

JUL 2 1991

Sara Ruppert #1

AN ORDINANCE PRESCRIBING REGULATIONS GOVERNING
THE USE OF THE PUBLIC SEWER SYSTEM OF THE TOWN
OF GREENWOOD AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF

BE IT ORDAINED by the Town Council of The Town of Greenwood,
in Council met, in the manner following, to wit:

ARTICLE I AUTHORITY & SCOPE

Section 1. Authority.

Pursuant to the authority of the Charter of The Town of Greenwood, this Ordinance is enacted by the Town Council regulating the discharge of storm, well, river or groundwater, industrial waste, or other wastes into the public sewer system. This Ordinance is passed in order to comply with State regulations, requirements of the Federal Water Pollution Control Act and regulations promulgated pursuant thereto in order to protect the health and safety of property owners and residents of the Town, those employees assigned to sewer system operations, to protect those items of capital equipment utilized to collect, transmit, or treat wastewater, and to protect the environmental quality of the Town and its surrounding areas.

Section 2. Scope.

The definitions of terms used in this ordinance are found in Article II. The provisions of this Ordinance shall apply to the discharge of all wastewater into facilities of the Town. This Ordinance provides for the use of the Town's wastewater facilities, regulations of sewer construction, control of the

✓
quantity and quality of wastewater discharged, wastewater pretreatment, equitable distribution of costs, sewer construction plans, issuance of wastewater discharge permits, minimum sewer construction standards and conditions, and penalties and other procedures in cases of violation of this ordinance.

(b) This Ordinance shall apply to all users of the public sewer system of The Town of Greenwood whether such users are within or without the corporate limits of the Town.

Section 3. Administration.

Except as otherwise provided herein, the Chairman of the Sewer committee or his duly appointed designee shall administer, implement, and enforce the provisions of this Ordinance.

Sewer Committee
Wes E. Jones - Chairman
Sewer Committee
Michael Robinson - Budget
Sewer Committee
Walter Jones - Budget
Citizen Representative

ARTICLE II DEFINITIONS

Section 4. Definitions.

- (a) Unless the context specifically indicates otherwise, the meaning of terms used in these rules and regulations shall be as follows:
- (1) Act or the Act. The Federal Water Pollution control Act, also known as the Clean Water Act, as amended.
 - (2) BOD denoting Biochemical Oxygen Demand, shall mean the laboratory determination of the quantity of oxygen, expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory conditions of incubation for five (5) days at a temperature of twenty (20°) C.
 - (3) Chlorine Demand, expressed in milligrams per liter, shall mean the difference between the amount of chlorine added to wastewater and the amount of residual chlorine remaining at the end of a specified contact period.
 - (4) COD, denoting Chemical Oxygen Demand, shall mean the measure of the oxygen consuming capacity of inorganic and organic matter present in wastewater, expressed in milligrams per liter, as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.
 - (5) Combined Sewer shall mean a sewer receiving combined waste.
 - (6) Combined Waste shall mean a wastewater containing surface or stormwater.

- Done from such a permit*
- (7) Compatible Constituent shall mean biochemical oxygen demand, suspended solids, pH, plus additional constituents identified in the National Pollutant Discharge Elimination System (NPDES) permit if the wastewater treatment facility was designed to treat such constituents and does remove such constituents to a substantial degree.
 - (8) Constituent shall mean the conditions which exist in the wastes resulting either individually or in combination with particles in the wastes or sewer system.
 - (9) Control Manhole shall mean a manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer.
 - (10) Control Point shall mean a point of access to a source of discharge before the discharge mixes with other discharges in the public sewer.
 - (11) Cooling Water shall mean the water discharged from any system of condensation, air conditioning, cooling, refrigeration, or other sources, and shall contain no constituents which would produce BOD or suspended solids each in excess of 10 milligrams per liter or contain toxic substances as limited in these rules and regulations.
 - (12) Domestic Wastes shall mean a combination of water-carried wastes from residences, business buildings, institutions, and commercial establishments contributed solely by reason of human occupancy.
 - (13) Effluent shall mean wastewater, after some degree of treatment, flowing out of any treatment device or facility.
 - (14) Environmental Protection Agency, or EPA, shall mean the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

- (15) Garbage shall mean the solid animal and vegetable wastes from the preparation, cooking, and disposing of food; and from the handling processing, storage, and sale of food products and produce.
- (16) Grab Sample shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (17) Groundwater shall mean water within the earth.
- (18) Holding Tank Waste shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.
- (19) House Sewer shall mean that part of a house drainage system which extends from the end of the house drain and conveys its discharges to a public sewer or other approved point of discharge.
- (20) Human Excreta shall mean the bowel and kidney discharges of human beings.
- (21) Incompatible Constituent shall mean any constituent which is not compatible as defined. The pretreatment standard for incompatible constituents introduced into publicly-owned treatment works by a user shall be that established by promulgated effluent limitation guidelines defining best practicable control technology, provided that if the publicly-owned treatment works which receives the constituent is committed in its NPDES permit to remove a specified percentage of any incompatible constituent, then credit for such removal may be allowed.
- (22) Indirect Discharge shall mean the discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(b)

✓
or (c) of the Act into the wastewater facilities (including holding tank waste discharged into the system).

- (23) Industrial Waste or non-domestic waste, shall mean any liquid, gaseous, or solid substances resulting from any process of industry, manufacturing, trade, or business from the development or recovery of any natural resource, or any mixture of the waste with water or domestic wastewater, as distinct from domestic wastewater.
- (24) Industry shall mean any establishment which uses water in a product or generates a wastewater during any period of production.
- (25) Influent shall mean wastewater, raw or partly treated, flowing into any sewage treatment device or facilities.
- (26) Interference shall mean inhibition or disruption of any sewer system, wastewater treatment process, sludge disposal system, or their operation, which substantially contributes to a violation of applicable discharge permits.
- (27) Mass Emission Rate shall mean the weight of material discharged to the sewer system during a given time interval, expressed as pounds per day of a particular constituent or combination of constituents.
- (28) Maximum Permissible Composite Concentration shall mean the highest allowable constituent concentration as determined by laboratory testing from representative samples collected during a six (6) hour period of normal operation.
- (29) Milligrams per Liter (mg/l) shall mean the same as parts per million and is the weight-to-volume ratio of a constituent.

what is this?
(30) National Prohibitive Discharge Standard or Prohibitive Discharge Standard, Any regulation developed under the authority of 307(b) of the Act and 40 CFR Section 403.5.

(31) National Pollution Discharge Elimination System or NPDES Permit, A permit issued pursuant to Section 402 of the Act.

(32) New Source shall mean any source, the construction of which is commenced after the publication of proposed regulations prescribing a section 307(c) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

(33) Non-domestic Waste shall mean the same as industrial waste, as defined.

(34) Nuisance shall mean anything which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons although the extent of the annoyance or damage inflicted upon individuals may be unequal.

(35) Person shall mean any individual, firm, company, association, society, corporation, institution, group, or any other legal entity.

(36) pH shall mean the reciprocal of the base 10 logarithm of the hydrogen ion concentration expressed in grams per liter of solution.

(37) Pollution shall mean the man-made or man-induced alternation of the chemical, physical, biological, radiological integrity of water.

- ✓
- (38) Premises shall mean any parcel of real estate including any improvements which is a single use for purposes of receiving, using and paying for sewer service.
- (39) Pretreatment or Treatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater before discharge to the Town of Greenwood sewer system.
- who establishes these requirements?
the National Board?*
- (40) Pretreatment Requirements shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- (41) Private Sewer shall mean a sewer either on private property or in a public street which has not been constructed by nor is controlled by a public agency.
- (42) Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and which is controlled by a public authority.
- (43) Sanitary Wastes shall mean wash water, culinary wastes, and liquid wastes containing only human excreta and similar matter, flowing in or from a building drainage system or sewer originating in a dwelling, business building, factory, or institution.
- (44) Sanitary Water Closets shall mean any flush toilet properly connected with the City sewer or a septic tank of approved construction.
- (45) Septic Tank shall mean an underground cavity with water-tight walls into which flows the effluent of sanitary water closets and from which

the effluent of sanitary water closets does not come to the surface of the ground.

- (46) Sewage shall mean the same as wastewater, as defined.
- (47) Sewage Treatment Works (sewage treatment plant, pollution control plant) shall mean any arrangement of devices, facilities and structures used for receiving, processing, and treating wastewater, industrial wastes, and sludges from the sanitary or combined sewers.
- (48) Sewer shall mean a pipe or conduit, generally closed, for carrying wastewater.
- (49) Sewer System shall mean all sewers, laterals, or other connections or plants which connect with or pertain to a connection with the sewers, plants, public works, and/or projects of the Town of Greenwood including all facilities owned by the Town of Greenwood.
- (50) Shredded Garbage shall mean garbage shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle having a dimension greater than one-half inch in any direction.
- (51) Shall is mandatory; "May" is permissive.
- (52) Standard Methods shall mean the latest edition at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.
- (53) Storm Sewer shall mean a public sewer which carries storm and surface waters and drainage into which domestic wastewater or industrial wastes are not intentionally passed.

*Down hand
there
Deemed
them?*

- (54) Stormwater shall mean the excess water running from the surface of a drainage area or building during and immediately following a period of precipitation.
- (55) Surface Water shall mean water that occurs when the rate of precipitation exceeds the rate at which water may percolate into the soil.
- (56) Suspended Solids (filtrable residue) shall mean the dry weight of solids, expressed as milligrams per liter, that either float on the surface of, are in suspension, or are settleable in water, wastewater, or other liquids, as determined by 40 CFR 136.
- (57) To Discharge shall include to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.
- (58) Toxics shall mean any of the pollutants designed by federal regulations pursuant to Section 307(a)(1) of the Act.
- (59) Trap shall mean a device designed to skim, settle or otherwise remove grease, oil, sand, flammable wastes or other harmful substances.
- (60) Unpolluted Water shall mean water to which no constituents have been added, either intentionally or accidentally, which would render each water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainage or directly to surface waters.
- (61) User shall mean the owner of any property which discharges or causes or permits the discharge of wastewater into the public sewer system.

- (62) User Charge shall mean a charge levied on the users of wastewater facilities and treatment works for the costs of operation, maintenance and debt repayment of such facilities and works.
- (63) User Classification shall mean a classification of each user based upon the latest edition of the Standard Industrial Classification (SIC) Manual prepared by the Federal Executive Office of Management and Budget.
- (64) Waste shall mean rejected, unutilized or superfluous substances in liquid, gaseous or solid form resulting from domestic and non-domestic activities.
- (65) Wastewater shall mean a combination of the water carried waste from residences, business buildings, institutions and industrial establishments, together with any ground, surface and stormwater that may be present, whether treated or untreated discharged into or permitted to enter a public sewer.
- (66) Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological, and radiological parameters including volume, flow rate, and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.
- (67) Wastewater Facilities shall mean all facilities for collection, transmission pumping, treating, and disposing of wastewater.
- (68) Watercourse shall mean a natural or man-made channel in which a flow of water occurs, either continuously or intermittently.
- (69) Water Meters shall mean those devices for the purpose of measuring the quantity of water consumed, not necessarily correlating to wastewater discharge quantity.

ARTICLE III. RULES FOR THE USE OF PUBLIC SEWERS

Section 5. It shall be unlawful for any person to discharge directly or indirectly into the sewer system or into any private sewer drain emptying into the sewer system, any wastewater, the characteristics of which do not conform to the concentration limits prescribed herein, or to discharge into the sewer system any toxic substances, incompatible constituents or any other objectionable material or substances except upon written approval of the Town Council and upon such terms and conditions as may be established by the Town Council prior to the acceptance of sewer wastewater.

Section 6. It shall be unlawful for any person to discharge or permit the discharge or infiltration into any public sewer any of the following:

- (a) any liquid or vapor having a temperature higher than 150° F (65°C), or any substance which causes the temperature of the total sewage treatment works influent to increase at a rate of ten (10) degrees Fahrenheit or more per hour, or a combined total increase of plant influent temperature to one hundred (100) degrees Fahrenheit.
- (b) any liquid containing fats, wax, grease or oils of mineral or petroleum origin, whether emulsified or not, in excess of 100 mg/liter, or of animal or vegetable origin in excess of 300 mg/liter, or containing substances which may solidify or become viscous at temperatures below 150° F (65°C).
- (c) any residues from petroleum storage, refining or processing, fuel or lubrication oil, gasoline, naphtha, benzene, or other explosive or flammable liquids, solids or gases such concentrations which would cause or potentially cause any explosive, flammable, or other hazardous condition.
- (d) any substance that will:
 - (1) Cause obstruction to the flow in sewers, or other interference with the operation of wastewater facilities due to accumulation of solid or viscous materials;

- (2) Constitute a rate of discharge or substantial deviation from normal rate of discharge or substantial deviation from normal rates of discharge ("slug discharge") sufficient to cause interference in the operation and performance of the wastewater facilities;
 - (3) Contain noxious, malodorous gas or substances in quantities that create a public nuisance or a hazard to life;
 - (4) Contain radioactive wastes in harmful quantities as defined by applicable state and federal guidelines;
 - (5) Contain color-producing substances exceeding concentration limits that may be established by the wastewater facilities NPDES permit.
 - (6) Cause a chemical reaction, either directly or indirectly, with the materials of construction to impair the strength or durability of any sewer system.
 - (7) Cause a mechanical action that will destroy or damage the sewer system.
 - (8) Result in a restriction of hydraulic capacity of sewer system.
 - (9) Result in a restriction of normal inspection or maintenance of sewer system.
 - (10) Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, and in no case will discharges be allowed with a pH lower than 5.0 nor greater than 10.0.
- (e) any unusual concentration of any constituent which for any period of duration longer than fifteen (15) minutes exceeds more than three (3) times the maximum permissible composite concentrations, or whose flow exceeds five (5) times the average flow rates during normal operation.
- (f) any garbage that has not been properly shredded.

Section 7. It shall be unlawful for any person to discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, interior to exterior footing drainage, subsurface drainage, cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 8. The concentration in wastewater of any of the following constituents shall be limited to the stated maximum permissible concentrations in order to be acceptable for discharge to the public sewers.

Maximum effluent standards for discharge of waste into the public sewer

Constituent	Daily Average ¹	Instantaneous
	maximum concentration (mg/l)	maximum concentration (mg/l)
Compatible wastes:		
Biochemical oxygen demand	300	1000
Chemical oxygen demand	500	1600
Total suspended solids	300	1000
Nitrogen (total Kjeldahl)	30	50
Ammonia Nitrogen (as nitrogen)	25	35
Incompatible wastes:		
Arsenic	0.5	1.0
Barium	4.0	8.0
Cadmium	0.2	0.4
Chromium, total	0.75	1.5
Copper	2.0	4.0
Cyanide, total	0.25	0.50
Lead	0.5	1.0
Mercury	0.015	0.03
Nickel	2.0	4.0
Zinc	2.0	4.0
Pesticides	BDL**	BDL**
Phenols	2.0	4.0
Total Phosphorus as P	10.0	20.0
Iron	4.0	8.0
Selenium	0.05	0.10
Silver	0.05	0.10

** BDL: Below Detectable Limit

Section 9. It shall be unlawful for any person to discharge any heavy metal or toxic materials into the public sewer system without written approval from the Town Council specifying conditions of pretreatment, concentrations, volumes, and other applicable provisions.

Section 10. Any liquids containing toxic or obnoxious material in sufficient quantity, either singly or by interaction with other wastes to injure to interfere with any sewage treatment process, constitute an additional hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters or the effluent of the Sewage Treatment System are hereby prohibited. In the case of the discharge of a specific material by the User in amounts which are toxic, the Town Council may impose separate or special concentration limits upon the user.

Section 11. When appropriate local, State or Federal authorities prohibit the discharge of any of the substances described in these regulations or any other substance, the Users may be required to utilize the best available technology to reduce the discharge of the substance.

Section 12. Where necessary and where required by the Town Council, the User shall provide, at his expense, such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided for in this Ordinance or control the quantities and rates of discharge of such waters or wastes, or both.

✓
Section 13. Wastes may be discharged into the public sewer system with or without pretreatment, provided (1) the consent of The Town of Greenwood is first obtained; (2) the waste is composed solely of compatible constituents; and (3) the rules, regulations, and standards herein prescribed are complied with as determined by the Town Council.

Section 14.* Indirect discharges of holding tank or other wastes are prohibited except as permitted by special permit issued by the Town Council.

Section 15. Written approval by the Town Council is required before any new discharge of non-domestic wastes is added to the public sewer system.

Section 16. Where pretreatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the User at his expense. To aid the Town of Greenwood, the User, subsequent to the commencement of operation of any pretreatment facilities, shall make reports to the Town of Greenwood setting forth therein data upon which it may be determined the effectiveness and adequacy of such installation in reducing the concentrations of constituents to acceptable limits. Any approval by the Town of Greenwood of the type, kind, or capacity of an installation shall not relieve the User of the responsibility of revamping, enlarging, or otherwise modifying an installation to accomplish its intended purpose to the degree necessary to comply with these rules and regulations. The reports required pursuant to

✓
this section shall contain such information as is required by The Town of Greenwood in order to determine whether the pretreatment facilities are performing satisfactorily and effectively and shall be made at such time or times and at such frequency as is determined by the Town to be necessary.

No statement in this Article shall be construed as preventing any special agreement between The Town of Greenwood and any industrial concern pursuant to the terms of which an industrial waste of unusual strength or character may be accepted by The Town of Greenwood for treatment, subject to payment, in accordance with Article V from the industrial concern and subject to the approval of the Town Council.

Section 17. Connection to sewer or sanitary privy required.

In any street or section of street where there is now constructed a public sewer for the purpose of carrying off the sewage, the owner or owners abutting on, adjacent to, along the line of any available sewer shall, within thirty (30) days after being notified by the Town Council connect the house and buildings on such property to the public sewer in a proper manner.

Section 18. Excreta disposal method required.

Every residence and building in which human beings reside, are employed or congregate shall be required to have a sanitary water closet connected to the public sewer system of the Town.

Section 19. Disposal of excreta prohibited.

(a) No person shall dispose of any human excreta within the corporate limits of The Town of Greenwood except in a sanitary water closet.

(b) No person owning or leasing any premises in the Town shall permit or cause the disposal of any human excreta on any property, leased or rented by such person or his agent except in a sanitary water closet or a sanitary privy.

Section 20. Excavations for trenches.

All excavations for trenches shall be made by a generally accepted method and approved by the Consulting Engineer of the Town.

Section 21. Location of connection.

The proper location for the connection to the sewer will be given at the time the permit is issued and no deviation from the location shall be made.

Section 22. Prevention of discharge; removal of sewer or drain.

(a) The right is reserved by the Town to stop and prevent at any time the discharge into the sewers or laterals of any waste which may injure the sewers or adversely affect sewage treatment of which is not in conformity with the requirements and standards made by the Town.

(b) The Town reserves the right at any time, without notice and without recourse, to sever any connection and cause the removal of any sewer or drain through which such waste may be discharged.

✓

ARTICLE IV. ADMINISTRATION

*no one has
used forms?*

Section 23. Discharge Reports. The Town of Greenwood may require any person discharging or proposing to discharge wastewater into a public sewer file a periodic discharge report. The discharge report may include, but not be limited to, wastewater volume, rates of flow, constituent concentrations and mass emission rates, hours of operation, number of employees, or other information which relates to the wastewater discharge into the public sewer system. In addition to discharge reports, the Town of Greenwood may require information in the form of Wastewater Discharge Permit applications and self-monitoring reports.

*no one has
used forms?*

Section 24. Wastewater Discharge Permits, Non-domestic users proposing to connect or to discharge into the public sewer system shall obtain a Wastewater Discharge Permit before connecting to or discharging into the public sewer system. All existing non-domestic users connected to or discharging into a public sewer when notified by the Town of Greenwood shall apply for a Wastewater Discharge Permit within ninety (90) days of notification.

*no one has
used forms?*

Section 25. Permit Application, Users seeking a Wastewater Discharge Permit shall complete and file with the Town of Greenwood an application in the form prescribed by the Town of Greenwood and accompanied by any applicable fee. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

1
(a) name, address and telephone number of applicant or responsible party;

had terms?
(b) volume of wastewater to be discharged;

list of tests that Part accepts!
(c) wastewater constituents and characteristics as determined by a laboratory mutually approved by the Town of Greenwood;

(d) time and duration of discharge;

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

(f) general site and plumbing plans to show all sewers and appurtenances by size, location and elevation;

(g) a general description of activities, facilities and plant processes on the premises including all materials which are or could be discharged to the public sewers;

(h) each product produced by type;

(i) number of employees, and hours of work, and

(j) any other information as may be deemed by the Town of Greenwood to be necessary to evaluate the permit application.

The Town Council will cause the data furnished by the User to be evaluated and may require additional information. After evaluation and acceptance of the data furnished, the Town of Greenwood shall within forty-five (45) days, either reject the application, request additional information or issue a draft Wastewater Discharge Permit. A forty-five (45) day comment period shall be allowed any User, and thirty (30) days thereafter the Town Council shall either deny or issue a Wastewater Discharge Permit subject to the terms and conditions herein.

Section 26. Permit Conditions. Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and any other Ordinance, user charge, and fee established by The Town of Greenwood.

The conditions of Wastewater Discharge Permits shall be uniformly enforced by The Town of Greenwood. Wastewater Discharge Permits any contain the following:

- be determined
these determine
reports
actually
issues out
these function?*
- 1. (a) the unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;
 - 1. (b) the maximum permissible composite concentration of wastewater constituents as well as permissible mass emission rates;
 - 1. (c) limits on rate and the time of discharge or requirements for flow regulation;
 - 1. (d) requirements for installation of inspection and sampling facilities;
 - 1. (e) pre-treatment requirements;
 - 1. (f) specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;
 - 1. (g) requirements for submission of technical reports prepared by and bearing the seal of a Professional Engineer registered in the State of Delaware and/or discharge reports;
 - 1. (h) requirements for maintaining plant records relating to wastewater discharge as specified by the Town of Greenwood and affording access thereto;

- ✓
- ^a (i) compliance schedules;
 - ^a (j) requirements for notification of the Town of Greenwood of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
 - (k) requirements for notification of slug discharges; *Not defined*
 - (l) other conditions as deemed appropriate by the Town of Greenwood to insure compliance.

Section 27. Duration of Permits, Permits shall be issued for a specified time period but not exceed five (5) years. A permit shall be issued for a period of not less than one (1) year and shall be stated to expire on a specific date. The User shall file a permit application for reissuance at least one hundred and twenty (120) days prior to expiration. If the Town fails to either reject the application or reissue the permit prior to expiration, the permit shall remain in force until such time as application rejection, or permit denial or reissuance has occurred. The terms and conditions of the permit may be subject to modification and changes by the Town Council during the life of the permit as limitations or requirements are modified or changed. The User shall be informed of any proposed changes in his permit at least ninety (90) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 28. Transfer of a Permit, Wastewater Discharge Permits are issued to a specific User for a specific operation. A Wastewater Discharge Permit shall not be assigned, transferred or sold to a new owner, new user, different premises, or a new or changed operation without prior written approval of the Town Council.

Section 29. * Revocation of Permit, Any User who violates any of the following conditions of the permit or any provision of this Ordinance shall be subject to fines or permit revocation, or both:

- (a) failure of a User to report accurately the wastewater constituents and characteristics of the discharge;
- (b) failure of the User to report significant changes in wastewater constituents or characteristics;
- (c) refusal of reasonable access to the User's premises for the purpose of inspection or monitoring; or,
- (d) violation of any conditions of the permit.

Section 30. Inspection and Sampling. At all times and at its discretion, the Town Council shall have the power to take samples of any User's discharge into the public sewer system in accordance with the following:

- (a) The Town of Greenwood or its duly authorized representative bearing proper credentials and identification shall be permitted to enter all premises at a reasonable hour for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. The User

shall not be held liable for any unsafe acts performed by the Town of Greenwood or its authorized representative while on the User's premises. The Town of Greenwood or its authorized representative shall have no authority to inquire into any manufacturing process other than any process having a direct bearing on the kind and source of discharge to the public sewer system or waterway or facilities for waste treatment.

(b) Samples shall be taken and flow measurements made, whenever possible, at a control manhole into which all flows from such premises are combined. Such manhole shall be constructed by the User of such premises, at the expense of the User, when directed by order of the Town Council. Whenever the installation of such a common manhole is impossible or impractical, the User of such premises shall construct and maintain at its expense, in lieu of the common manhole, two or more control manholes as required by order of the Town Council, for accurate measurement of all flows discharged from such premises into the public sewer system; in the event that no special manhole has been required, the control sample shall be taken at a point or points selected by representatives of the Town.

Section 31. Method of Analysis. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the most recent edition of Standard Methods for the Examination of Water and Wastewater, and shall be determined at the control manhole or manholes, or upon suitable samples

✓
(
taken at said control manhole or manholes. Sampling shall be completed pursuant to customarily accepted methods to reflect the composition of the User's discharge into the public sewer system.

referred from?
Section 32. Compliance Date Report. Within ninety (90) days following the date for final compliance with the provisions of this Ordinance, or, in the case of the New Source, following commencement of the introduction of wastewater into the public sewer system, the User shall submit to the Town of Greenwood a report indicating the nature and concentration of all pollutants in the discharge which are limited by Ordinance and the average and maximum daily flow to the sewer. The report shall state whether the Ordinance limits are being met on a consistent basis and, if not, provide a plan indicating what additional operations, maintenance and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. The plan shall also indicate a schedule of compliance for meeting the permit requirements. This statement shall be signed by an authorized representative of the User.

Section 33. Monitoring Facilities.

(a) The Town of Greenwood may require that monitoring facilities be provided and operated at the User's own expense in order to allow inspection, sampling, and flow measurement of the building sewer or internal drainage system, or both, the monitoring facility should normally be situated on the User's

✓
() premises. The Town of Greenwood may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles and will not create a hazard to vehicular or pedestrian traffic.

(b) There shall be ample room in or near the control manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

(c) Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the requirements of The Town of Greenwood and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the Town of Greenwood.

(d) When the Town Council or its duly authorized representative determines that access and equipment for monitoring or measuring wastewater discharges are not practicable, reliable, or cost effective, the Town Council may specify alternative methods of determining the characteristics of the wastewater's discharge that will, in the Town Council's judgment, provide an equitable measurement.

Section 34. Pretreatment. Users shall provide necessary pretreatment wastewater treatment as required to comply with the

provisions of this Ordinance. ~~Any~~ facilities required to pretreat wastewater to a level acceptable to The Town of Greenwood shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to The Town of Greenwood for review, and shall be acceptable to The Town of Greenwood before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to The Town of Greenwood under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to The Town of Greenwood prior to the User's initiation of the changes.

Section 35. Dangerous Discharges. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by the provisions of this Ordinance. Facilities to prevent a discharge of prohibited materials shall be provided and maintained at the User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Town Council for review and shall be approved by the Town Council before construction of the facility is commenced. No user who commences contribution to the public sewer system after the effective date of this Ordinance, shall be permitted to introduce pollutants into the system until accidental discharge

✓
(
procedures have been approved by the Town Council. Review and approval of such plans and operating procedures shall not relieve the industrial User from the responsibility to modify the User's facility as necessary to meet the requirements of this Ordinance.

Section. 36. Telephone Notification. Any person causing or suffering any discharge, whether accidental or not, that presents or may present an imminent or substantial danger to the health and welfare of persons, to the environment, or that is likely to cause interference with the operating of the wastewater facilities shall notify the Secretary of the Town Council or his designee immediately upon knowledge or such occurrence by telephone.

(
Section 37. Written Report. Within five (5) days following such occurrence, the User shall submit to The Town of Greenwood a detailed written report describing the cause of the dangerous discharge and measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability that may be incurred as a result of damage to the wastewater facilities, fish kills, or any other damage to person or property nor shall such notification relieve the User of any fines, civil penalties, or other liability that may be imposed by this Ordinance or other applicable law.

Section 38. Notice to Employees. A notice shall be permanently

✓
posted on each User's bulletin board or other prominent place
advising employees whom to call in the event of a dangerous
discharge. Employers shall ensure that all employees are
advised of the emergency notification procedure.

✓

ARTICLE V. SEWER USER CHARGE SYSTEM

Section 39. User Charge System

(a) Charges shall be collected from Users of Federally funded sewer projects in a manner which equally proportions the cost of operation and maintenance to the Users based on their wastewater discharge. The following items summarize various application rules and regulations for reference purposes:

(1) The user charge system shall generate sufficient revenue to pay for all treatment, operating and maintenance costs.

(2) The use charge system shall apply to the entire jurisdiction of the Town.

(3) The user charge system shall be reviewed not less frequently than biennially and revised when necessary to reflect actual operation and maintenance costs.

(4) The requirement for proportionate distribution of operation and maintenance costs to Users prohibits the allowance of quantity discounts to large volume users.

(5) User charges may be based on a multiple of the water use charge only when the water charge is based on a constant cost per unit of consumption.

Section 40. Derivation of User Charge System

(a) The user charge system shall result in each sewer customer being charged his proportionate share of operating and maintaining the treatment system based upon the contribution (both volume and strength) to the system.

✓
(b) All wastewater discharged into the system is basically equivalent relative to biochemical oxygen demand, suspended solids and other parameters. Other substances shall be removed either by pretreatment or paid for separately if removed at the wastewater facilities. The method for accomplishing an equitable user charge system is to express each customer's contribution in terms of an Equivalent Dwelling Unit (EDU). Each EDU can be used to express the load production effects on the sewerage system caused by one (1) dwelling place.

can we do this?
(c) Equivalent dwelling units (EDU's) shall be determined as outlined below:

- (1) House or dwelling with one (1) kitchen and one (1) or more baths and bedroom(s) separate from kitchen. (1 EDU).
- (2) Dwelling with one (1) kitchen and one (1) or more baths and bedroom(s) separate from kitchen and attached to other dwellings or structures. (1 EDU).
- (3) Mobile home with one (1) kitchen and one (1) or more baths and bedroom(s) separate from kitchen. (1 EDU).
- (4) Apartment with one (1) kitchen and one (1) or more baths and bedroom(s) separate from kitchen. (1 EDU).
- (5) Efficiency unit with kitchen, bedroom and living space in one (1) room and one (1) bath. (0.5 EDU).
- (6) Motel or hotel room without kitchen and with bath. (0.33 EDU).
- (7) Gas station with one (1) service bay. (2 EDU).
- (8) Each additional gas station service bay in excess of one (1). (1 EDU).
- (9) Retail store 0.10 gallons per day per square foot, ²⁰⁰~~300~~ gallons per day = 1 EDU. (1 EDU minimum).
- (10) Laundromat ²⁰⁰~~300~~ gallons per day per washer, ²⁰⁰~~300~~ gallons per day = 1 EDU. (6 EDU minimum).
- (11) Office units 0.3 gallons per day per square foot, ²⁰⁰~~300~~ gallons per day = 1 EDU. (1 EDU minimum per bldg.).
- (12) School, public or private with toilet facilities, kitchen, gym and showers 20 gallons per day per full-time pupil or staff member, 10 gallons per day per part-time pupil or staff member, ²⁰⁰~~300~~ gallons per day = 1 EDU (10 EDU minimum).
- (13) School, public or private with toilet facilities, no kitchen, gym or showers 10 gallons per day per full-time pupil or staff member, 5 gallons per day per part-time pupil or staff member, ²⁰⁰~~300~~ gallons per day = 1 EDU. (5 EDU minimum).
- (14) School, public or private with toilet facilities, kitchen or gym and showers 15 gallons per day per full-time pupil or staff member, 7 gallons per day part-time pupil or staff member, ²⁰⁰~~300~~ gallons per day = 1 EDU. (7 EDU minimum).
- (15) Metered (water or sewer) commercial establishments, ²⁰⁰~~300~~ gallons per day = 1 EDU. (1 EDU minimum).

- (16) Beauty Shop, not attached to owner's residence, two (2) chairs or less = 1.5. EDU.
- (17) Beauty Shop, not attached to owner's residence, each additional chair over two (2) = 0.5 EDU.
- (18) Beauty Shop, not attached to and part of owner's residence, two (2) chairs or less = 0.5 EDU.
- (19) Beauty Shop, attached to and a part of owner's residence, each additional chair = 0.25 EDU.

(d) A basic dwelling house shall be considered as:

(1) One (1) sink	Two (2) fixture units
(2) One (1) toilet.	Two (2) fixture units
(3) One (1) lavatory	One (1) fixture unit
(4) One (1) bath or shower	One (1) fixture unit

(e) One (1) equivalent dwelling unit shall be equal to six (6) fixture units.
for assessment purposes, fixture units shall be assigned as follows:

(1) Sink	Two (2) fixture units
(2) Washstand or lavatory	One (1) fixture unit
(3) Toilet	Two (2) fixture units
(4) Bath or shower	One (1) fixture unit
(5) Mop or service sink	One (1) fixture unit
(6) Flush urinal	One (1) fixture unit
(7) Continuous flush urinal	Three (3) fixture units
(8) Convenience outlet	One (1) fixture unit
(9) Domestic dishwasher	One (1) fixture unit
(10) Commercial dishwasher	Three (3) fixture units
(11) Drinking Fountain	One (1) fixture unit
(12) Garbage disposal	One (1) fixture unit
(13) Washing machine	One (1) fixture unit

- (f) Establishments following shall be assigned equivalent dwelling units as multiples of a basic dwelling unit having an assignment of one (1) equivalent dwelling unit based upon the foregoing number of fixture units per fixture in the building. A minimum of one (1) equivalent dwelling unit will be assigned.

- | | |
|--|-----------------------------|
| (1) Drive-in food service | 1 EDU + FU/6 EDUs |
| (2) Delicatessen-retail and take-out | 1 EDU + FU/6 EDUs |
| (3) Bars and lounges with no food service | 1 EDU/100 seats + FU/6 EDUs |
| (4) Restaurants and eating places including combination eat-in and take-out eating places with bar(s). | 1 EDU/50 seats + FU/6 EDUs |
| (5) Gas station with no service bay | FU/6 EDUs |

- (g) Equivalent dwelling units will be assigned to establishments not covered above either on a fixture unit or metered use basis.
- (h) If two or more dwellings, apartments, stores, offices or industrial units are connected through a single lateral, or if two or more families use separate cooking or toilet facilities, or both, in a single dwelling, the user charge payable under the foregoing shall be computed as though each such dwelling, apartment, store, office, or industrial unit and each such family were a separate property or user with a separate connection to the sewer.
- (i) Wastewater facility charges for schools payable under the foregoing shall be computed on the basis of the annual average number of pupils enrolled during the school terms. Teachers and employees shall be included with pupils for purposes of such computation.
- (j) In the event that The Town of Greenwood is not provided, upon request, with accurate information, including supporting documentation, to determine the number of fixtures or pupils or such other data as may be necessary to determine a user classification or rate, The Town of Greenwood's estimate or determination thereof shall be conclusive.

- (k) The Town of Greenwood reserves the right to change Equivalent Dwelling Unit values from time to time, or add or delete property classifications, and in cases of dispute, to determine the proper classification of a given property.
- (l) Each user of the wastewater facilities will be notified annually of effective user charge rates.

Section 41. Surcharge Provision.

- (a) The following shall establish the surcharge on excessive strength pollutants which exceed the normal levels of domestic sewage as stipulated in this ARTICLE. The surcharge added to the base charge will be levied and computed based on the following model:

$C_s = (B_c(B) + S_c(S) + P_c(P)) V_u$ where:

C_s = A surcharge for wastewater of excessive strength, (\$),

B_c = Operation and maintenance cost for treatment of a unit of biochemical oxygen demand, (\$/pound of BOD),

B = Concentration of BOD from a user above a base level, (pound/MG),

S_c = Operation and maintenance cost for treatment of a unit of suspended solids, (\$/pound of SS),

S = Concentration of SS from a user above a base level, (pound/MG),

P_c = Operation and maintenance cost for treatment of a unit of any pollutant, (\$/pound),

P = Concentration of any pollutant from a user above a base level, (pound/MG),

V_u = Volume contribution from a user per unit of time, (MG/time period),

MG = Million gallons

Current unit costs for B_c , S_c and P_c are contained in the Schedule of Unit Costs for treatment of Biochemical Oxygen Demand, Suspended Solids, and Pollutants, available at the office of The Town of Greenwood, which is reviewed and revised annually.

(b) Laboratory tests shall be conducted on the User's wastewater at the expense of the User to determine the quantitative excess loadings in order to compute the surcharge.

(c) The base levels of BOD and SS are:

BOD 250 mg/l

TSS 250 mg/l

Section 42. *Tap charges; out of Town rate.

(a) The sewer tap charge for both properties located within or without the Town shall be established by Resolution of the Town Council.

(b) The same rate shall be applicable to all detached buildings, although the building or buildings may be located on the same lot or property.

Section 43. Determination of Volume.

(a) In applying the schedule of charges, the Town of Greenwood may use the figures representing the flow discharged into the sewer system by:

(1) the amount of water supplied to the premises as shown upon the water meter, if the premises are metered; or

(2) the volume of wastewater discharged into the sewer as determined by measurements by sewer meters and samples taken at the control manhole installed by the User of the property serviced by the sewer system, or

(3) allowance for employees; or

(4) a figure determined by the Town of Greenwood by any combination of the foregoing or by any other equitable method.

(b) One or more of the above methods for flow determination shall be selected so that the most accurate volume values are used. The method or methods utilized shall be determined by the Town Council.

Section 44. Determination of Constituent Concentration.

by whom?
(a) The constituent concentration of any wastewater shall usually be determined from representative samples discharged to the public sewers. The samples shall be taken by persons authorized to act on behalf of The Town of Greenwood at sampling stations as described under Section 30 at any period or time, or of such duration and in such a manner as The Town of Greenwood may elect, or at any place or in such manner as determined by the Town Council. The intent of any sampling procedure is to establish the constituent concentrations in the wastewater discharged during an average or typical working day. These concentrations may be derived, according to the best judgment of the Town of Greenwood by combining repeated sub-sampling during one day, combination of a series of such days, or by combination of a number of multiple series of such days. The analyses of samples taken shall be performed by an approved laboratory as mutually deemed acceptable by the Town of Greenwood and the User, and the charges and/or acceptability of the wastes shall be determined from said analyses.

(b) All surcharges shall be based on the analyses of the wastes from any plant or premises related to total volume of wastes, as determined under Section 31. The concentration of constituents

✓
() shall be used in calculating the surcharge until the User shall prove or the Town of Greenwood shall determine that a re-analysis and/or re-sampling is warranted for the determination of new constituent concentration of its wastes discharged into the sewer system. The new constituent concentrations shall then be used in calculating the new user charge and shall become effective as of the date of the re-sampling.

(c) Whenever the wastes discharged from a premises to a public sewer might be expected to show appreciable periodic variation during the year due to manufacturing process or production variation due to seasonal change, the Town of Greenwood may average the results of two or more series of analyses taken to reflect these variations and thereby determine average annual constituent concentrations; and/or where necessary the Town of Greenwood may enter into special agreement with the User for more frequent sampling in order to obtain more representative samples.

Section 45. Constituent Concentration Disputed by a Person, In the event that the constituent concentration of the waste discharged from a premise to the public water system as determined under Section 44 of this Ordinance is disputed by a person, a program of re-sampling and gauging with subsequent chemical determination may be instituted as follows:

- (a) the person must submit a request for resampling and gauging of the wastes to The Town of Greenwood.
- (b) the person or an agent of the person must confer with representatives of The Town of Greenwood in order that an agreement may be reached as to the various factors which must be considered on a new sampling program. The Town of Greenwood may require that the person retain a consultant or person of recognized professional standing to assist in the negotiations.
- (c) the person, the consultant or the agent of recognized professional standing employed by the person shall conduct a resampling and reanalysis program, at the direction of the Town of Greenwood for a period of not less than 72 hours.
- (d) the results of the resampling and reanalysis shall be considered to be the current analysis of the wastes discharged to the sewer system and shall be used for determining the user charge or acceptability of the wastes, or both.

ARTICLE VI ENFORCEMENT AND PENALTIES.

Section 46. Responsibility for Enforcement, All rules and regulations described herein shall be enforced by The Town of Greenwood.

Section 47. Termination of Service. The Town of Greenwood may terminate wastewater service and disconnect a User from the system when it is determined that:

- (a) acids or chemicals damaging to Wastewater Facilities are released by the User to the sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
- (b) a governmental agency informs the Town of Greenwood that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the User is delivering wastes to the wastewater system that cannot be sufficiently treated or require treatment that it not normally provided; or
- (c) the User
 - (1) discharges industrial waste or wastewater that is in violation of the permit issued;
 - (2) discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater facility.;
 - (3) fails to pay user charges for public sewer services when due; or
 - (4) repeats a discharge of prohibited wastes to public sewers.

Termination of services may be effective immediately, but in no event more than thirty (30) days after written notification to the User. Recourse to the

✓
User is established under Section 51 of this Ordinance. If service is disconnected pursuant to this section, the Town of Greenwood shall:

- (a) supply the User with a copy of the governmental agency's report and provide the User with all pertinent information; or
- (b) continue disconnection until such time as the User provides additional pretreatment or other facilities designed to remove the objectionable characteristics from the wastes.

Section 48. Notice. The Town of Greenwood shall serve persons discharging in violation of the Town Ordinance with written notice stating the nature of the violation and establishing a time limit for satisfactory compliance with the provisions of this Ordinance.

Section 49. Penalties.

(a) Any person who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined not less than \$50.00 nor more than \$100.00, or imprisonment for not more than twenty (20) days, or both, and shall pay the cost of prosecution.

(b) In addition to proceeding under authority of Subsection (a) of this Section, The Town of Greenwood may pursue any other criminal or civil remedy, or both, to which it is entitled.

(c) For the purpose of this Ordinance, each day or part of a day that a violation continues shall be deemed to be a separate offense.

✓
Section 50. Failure to Pay. In addition to sanctions provided by this Ordinance, the Town of Greenwood is entitled to exercise sanctions provided in other ordinances for failure to pay the user charges for public sewer service when due and may terminate water service or sewer service, or both.

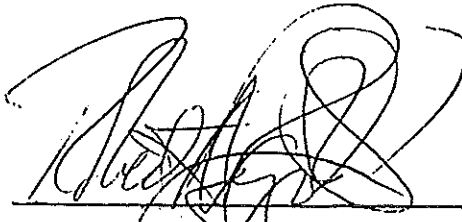
Section 51. Appeals. Any User, permit application, or permit holder affected by any decision, action or determination made by the Town Council or any agents, servants, employees or officers of the Town, interpreting or implementing the provisions of this Ordinance or any permit issued herein, may file with the Town Council a written request for reconsideration within ten (10) days of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration. The written appeal shall be heard by the Town Council at a public hearing within thirty (30) days from the date of filing. The Town Council shall make a final ruling on the appeal within twenty (20) days following the close of the public hearing which decision shall be final. The initial decision, action, or determination shall remain in effect during the period of appeal.

*what about
reconsideration costs?*

ARTICLE VII. SEVERABILITY

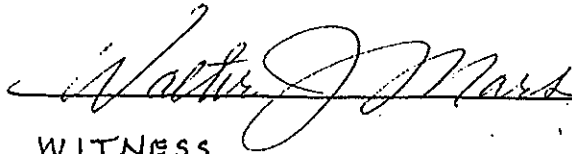
Section 52. If any provision of this Ordinance is held invalid or unconstitutional, the remainder of this Ordinance or the application of such provisions to other persons or other circumstances shall not be affected.

(SIGNED)



PRESIDENT, GREENWOOD COMMISSIONERS

(SIGNED)



WITNESS

7/2/91

DATE