

- (1) **Type** - Control systems shall be of the encapsulated float type. The electrical equipment shall comply with the National Electrical Code requirements for Class I, Group D, Division 1 locations.
- (2) **Locations** - The control system shall be located away from the turbulence of incoming flow and pump suction.
- (3) **Alteration** - In small stations provisions should be made to automatically alternate the pumps in use.

I. **Valves**

- (1) **Discharge Line** - Suitable shutoff and check valves shall be placed on the discharge line of each pump. The check valve shall be located between the shutoff valve and the pump. Check valves shall be suitable for the material being handled. Check valves shall not be placed on the vertical portion of discharge piping. Valves shall be capable of withstanding normal pressure and water hammer. Valves will be positioned such that they can be wrench operated from the top of the valve pit.
- (2) **Location** - Valves shall be located in a separate valve pit. Accumulated water shall be drained to the wet well. An effective method shall be provided to prevent sewage from entering the pit to the wet well.

J. **Submersible Pump Stations**

- (1) **Construction** - Submersible pumps and motors shall be designed specifically for raw sewage use, including totally submerged operation during a portion of each pumping cycle. An effective method to detect shaft seal failure or potential seal failure shall be provided and the motor shall be squirrel-cage type design without brushes or other arc-producing mechanisms.
- (2) **Pump Removal** - Submersible pumps shall be readily removable and replaceable without dewatering the wet well or disconnecting any piping in the wet well.
- (3) **Electrical**
 - a. **Power Supply and Control** - Electrical supply, control and alarm circuits shall be designed to provide strain relief and to allow disconnection from outside the wet well.

Terminals and connectors shall be protected from corrosion by location outside the wet well or through use of watertight seals. If located outside, weatherproof equipment shall be used. Power supply, disconnect and metering shall meet the requirements of the utility which provides the service.

- b. **Controls** - The motor control center shall be located outside the wet well and be protected by a conduit seal or other appropriate measures meeting the requirements of the National Electrical Code to prevent the atmosphere of the wet well from gaining access to the control center. The seal shall be so located that the motor may be removed and electrically disconnected without disturbing the seal.
 - c. **Power Cord** - Pump motor power cords shall be designed for flexibility and serviceability under conditions of extra hard usage and shall meet the requirements of the Mine Safety and Health Administration for trailing cables. Ground fault interruption protection shall be used to de-energize the circuit in the event of any failure in the electrical integrity of the cable. Power cord terminal fittings shall be corrosion-resistant and constructed in a manner to prevent the entry of moisture into the cable, shall be provided with strain relief appurtenances and shall be designed to facilitate field connecting.
- K. **Alarm Systems** - Alarm systems shall be provided for pumping stations. The alarm shall be activated in cases of power failure, pump failure, use of the lag pump, unauthorized entry or any cause of the pump station malfunction. Pumping station alarms shall be telemetered, including identification of the alarm condition, to the District's central telemetering system. The installer of each pump station shall pay the current pump station telemetry fee to Sanitation District No. 1 to cover the cost of connecting to the District's telemetry system.
- L. **Electrical** - Pumps shall operate on 230/460 volt, 3-phase power. All starters, breakers and other components shall be of American manufacturer such as Square D, Siemens Allis or Allen Bradley. All electrical components shall be manufactured to NEMA Standards. Protective devices shall be provided for overvoltage, undervoltage, single phasing and lightning surge. Electrical design shall be in accordance with the requirements of the National Electrical Code (latest edition).
- M. **Wet Well Capacity** - Wet wells shall be designed so that the capacity from the pump on elevation to the pump off elevation shall be approximately ten (10) times the pumps rated capacity. (A three hundred [300] GPM pump shall require a wet well of three thousand [3,000] gallons.)

- N. **Lot** - Pump stations shall be located on a dedicated easement or lot with a permanent easement for a driveway. Lot and driveway shall be sized to allow access by trucks. Lot shall be fenced with six (6) foot fence and a fourteen (14) foot gate.
- O. **Instructions and Equipment** - Sewage pumping stations shall be supplied with six (6) complete sets of operational instructions, including emergency procedures, maintenance schedules, special tools, as may be necessary.
- P. **Generator** – A stand-by power generator of sufficient capacity to operate the sewage pumps and all related equipment shall be required at all new pump station facilities. The complete cost of this power generator with automatic transfer switch shall be the responsibility of the developer and included with the finished pump station. The order of preference to power the stand-by generator shall be natural gas, propane or diesel.
- Q. **Force Mains**
- (1) **Velocity** - At design average flow a velocity of at least two (2) feet per second shall be maintained.
 - (2) **Air Relief Valve** - An automatic air relief valve shall be placed at high points in the force main to prevent air locking.
 - (3) **Termination** – Force mains should enter the gravity sewer at a point below the flow line of the receiving manhole. (See Technical Specifications for details.)
 - (4) **Design Pressure** - The force main and fittings, including reaction blocking, shall be designed to withstand normal pressure and pressure surges (water hammer).
 - (5) **Special Construction** - Force main construction near streams or used for aerial crossings shall meet applicable requirements of Sections 603(3)(N) and (O).
 - (6) **Design Friction Losses**
 - a. Friction losses through force mains shall be based on the Hazen and Williams formula or other acceptable method. When the Hazen and Williams formula is used, the following values for "C" shall be used for design.

Unlined iron or steel	- 100
All other	- 120
 - b. When initially installed, force mains will have a significantly high "C" factor. The higher "C" factor should

be considered only in calculating maximum power requirements.

- (7) **Separation from Water Mains** - There shall be at least a ten (10) foot horizontal separation between water mains and sanitary sewer force mains. Force mains crossing water mains shall be laid to provide a minimum vertical distance of eighteen (18) inches between the outside of the force main and the outside of the water main. This shall be the case where the water main is either above or below the force main. At crossings, one (1) full length of water pipe shall be located so both joints will be as far from the force main as possible. Special structural support for the water main and the force main may be required.
- (8) **Tapping** – Building connections to a force main are prohibited unless otherwise approved in writing by the General Manager.

ARTICLE 7

BUILDING SEWERS: CONNECTIONS AND PERMITS

Section 701 - Connections and Permits

1. General

- A. A separate and independent building sewer shall be provided for every building that is to be occupied unless otherwise approved by the General Manager. The minimum size shall be four (4) inches for a single-family unit.
- B. Only persons certified as sewer tappers with the Sanitation District No. 1 will be allowed to connect building sewers to the sanitary sewer system. The following requirements must be met to be certified as a sewer tapper:
 - (1) Only persons engaged in the sewer construction or plumbing business will be certified as a sanitary sewer tapper.
 - (2) Certification cards will be issued on an annual basis for each calendar year.
 - (3) Payment of an initial certification fee of \$115.00 per tapper (non-transferrable) with a yearly renewal fee of \$29.00.
 - (4) The posting of a \$5,750.00 bond per company. (Company may have multiple tappers.)
 - (5) Attendance at a Sanitation District No. 1 tapper class and passing of a written exam.
- C. Building sewer connections to a manhole are prohibited unless otherwise approved in writing by the General Manager. The maximum number of building sewer that shall be connect to a manhole is two 4" laterals or one 6" lateral unless otherwise approved in writing by the General Manager.
- D. The building sewer shall be constructed of materials meeting the standards of the District and requirements of the Kentucky State Plumbing Law and Code, Rules and Regulations. It shall be laid at minimum grade of one-fourth (1/4) inch per lineal foot from the building to the public sewer.
- E. Building sewers shall be constructed as part of the improvement to the property line of the premises served.

- (1) The building sewer shall be connected into the public sewer at the curb or property line, if a service connection sewer is available at this location. Where no curb or property line located service connection sewer is available; the owner of the building sewer shall extend the building sewer to the public sewer and connect to the nearest wye or tee available on the public sewer. If no wye or tee exists on the public sewer within the immediate vicinity of the frontage of the lot or tract of land that the building sewer is to serve, the owner of the building sewer shall have a wye or tee installed on the public sewer in accordance with requirements hereinafter set forth. The building sewer shall be owned and maintained by the owner of the property served by such building sewer from the point of connection to the public sewer to the building served.
- (2) 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. Changes in direction shall be made only with properly curved pipe and fittings.
- (3) Whenever the public sewer is deep enough to serve basements, all sanitary fixtures should be connected to the public sewer by gravity. This connection should include all laundry facilities and the basement floor drain. Backwater traps are recommended for the basement floor drain when connections are made in this manner.
- (4) In those instances where the public sewer is not of sufficient depth to serve the basement fixtures, the owner will be permitted to install a high level connection and pump laundry waste and the waste from the basement floor drain to the sanitary sewer by means of a sump pump.
- (5) The removal of an existing sump pump shall be at the option of the owner. However, if it is to remain in service to pump sanitary sewage into the building sewer (including laundry waste and the basement floor drain), all foundation drains or other groundwater or storm water connections thereto shall be permanently disconnected therefrom and handled in some other manner. If it is to remain in place to pump groundwater or storm water, all sanitary connections shall be broken and sealed and the discharge from the sump pump shall be piped to a proper storm drain, natural outlet or drainage field. An abandoned drainage field or drainage well may be used for disposal of groundwater or storm water.
- (6) Connections to existing public sewers where wyes or tees are not available shall be made by one of the following methods:

- a. Install a wye or tee saddle according to details shown on District Standard Detail, a copy of which is available at the District office.
 - b. Install a tee saddle using a Wheeler-Pilot hole cutter (tapping machine) or equivalent machine and a saddle expressly made to fit into the hole formed by the machine. The saddle shall be sealed to the sewer with an epoxy material formulated for bonding to the sewer material and the saddle. The saddle material may be a corrosion resistant material or polyester. The strength of the installed and bonded saddle shall exceed the strength of a factory-installed tee.
 - c. Install a standard wye or tee pipe section by cutting out the sewer pipe, maintaining squared ends; inserting the standard wye or tee pipe section and sealing each joint with a rubber collar adapter. Each joint space between the existing pipe and the inserted section shall not exceed one (1) inch. The collar adapter shall be compressed to the pipe by means of two (2) stainless steel screw-takeup bands.
- (7) The details and construction of all connections shall be inspected and approved by the General Manager or their authorized representative and by the plumbing inspector.
- F. In the development of residential subdivisions with sanitary sewers, all lots shall be served by connections to the sanitary sewer system either by gravity or by means of a pump or ejector. No individual disposal devices will be permitted. In all buildings in which any building drain is too low to permit gravity flow to the sanitary sewer system, any sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
 - G. The owner of the premises served by a sewer shall be responsible for all maintenance, operation, cleaning, repair and reconstruction of the building sewer from the building to the point of connection with the public sewer.
 - H. The person to whom a connection permit is issued will be held responsible for the proper installation of the building sewer in accordance with these Rules and Regulations, subject, however, to the condition that they or it holds the District harmless from any loss or damage.
 - I. The owner or their agent shall make application for a building sewer connection permit on a form to be obtained from the District, provided however, that no building sewer connection permit shall be issued until the applicant has provided sufficient evidence of having obtained the building construction permit for the building for which the building sewer connection permit is sought. The application for the building

sewer connection permit shall be accompanied by the payment of all applicable sewer capacity connection fees (CCFs) in effect as of the date of the application as determined by the District's fee schedule. The application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the General Manager. A separate building sewer connection permit must be obtained for each building sewer connection. No authorized person or public corporation shall uncover, make any connections with or opening into, use, alter or disturb any District sewer or appurtenances thereof without first obtaining a written permit from the General Manager at least three (3) working days before commencing work.

(1) **Capacity Connection Fee**

All building sewer connection permit applications must be accompanied by the full payment of all applicable CCFs as determined by the District's most recent applicable fee schedule, which is hereby incorporated herein by reference. After District staff have reviewed the application and determined that (1) the application is complete, (2) all outstanding construction items have been completed in such form and with such documentation as the District may require, and (3) all necessary easements have been obtained, District staff will issue the building sewer connection permit.

- (2) A sewer capacity connection permit and inspection fee shall be applicable for all connections to the sanitary sewer system.
- (3) All costs and expenses incidental to the installation and connection of the building sewer to the District sewer shall be borne by the owner. The owner shall indemnify the District for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- (4) The applicant for the building sewer permit shall notify the General Manager and the Kentucky Plumbing Inspector at least three (3) days in advance when the building sewer is ready for inspection and when it is ready for connection to the public sewer. The connection to the service connection sewer and the final connection to an existing building sewer or building drain shall be made under the supervision of the Sanitation District, the Kentucky Plumbing Inspector and/or their representative(s).
- (5) Any person making connection, either directly or indirectly, to the sanitary sewer without first obtaining a building sewer connection permit and paying applicable CCFs shall be deemed to have made an illegal connection to District sewers and shall be liable to the District for the amount of the CCF in effect at the time the illegal connection is discovered by District personnel, in addition to any other penalty or action which the District may impose or seek to have imposed pursuant to KRS

Chapter 220 or the Rules and Regulations of Sanitation District No. 1.

- (6) New or additional construction on a specific parcel of property previously connected to a sanitary/combined sewer owned by Sanitation District No. 1 will be charged a capacity connection fee as follows:
- a. No additional capacity connection fee will be charged for new or additional construction on a specific parcel of property for which the water meter for the new construction is the same size as the water meter that most recently served that specific parcel of property.
 - b. For new or additional construction being built on a lot (or lots) that will require a larger water meter to serve the site than the meter or meters that most recently served said site, the capacity connection fee will be calculated at the current rates for sanitary sewer connection fees for said construction, minus any capacity connection fee(s) previously paid for that specific parcel of property. If said previous fees cannot be determined, the District will credit that specific parcel of property based upon the fee schedule that was in effect prior to August 1, 1999.
 - c. For an existing building with a permitted sanitary/combined sewer connection for which the water meter or domestic water service line is replaced with a new, larger water meter or domestic water service line, the capacity connection fee will be calculated based upon the current rates for said connection fees, less the capacity connection fee previously paid, if any, for that specific parcel of property. If payment of the previous connection fee cannot be objectively proved by the property owner, the District will credit the capacity connection fee based upon the fee schedule of Sanitation District No. 1 that was in effect prior to August 1, 1999.
 - d. In no case will a refund be paid by Sanitation District No. 1 with respect to a sanitary/combined connection fee when the proposed connection fee, at current rates, is less in cost than previous sanitary/combined connection fee(s), if any, paid with respect to said specific parcel of property.
- J. Existing septic tanks shall be abandoned insofar as disposal of sanitary sewage is concerned when the building is connected to the public sewer.

2. **Prohibited**

- A. No person shall install or cause to be installed, any sewer service

connection, building sewer or make any service connection to any public sewer within the District without a plumbing permit secured from the State Plumbing Program Director, Kentucky Department for Natural Resources and Environmental Protection and the construction shall conform to the requirements of the Kentucky State Plumbing Law and Code, Rules and Regulations. The construction shall also conform to the Rules and Regulations of the District as specified herein and to any other public corporation having jurisdiction and control of the public sewer to which the connection is being made or will be made. Where the connection is being made to a District sewer, a written permit must also be secured from the General Manager of the District.

- B. No person or public corporation shall make direct connection of roof downspouts, exterior or interior foundation drains, area drains or other sources of surface runoff or groundwater directly to a public sanitary sewer.

Upon discovery of such improper sources, the District may notify the property owner to remove any improper connections within 30 days of notification and return the public sewer and associated appurtenances to a satisfactory condition. Upon completion of the disconnection, the property owner shall notify the District to conduct an inspection of the rehabilitation work.

ARTICLE 8

INDIVIDUAL PRIVATE SEWAGE DISPOSAL

Section 801 - Private Disposal *

1. Where a public sanitary sewer is not available to a premises, the building sewer shall be connected to an individual private sewage disposal system complying with the requirements of the appropriate public authority.
2. The owner shall, at their own expense, operate and maintain the individual private sewage disposal facility to the satisfaction of the appropriate public authority.
3. It shall be unlawful for any individual private residential sewage disposal facility to be connected to any public sanitary, storm or combined sewer.
4. At such time as a public sanitary or combined sewer becomes available for use by property served by an individual private sewage disposal system, a direct connection shall be made to the public wastewater treatment system by and at the expense of the owner. Any septic tanks, cesspools or similar individual private sewage disposal facility shall be abandoned to the satisfaction of the appropriate public authority.

*Enforcement of these Rules and Regulations is the responsibility of the several boards of health and their appearance here is for informational purposes only.

ARTICLE 9

POWERS AND AUTHORITY

Section 901 - Powers and Authority

1. The General Manager and other duly authorized employees of the District bearing proper credentials and identification shall have, at reasonable times, access to and copy any records or information pertaining to any effluent which is being monitored in accordance with the provisions of these Rules and Regulations.
2. The General Manager and other duly authorized employees of the Sanitation District bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of effluent record inspection and/or transcribing, surveying, inspection, observation, measurement, sampling and testing of all wastewater treatment works under the management of the District, in accordance with the provisions of these Rules and Regulations.
3. The General Manager and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties, through which a proper easement is on record, for the purpose of effluent record inspection and/or transcribing, surveying, inspection, maintenance, operation, repair and reconstruction of any portion of the wastewater treatment system under the management of the District subject to the terms of the easement.
4. The General Manager and other employees of the District shall have the authority to serve notices of violations of these Rules and Regulations. The General Manager shall be responsible for the enforcement of these Rules and Regulations and shall have authority to issue orders and impose penalties as authorized therein, assess and require payment for consequential damages, to establish limits for the discharge of toxic or objectionable substances and shall have any other powers or authority necessary and proper for the enforcement and the achievement of the goals of these Rules and Regulations.
5. Easements for the construction of new sewer lines shall be obtained in accordance with the following guidelines:
 - a. If payment for an easement is deemed necessary in the District's discretion, the standard payment for an easement running parallel with a property line shall be based on a lineal footage measurement, in accordance with the District's current payment amount. This measurement shall be taken along the centerline of the proposed sewer. Parallel to the property line is defined as being within the setback requirements of the local jurisdiction. This can be front, side or rear.

- b. Under special circumstances (i.e., commercial property), dividing what could be a buildable lot or proposals that may cause extreme degradation to the property, Sanitation District No. 1 will acquire an independent appraisal of the property. Payment for the easement shall be based upon this appraisal.
- c. Where manholes, vaults, clean-outs or other subterranean structures are proposed, an additional payment for each of these structures shall be granted, paid in accordance with the District's current payment amount.
- d. Every alternative route shall be investigated to avoid the removal of trees. Where mature trees must be removed, Sanitation District No. 1 will negotiate a reasonable settlement with the property owner. Ornamentals and groomed shrubs will be saved whenever possible or replaced.

Sanitation District No. 1 will NOT replace trees within the permanent easement area.

- e. Assessment projects shall be calculated in two ways and the comparison costs presented to the property owners.
 - 1. The property owners receive payment for the easement, the cost is then added to the assessment project.
 - 2. Property owners granting the easement free and clear and save up-front cost to the overall project.

ARTICLE 10

ENFORCEMENT

Section 1001 - Enforcement

1. General

- A. If any person or public corporation is found to be violating any provision of these Rules and Regulations, the General Manager may:
 - (1) Enforce these regulations by mandamus or otherwise;
 - (2) Remove any improper construction or close any connections made improperly or in violation of these regulations;
 - (3) Revoke any permit issued pursuant to these regulations;
 - (4) Recover by civil action from any person or public corporation violating any regulation, a sum of not less than one hundred dollars (\$100.00) nor more than five thousand dollars (\$5,000.00) for each offense, together with costs [refer to Section 1001(2)(B)(3)].
- B. The installation of any facility by any person or public corporation contrary to the provisions of these regulations shall constitute a nuisance and shall be abated by injunction upon proper application of anyone aggrieved including the District, the commissioner, the state board of health, or the county board of health.
- C. Any person or public corporation found to be operating in violation of these regulations shall be compelled by injunction to cease and desist upon proper application by anyone aggrieved, including the District, the commissioner, the state board of health, or the county board of health.
- D. Any person or public corporation willfully failing to comply with these Rules and Regulations shall be liable for damages caused by such failure and for the cost or renewing any construction damaged or destroyed.

2. Enforcement Action

Discharges of wastewater in violation of these Rules and Regulations in any manner or in violation of any order issued by the General Manager as authorized by these Rules and Regulations is hereby declared a public nuisance. Such nuisance shall be corrected or abated as ordered by the General Manager. Intentionally creating such a public nuisance shall be a misdemeanor of the first degree.

Enforcement actions taken by the District in response to violations of federal regulations, state regulations, and District Rules and Regulations are

described in the Enforcement Response Plan (ERP) required by 40 CFR 403.8(f)(5). The Enforcement Response Plan is incorporated herein by reference. A copy of the ERP is kept on file at the District's main office, 1045 Eaton Drive, Ft. Wright, Kentucky. The District will determine the appropriate enforcement action to be taken in each case, based on its consideration of factors relative to the violation, including, but not limited to, the type of violation, the intensity of the violation, whether the violation was intentional or unintentional, and the history of violations for a given establishment.

A. **Administrative Enforcement** - Remedies consist of the following, but are not necessarily invoked in the order presented:

(1) **Notice of Violation (NOV)** - An official written communication from the District, mailed certified or hand delivered to a noncompliant user stating that the District has found the user in violation of the federal, state, and/or District's Rules and Regulations. The NOV requires the user to evaluate and explain the cause of the violation, states actions to be taken to achieve compliance, and required steps to be taken to insure the violation will not reoccur. The NOV requires the user to return to compliance and may state conditions or requirements for achieving compliance. The NOV may also state deadlines for a response demonstrating compliance has been achieved. The NOV may be the foundation for further enforcement action. Refer to Section 501(6)(F), General Reporting Requirements, Compliance Schedule.

(2) **Administrative Orders** - Enforcement documents issued by the District General Manager which directs a noncompliant establishment to undertake or to cease specific activities. They may be the first formal response to significant noncompliance and may be used as a vehicle for administrative fines.

a. **Cease and Desist Orders** - Directs a noncompliant user to cease illegal or unauthorized discharges immediately or directs the termination of the discharge found to be in violation of these Rules and Regulations, or pretreatment standards, or the provisions of a wastewater discharge permit. The cease and desist order will be used in situations where the discharge could cause interference or pass through, or otherwise create an emergency situation. The General Manager may issue an order of cease and desist directing that those persons not complying therewith shall:

1. Comply forthwith
2. Comply in accordance with a time schedule set forth by the General Manager
3. Take appropriate remedial or preventative action in

the event of a threatened violation

- b. **Consent Orders** - A negotiated settlement between the Sanitation District and a user found to be in noncompliance with applicable pretreatment requirements or the District Rules and Regulations. The consent order differs from the other forms of administrative orders in that the signatures of both the District and user representative are required. The consent order may also contain a compliance schedule (Refer to Section 501(6)(F), General Reporting Requirement, Compliance Schedule) for meeting progress milestones dates and possibly fines or remedial actions.
- c. **Show Cause Orders** - An order to direct the user to appear before the Sanitation District, explain its noncompliance, and show cause why more severe enforcement actions against the user should not be taken. Show cause may be used in circumstances where previous enforcement actions have failed to resolve the noncompliance. This could lead to further enforcement actions.
- d. **Supplemental Responses** - Additional enforcement responses available to the District are cleaning and repair, cost recovery, public notice, increased monitoring and reporting, short term permits, and permit termination. These responses are often used in conjunction with other responses.
 - 1. **Cleaning and/or Repair Cost Recovery** - When a discharge of wastes by any user causes an obstruction of, or damage to, or any other impairment to a wastewater treatment works, a charge shall be levied by the District against said user for the cost of the work required to clean and/or repair the wastewater treatment works affected by said discharge. The District shall add such charge to the user's usual sewer service charges, surcharges and fees. These charges may be also used in the judicial remedy cost recovery procedure.
 - 2. **Public Notice/Significant Noncompliance (SNC)** - The Sanitation District will utilize the authority to publish on at least an annual basis, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the District, a list of users which, at any time during the previous twelve (12) months, were

in significant non-compliance (SNC) with applicable pretreatment requirements. This public notification is required by the federal pretreatment regulations [40 CFR 403.8(f)(2)(vii)]. For the purpose of this provision, a user is in significant noncompliance if its violation meets one or more of the following criteria:

- (a) **Chronic Violations of Wastewater Discharge Limits** - Those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l).
- (b) **Technical Review Criteria (TRC) Violations** - Those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equal or exceed the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l) 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 standard or requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of the 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 under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge.
- (e) Failure to meet, within ninety (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 forty five (45) days after the due date, required reports such as baseline monitoring reports, ninety (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 may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.
3. **Increased Monitoring and Reporting -** Increasing the frequency of user self-monitoring and reporting to the District.
4. **Shortened Permit Terms -** The District may revoke and reissue to shorten the permit's duration where a user is experiencing compliance problems with applicable federal and state regulations and/or the District Rules and Regulations.
5. **Permit Revocation -** The District may revoke a permit of a user for violations of applicable federal and state regulations and/or the District's Rules and Regulations or for the following:
- (a) Falsifying or not accurately reporting information or analytical wastewater data to the District.
 - (b) Not reporting significant changes in operation or changes in wastewater constituents and characteristics.
 - (c) Not providing reasonable access to user or District premises for purpose of inspection and monitoring and reasonable access to pertinent user records.
 - (d) Noncompliance with each and every term of the wastewater discharge permit.

The procedure for revoking a permit requires the General Manager to send a written notice fifteen

(15) days in advance of the date of a hearing by the General Manager. The user shall have the opportunity to present evidence at the hearing. The General Manager will notify the user in writing of the decision within fifteen (15) days after the hearing.

6. **REVOCAION OF A BEST MANAGEMENT PLAN (BMP) WAIVER**

BMPs are permitted to be used by certain categorical industrial users in lieu of having to test for specific pollutant parameters. BMPs are stated in [Article 5(Section 502(2)(B)(9)]. Examples of BMP are Toxic Organic Management Plan (TOMP), Pollution Management Plan (PMP), and Spill Prevention & Countermeasure Plan (SPCC). The BMP practices must protect against the potential for Pass Through and/or Interference. Where permitted by the District, the User would only have to comply with BMP based District's local limits or BMP based Federal Categorical Pretreatment Standards. BMPs must be demonstrated to be enacted properly, and in accordance with the respective 40 CFR 403.12(b), (e), and (h). The BMP must be submitted to the District for approval. An authorized representative (as defined in 40 CFR 403.12(l)) of the User must annually sign a certification statement of the intent to utilize the BMP. Any reporting of the use of BMPs must be sent in as required by the BMP.

Violations of any of these requirements can result in the exclusion of the use of these alternative BMP based limits or standards and the default District Local Limits or the Federal Categorical Standards will apply.

(3) **Administrative Fines**

- a. The General Manager may assess a penalty of up to one thousand dollars (\$1,000.00) for each violation of the District's Rules and Regulations by a noncompliant establishment. Each day in which a violation occurs is considered a separate violation. Such penalties may be added to the establishment's sewer service charges and fees.
- b. Any such penalty imposed shall not be construed as liquidated damages and shall accrue in addition to any liability for any consequential damages resulting from the violation for which the penalty is imposed.

(4) **Right To Appeal** - If the findings, order or decision of the General Manager made in pursuance of the provisions of these Rules and Regulations are not acceptable to any user, such user shall have the right to appeal as follows.

- a. Two (2) professional engineers shall be chosen, one by the user and the other by the District, neither of whom shall be a regular employee of either principal. Such persons shall act as referees. As soon as such referees are chosen, the General Manager shall file with them a certified copy of the complaint and the decision of the General Manager and it shall be the duty of such referees to investigate the complaint and to agree either to affirm or reject the findings of the General Manager and file a report with the District within a reasonable time, setting down their decision. If the referees so chosen are unable to agree, they shall choose a third professional engineer and the decision or recommendation of the majority shall be reported to the District. The decision or ruling of the Board shall be final and shall be reported to the user and to the General Manager.
- b. The fees and expenses of the referee appointed by the user shall be paid by the user and the fees and expenses of the referee appointed by the District shall be paid by the District. The fees and expenses of the third referee shall be equally divided between the user and the District.

B. **Judicial Enforcement Remedies** - The implementation of the judicial process to secure court ordered action to correct violations and to secure penalties for violations. Judicial administrative remedies will be sought (1) when notices of violation or administrative orders have proven ineffective in returning the violating user to compliance; (2) when emergency situations require injunctive relief to halt or prevent discharges which threaten human health or the environment or interfere with the treatment system or; (3) to impose civil penalties and recover losses incurred due to noncompliance. All judicial administrative remedies will be sought at the discretion of the General Manager.

- (1) **Injunctive Relief** - The District, through counsel, may petition for a court order of injunction to restrain or compel the activity of a noncompliant user. Injunctive relief can be used where an administrative order does not achieve compliance, or where immediate action is required to prevent a danger to human health, the treatment works or the environment. Injunctions can be temporary in nature, permanent or both.
- (2) **Cost Recovery** - The judicial process can be used by the District to recovery the cost associated with noncompliant acts of a user. These costs may be due to actual physical damage to the treatment works or collection system, personal injury to District personnel, damage to the environment, or other

related costs such as increased testing/monitoring.

(3) **Civil Penalties**

- a. Any person who violates any provision of these Rules and Regulations or any permit condition or who violates any cease and desist order, prohibition, effluent limitation, or pretreatment or toxicity standard, may be liable for a court ordered civil penalty not to exceed one thousand dollars (\$1,000.00) per violation for individuals and five thousand dollars (\$5,000.00) per violation for corporations. Each day in which a violation occurs shall be considered a separate violation. In addition to the above, the District may recover attorney fees, related court costs, and other expenses associated with the enforcement action.
- b. Any such penalty imposed shall not be construed as liquidated damages and shall accrue in addition to any liability for any consequential damages resulting from the violation for which the penalty is imposed.

- (4) **Termination of Wastewater Treatment Service** - The General Manager may revoke any wastewater discharge permit or terminate or cause to be terminated wastewater treatment system service to any premise if a violation of any provision of these Rules and Regulations is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance as defined in these Rules and Regulations. This provision is in addition to other statutes, rules or regulations authorizing termination of service for delinquency in payment. Revocation of a permit shall be accomplished by the procedures in Section 1001(2)(A)(2)(d)(5) of these Rules and Regulations. Revocation of a permit is sufficient grounds for termination of service.

C. **Criminal Prosecution**

1. **Falsifying Information or Data** - Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to these Rules and Regulations or wastewater treatment discharge permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under these Rules and Regulations, shall, upon conviction, be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months, or by both.
2. **Violations** - Any person who willfully or negligently violates

any provision of these Rules and Regulations or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars (\$1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

ARTICLE 11

COMPLIANCE WITH OTHER STATUTES, EXISTING CODES, REGULATIONS AND STANDARDS

Section 1101 - Other Statutes, Codes, Regulations and Standards

1. Present and prospective users of the sewage works of the District are herewith advised and warned of other existing regulations, codes, ordinances and laws governing the requirements for use and control of sewage systems and the requirements of their compliance.
2. Users and plumbers employed by the user are required to comply with the State Plumbing Law and Code, Rules and Regulations issued by the Division of Plumbing, Department for Natural Resources and Environmental Protection.
3. Every person and public corporation desiring to install or enter into a contract for the installation of a public, semi-public or industrial sewage system, or to make additions or alterations in such treatment or pretreatment plant or to alter or extend any such sewer shall comply with all design and construction standards and specifications of the Sanitation District No. 1, all rules and regulations of the county board of health in which the facility exists or is to be constructed and comply with all codes, rules and regulations of the Kentucky Department for Natural Resources and Environmental Protection. No such installations, additions or alterations shall begin until the plans and specifications, therefore, have been submitted to and approved by the Board of Directors of the District and/or their authorized representatives.
4. Kentucky law prohibits the installation of sanitation improvements without District approval. The significance of this legislation dictates that it be reproduced verbatim herein.

220.260 (2026g-26) Other persons not to install sanitation improvements without approval; violation is nuisance.

"After the establishment of the District and the organization of the Board of Directors, no person or public corporation shall install within the District any laterals, trunk lines, interceptors for the collection or discharge of sewage or other liquid wastes, treatment or disposal works, until the plans therefore have been submitted to and approved by the Board of Directors of the District and the state board of health. Any installation contrary to the provisions of this section shall constitute a nuisance and shall be abated by injunction upon proper application by anyone aggrieved, including the District, the commissioner, the state board of health and county board of health."

ARTICLE 12

VALIDITY

Section 1201 - Validity

1. All resolutions and ordinances or parts thereof, in conflict herewith are hereby repealed.
2. If the provisions of any paragraph, section or article of this ordinance are declared unconstitutional or invalid by the final decisions of any court or competent jurisdiction, the provisions of the remaining paragraphs, sections or articles shall continue in full force and effect.