

**SEWER USE ORDINANCE
NO. 6-9-2014**

This Ordinance replaces Ordinances 11-14-2011, 7-13-87B, FOG Ordinance 05-09-11, and
INFLOW AND INFILTRATION ORDINANCE 12-08-08.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CLAY
TOWNSHIP REGIONAL WASTE DISTRICT (HEREIN REFERRED TO AS THE
"DISTRICT")

This Ordinance regulates the connection to and use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the sewerage system of the Clay Township Regional Waste District, and provides rates and charges for violations thereof.

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SECTION 1-General Provisions

1.1 Definitions

Unless otherwise defined in this Ordinance in Section 13, terms shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and American Water Works Association, and the Water Environment Federation and as set forth in 40 CFR 136. Waste constituents and characteristics shall be measured by Standard Methods unless a mutually agreed upon acceptable alternative method is adopted, or in such other method established by state or federal regulatory agencies. Monitoring and metering will be carried out by customarily accepted methods.

1.2 Regulations of the Board of Trustees

The Board of Trustees may adopt and enforce such reasonable regulations not in conflict herewith as it may be deemed necessary for the safe, economical and efficient management of the District's sewerage system and for the construction and use of building (or house) lateral sewers and connections to the sewerage system, which regulations may include limitations of or prohibition of introduction of or infiltration by storm water, surface water, and ground water into the sewerage system.

SECTION 2-General Sewer Use & Connection

2.1 Required Sewerage System Connection

The owner 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, or right-of-way in which there is now located a public sanitary sewer of the District is hereby required at his expense to install a suitable sanitary facility therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance and the District's connection policy, provided that said public sewer is within three hundred (300) feet of the property line.

Any person constructing a new house or other building for occupancy, employment, recreation, industrial or commercial activity within the District and abutting on any street, alley or easement in which there is now located public sanitary sewer, or along or across which there is access to such a sewer, must connect to such a sewer in accord with applicable ordinances and regulations, and shall not discharge sewage elsewhere than into the sewerage system.

2.2 Separate Sewer Requirement

A separate and independent building (or house) lateral sewer shall be required for every building (or house); except where one building (or house) stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building (or house) through an adjoining alley, court, yard, or driveway and the property owner adds a covenant to his deed pledging not to sell either building separately. In such cases, the building (or house) lateral sewer from the front building (or house) may be extended to the rear building (or house) and the whole considered as one building (or house) lateral sewer.

2.3 Right to Reject Waste

The District shall have the right to reject waste and prohibit the introduction of rejected waste into the Sewer Use Ordinance No. 6-9-2014

sewerage system or the District may require pretreatment of the waste, when the strength or character of the waste, in the sole operation and discretion of the District, is such that it could cause damage to or interfere with the operation of the sewerage system.

2.4 Use of Old Building (or House) Lateral Sewer for a New Building (or House)

For initial connection to the sewer system new 6-inch laterals in conformance with District standards shall be constructed at property owner's expense from the building sewer as it exits the building to the lateral's connection at the property line. All septic tanks and piping outside the building must be abandoned.

In cases where building additions, patios, porches, and paved driveways have been constructed atop the existing pipe leaving the building and replacement with a new line is not cost effective, then with approval of the District Engineer, the existing pipe may be inspected and air tested to determine its acceptability and if in suitable conditions approved for usage. The Property Owner shall bear the cost of all testing and shall pay the District for any necessary inspections fees.

2.5 Connection of Downspouts, Drains, etc.

No person shall connect or reconnect roof downspouts, footing drains, areaway drains, driveways, parking lots, or other sources of surface, runoff or groundwater, to a building (or house) lateral sewer or building (or house) drain which is in turn connected directly or indirectly to the sewerage system.

Whenever a property owner has plumbing facilities in his basement serving showers, toilets, washing machines, etc., there shall not be any floor drains or footing drains connected to said plumbing that may convey ground water seepage into the sewer system.

The property owner shall provide dedicated plumbing and pumping systems for sewage. The plumbing shall not be interconnected with sump pumps, footing drains and floor drains.

2.6 Inspection: Supervision of Connection

The applicant for the building (or house) lateral sewer permit shall notify the District or its designated representative when a building (or house) lateral sewer is ready for inspection and connection to the sewerage system. The connection shall be made under the supervision of the inspector or his representative using materials and techniques conforming to the requirements of the District. The applicant shall not cover or bury the sewer until the inspection is completed and the connection approved.

2.7 Inflow and Infiltration Reduction Program

The implementation and operation of this program shall be defined in the "Policy Document to Reduce Inflow and Infiltration (I/I) from the Sanitary Sewer Collection and Treatment System" as approved by the Board of Trustees of the Clay Township Regional Waste District.

2.8 Submittal of Plans and Specifications for New Construction

Plans and Specifications for any sewer, lift station or force main to be connected to the District's Sewer System, must be submitted for review to the District in advance of scheduled construction. The submitted Plans and Specifications must comply with the District's design criteria and any state or county design requirements, as applicable, and their releases or approvals before construction can commence.

The construction of the said released Plans and Specifications must be performed under general supervision of the Design Engineer.

2.9 Submittal of Plans and Specifications & Required Testing for Existing Sewers

Any entity wanting to abandon and re-connect existing sewers to the District sewer system must submit the following information for review by the District: Plans and Specifications for the Facility, results of the infiltration tests performed after construction and flow tests showing the non-existence of infiltration/inflow.

2.10 Additional Testing

If the information is not sufficient to determine the acceptability of the sewer system the Board or Utility Director may require the performance of additional testing including televising of the system, pressure testing of sewer joints, smoke testing, flow testing or any other test deemed necessary. The entity requesting approval/acceptance of the sewer shall bear the entire cost of additional testing.

2.11 Extensions Outside of the District

A person shall not directly or indirectly make any connections with or openings into the sewerage system for purpose of serving any areas outside the territory of the District without first securing specific approval of the Board adding the real estate and property to be served to the District's territory and authorizing such connection.

SECTION 3-Discharge Prohibitions

3.1 General Prohibitions

No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes, or could potentially cause or interference with the operation or performance of the POTW. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

3.2 Right to Prohibit New Connections

The District shall have the right to prohibit new connections when excess capacity of the sewerage system is deemed insufficient by the Board to accommodate the expected flow, BOD and/or Suspended Solids loading from the prospective sewer user and for any other reason.

3.3 Damaging, Defacing, etc., Sewerage Works Property

A person shall not maliciously, willfully or recklessly break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District sewerage system.

3.4 Prohibition of Discharge to Natural Outlets

It shall be unlawful to discharge to any natural outlet within any territory of the District, any sewage or other polluted water except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

3.5 Privies, Septic Tanks, Cesspools, etc.

Except as otherwise provided by the Board, the District, or the State of Indiana or any of its agencies, a person shall not construct or maintain a privy, septic tank, cesspool or other facility intended or used for the disposal of wastewater; except that existing septic tank systems and fields may be repaired and maintained in accordance with applicable laws and ordinance.

3.6 Prohibition of Unpolluted Waters

Unpolluted water, including, but not limited to city water, cooling water, process water or blowdown from cooling tower or evaporative coolers shall not be discharged through direct or indirect connection to the sewerage system.

3.7 Prohibition of Dilution

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment regulations or with any other pretreatment standard set by the or specified within this Ordinance.

3.8 Specific Prohibitions

No User shall introduce or cause to be introduced into the POTW the following pollutants, substances or wastewater or create the following potential conditions:

- (1) Any substances or pollutants which by reason of their nature or quantity create a fire or explosive hazard to the POTW or to the operation of the POTW, including but not limited to; waste streams with a closed cup flashpoint of less than 140° F, (60° C), using the test methods specified in 40 CFR 261.21. Examples of these pollutants include, but are

not limited to; gasoline, benzene, naphtha, fuel oil, kerosene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides or other flammable or explosive liquid, solid, or gas which the District or the Control Authority has notified the user is a fire or explosion hazard to the POTW.

(2) Wastewater having a pH less than 6.0 or more than 9.0, or otherwise causing corrosive structural damage to the POTW or equipment; damage or hazards to the personnel of the POTW; or interference with any treatment process.

(3) Solid or viscous substances in an amount which could cause obstruction of the flow in the POTW resulting in interference with the operation of the POTW. Examples of such instances include but are not limited to Fats, Oils, and Greases (FOG), ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper, dishes, cups, milk containers, and aluminum cans.

(4) Pollutants, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which either singly or by interaction with other pollutants will cause interference in the POTW.

(5) Heat in wastewater that could inhibit biological activity in the POTW treatment plant resulting in interference or damage, or wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° F (40° C).

(6) Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that could cause interference or pass-through.

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems

(8) Trucked or hauled pollutants, except:
(a) with the written permission of the POTW;

(b) at discharge points designated by the Utility Director.

(9) Any danger to life or safety of personnel.

(10) A nuisance or hindrance of the effective maintenance or operation of the sewer system, such as through having an unusually strong or unpleasant odor.

(11) Air pollution by the release of toxic or unusually malodorous gases or malodorous gas-producing substances.

(12) A pollutant from any source of non-domestic wastewaters that could pass through or cause interference with the operation or performance of the POTW regardless of whether or not the user is subject to national categorical standards or state, local, or any other national pretreatment standard or requirement.

(13) The wastewater treatment plant's effluent or any other product of the treatment process, residues, sludges, or scum, to be unsuitable for reclamation, disposal, or to interfere with the reclamation process, or to fail to meet any of the limitations set by any Federal or State agency or the terms of the District's NPDES Permit.

- (14) Discoloration or any other condition that interferes with control of the treatment process.
- (15) Storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Utility Director.
- (16) Sludges, screening, or other residues from the pretreatment of industrial wastes.
- (17) Medical wastes, except as specifically authorized by the Utility Director in a wastewater discharge permit.
- (18) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- (19) Any wastes containing detergents, surface-active agents (surfactants), or other substances which may cause excessive foaming in the POTW or receiving stream.
- (20) Wastewater, alone or in conjunction with other sources, containing mercury in amounts that result in the POTW violating any portion of its NPDES permit.
- (21) Any waters or wastes containing phenols or other taste-producing or odor-producing substances, in concentrations exceeding limits which may be established by the Utility Director as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction of discharge to the receiving waters.
- (22) Unusual concentrations of inert suspended solids, such as, but not limited to fuller's earth, lime slurries and lime residues; or of dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate.
- (23) Radioactive wastes.

SECTION 4- Limitations on Wastewater Strength

4.1 Authority to Determine Appropriate User Limits

The District and specifically, the Utility Director shall have the legal authority to establish and enforce specific limits on prohibited substances as stated in this section. Prohibited substances have constituents and characteristics which singly or in combination may damage structures, impair the operation of the wastewater treatment plants that serve the District, interfere with treatment process or impair the quality of the Receiving Stream(s) or its tributaries. Prohibited substances include, but are not limited to, the following constituents and characteristics, with maximum concentration as shown in table 4.2 Limitations.

4.2 Limitations

A person shall not discharge any wastewater containing concentration in excess of:

Parameter	Daily Maximum/Monthly Average	Limitation
Temperature	Maximum at point of discharge to the sewerage system.	150°F/65.5° C
Ammonia	Daily Maximum	15 mg/L
Arsenic	Daily Maximum	0.07 mg/L
Biochemical Oxygen Demand (BOD)	Daily Maximum	200 mg/L
Cadmium	Daily Maximum	0.05 mg/L
Chlorinated Hydrocarbons	Daily Maximum	0.02 mg/L
Copper	Daily Maximum	2 mg/L
Cyanide Amenable to Chlorination (CN,A)	Daily Maximum	0.02 mg/L
Cyanide Amenable to Chlorination (CN,A)	Monthly Average	0.08 mg/L
Cyanide, Total (CN,T)	Daily Maximum	0.64 mg/L
Cyanide, Total (CN,T)	Monthly Average	0.24 mg/L
Hexavalent Chromium (Cr, VI)	Daily Maximum	0.25 mg/L
Hexavalent Chromium (Cr, VI)	Monthly Average	0.09 mg/L
Lead	Daily Maximum	0.22 mg/L
Mercury	Daily Maximum	0.00002 mg/L (or 20 ng/L)
Molybdenum	Daily Maximum	1 mg/L
Nickel	Daily Maximum	0.50 mg/L
Oil & Grease (animal & vegetable)	Daily Maximum	150 mg/L
Oil & Grease (mineral & petroleum)	Daily Maximum	100 mg/L
PCB's	Daily Maximum	0.00 mg/L

Phenolic Compounds	Daily Maximum	1.0 mg/L
pH	Daily Maximum	9.0 mg/L
pH	Daily Minimum	6.0 mg/L
Phosphates	Daily Maximum	10 mg/L
Selenium	Daily Maximum	0.35 mg/L
Silver	Daily Maximum	0.10 mg/L
Suspended Solids	Daily Maximum	200 mg/L
Total Toxic Organics	Daily Maximum	1.40 mg/L
Zinc	Daily Maximum	2.50 mg/L

SECTION 5-Fats, Oils & Grease (FOG) Requirements

5.1 All FOG facilities shall:

- (a) have a FOG pretreatment device properly installed that is acceptable to the District and in accordance with this Ordinance,
- (b) install and maintain FOG pretreatment devices as directed by the District at the User's expense,
- (c) operate the device in compliance with the District's discharge limits,
- (d) be permitted to operate and maintain an existing FOG pretreatment device provided these are in proper operating condition as set forth with this Ordinance,
- (e) have FOG pretreatment devices with adequate retention time at actual peak flow between the influent and effluent baffles to allow for any solids to settle or accumulate and floatable grease-derived materials to rise and accumulate and prevent discharge limit violations,
- (f) assume any and all responsibility in the sizing, plumbing configuration of the FOG pretreatment device and be responsible for what is or is not plumbed into its FOG pretreatment device,
- (g) locate FOG pretreatment devices in easily accessible areas for inspection by the District and for proper maintenance by the User.

5.2 Other Types of Facilities Needing Acceptable FOG Pretreatment Devices

FOG pretreatment devices, acceptable to the District and in compliance with this Ordinance, are required to be installed and maintained at:

- (a) facilities that will be expanded or renovated to include a FOG facility,

- (b) newly constructed facilities that could or will include FOG facilities,
- (c) new multiuse facilities.

5.3 Properly Operating FOG Equipment

If the facility does not have plumbing connections to a FOG pretreatment device that functions to bring the User in compliance with the requirements of the District, the facility shall modify their current plumbing to prevent the introduction of FOG into the sewer as prohibited by this Ordinance.

5.4 All grease traps shall:

- (a) include flow regulators,
- (b) not be shared by multiple facilities,
- (c) not have an accumulation of floatable FOG and /or Settled Solids that exceed twenty five percent (25%) of its total volume,
- (d) be serviced and emptied of accumulated waste content no less than twice a week.

5.5 All grease interceptors shall:

- (a) include a Tee outlet with a maximum height of 18 inches above the interceptor's base,
- (b) not have an accumulation of floatable FOG and /or Settled Solids that exceed twenty five percent (25%) of its total volume,
- (c) be serviced and emptied no less than every 90 days.

5.6 All Oil Water Separators shall:

- (a) not have settled oils left to accumulate in excess of twenty percent (20%) of the wetted height of the oil-water separator, and no floating oil and grease in the oil-water separator should be left to accumulate in excess of five percent (5%) of the wetted height of the oil-water separator,
- (b) be serviced and emptied no less than every 90 days.

5.7 The District may allow:

- (a) the use of automatic removal systems if prior written approval by the District is obtained,
- (b) a grease trap to be installed in the facility if a grease interceptor cannot be installed readily in a FOG facility, at the owner's expense, on a trial basis. However, if the grease trap does not allow the discharge to meet FOG discharge limits, the facility will be required to install a grease interceptor in compliance with this Ordinance,

- (c) a grease interceptor and oil-water separator to be used by more than one facility if the capacity of the device is such that all the limits are met as established through this Ordinance.

5.8 The User of a grease interceptor, grease trap and/or oil-water separator shall:

- (a) maintain the device at the User and/or Owner's expense,
- (b) maintain the apparatus so to not allow wastewater discharge concentration from the pretreatment device to exceed any of the District's discharge requirements,
- (c) service and empty the apparatus as frequency as needed in order to maintain an acceptable waste limit as described in this Ordinance,
- (d) clean the apparatus immediately if the solid waste and grease or oil reaches the allowable limit within the Ordinance,
- (e) remove all waste (floating FOG and settled solids) from the apparatus and have it hauled away and disposed of in accordance with state standards,
- (f) completely evacuate the apparatus anytime the discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the District,
- (g) not introduce, or cause, permit, or suffer the introduction of any surfactant, solvent or emulsifier into a grease interceptor. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the grease interceptor into the collection system, and include but are not limited to enzymes, soap, diesel fuel, kerosene, turpentine, and other solvents,
- (h) be responsible for increased maintenance and cleaning beyond the maintenance requirements of this Ordinance if needed, to maintain an acceptable FOG level,
- (i) not allow waste/water to be returned to the apparatus once pumped,
- (j) open the apparatus for the District in order to gain access for inspections,²
- (k) require its staff to properly dispose of grease/waste so it is not reintroduced back into the sanitary sewer system,

5.9 The District may:

- (a) extend the ninety (90) calendar day grease interceptor pump out frequency, and/or the twice a week grease trap cleaning frequency if the User petitions the District for such modifications and provides a completed Modification Request Form with a modification fee as specified within the Ordinance,
- (b) shorten the ninety (90) calendar day grease interceptor pump out frequency, and/or the twice a week grease trap cleaning when, in the opinion of the District, such frequency is insufficient to ensure the District's discharge levels,

- (c) determine that if garbage disposal is a factor in the prohibited discharge of FOG, then the garbage disposal shall be connected to the grease trap, or grease interceptor, or removed from the facility.

5.10 FOG Reporting Requirements

All businesses and industry shall provide, on demand, to the District, sufficient information to determine if it is a FOG facility.

The owner of the building shall notify the District, in writing, of changes regarding the facility's occupant, building usage, and/or new construction within thirty (30) days of the date the change takes place.

5.11 All FOG facilities shall:

- (a) maintain written FOG pretreatment device maintenance records for three (3) years on a continuously rolling calendar. All such records shall be available for inspection by the District at all times. These records shall include: Facility's name and physical location; date and time of cleaning service; name of grease hauling company; name and signature of grease hauling company agent performing said service; established service frequency and type of service (full pump out or onsite treatment); number and size of each pretreatment device serviced; approximate amount of grease and solids removed from each pretreatment device; total volume of waste removed from each pretreatment device; destination of removed waste; signature and date of FOG facility personnel confirming service completion,
- (b) report, in writing, their FOG pretreatment device maintenance records to the District quarterly,
- (c) report to the District, in writing, any accidental discharge within 24 hours of event.

5.12 FOG Inspections

All FOG pretreatment devices may be inspected by the District as necessary to assure compliance with this Ordinance. Each FOG facility shall allow any District official or agent of the District bearing proper identification, access to all parts of the premises for the purpose of inspection, observation, record examination, measurement, sampling and testing in accordance with this Ordinance.

It is the responsibility of the facility to open the pretreatment device in order to allow the District access for inspections.³

The refusal of any FOG facility to allow the District's official entry to or upon the facility's premises for purposes of inspection, sampling effluents, and inspecting and copying records, or performing other such duties by this Ordinance shall constitute a violation of this Ordinance. The District's official shall inspect FOG facilities during both scheduled and unscheduled visits.

5.13 Management of FOG Facilities

It is facility owner's responsibility to:

- (a) verify that all employees and/or tenants are informed about the FOG program and Best Management Practices in order to assist the District with compliance,

- (b) train new management on the reporting requirements to ensure compliance,
- (c) properly maintain FOG Pretreatment Device(s).

5.14 Changes in Ownership

Any FOG facility with a change in ownership will be recognized as a new FOG facility and shall comply with the District's discharge limits in accordance with this Ordinance.

If the FOG facility changes names but keeps the same owner, the facility will continue with the fee structure from the previous facility name. It is the facility owner's duty to inform the District of any facility name change within thirty (30) days. If a facility name changes and they do not inform the District of such changes within thirty (30) days, they may be subject to fees. Facilities are exempt from this if, and only if, the ownership changes as well.

If a change in a business occurs, the property owner shall inform the District of the change within thirty (30) days, and inform the District of the new type of business that is currently operating at said location.

5.15 A NOV shall be issued to a User for:

- (a) failure to properly maintain the grease interceptor, grease trap or oil-water separator in accordance with the provisions of this Ordinance,
- (b) failure to maintain a record of pumping activities,
- (c) failure to provide logs, files, records, or access for inspection or monitoring activities,
- (d) any other failure to comply with the requirements or conditions of this Ordinance.

5.16 The NOV shall include:

- (a) a violation description,
- (b) number of days to correct deficiencies and/or violations,
- (c) explanation of fees due as a result of the violation – see Section 11 for applicable Fees.

5.17 Violations, Disputes & Modifications

All sampling and monitoring after a violation of this Ordinance shall be at the violator's expense.

All non-compliance issues are to remain on record for an 18 month rolling calendar for the purpose of determining the level for the Notice of Violation. Therefore all violations will be in effect for 18 months starting the day of initial violation. On the day after the 18th month, the violation will then be removed if all outstanding violation fees have been paid in full.

If a facility wishes to dispute a violation and/or fee it must be done in writing to the District via letter, email, or fax within 30 days of any notice of violation or notification of fee, whichever is later. All disputes shall be reviewed by the Board.

If a User has reasons to believe a specific limit or requirement of this Ordinance does not, or should not apply to their FOG facility, the User must submit a Modification Request Form, information supporting the Modification Request Form, and a Modification Request Form fee of fifty dollars (\$50) to the District to be considered for review. Any modification must be approved by the District's FOG Committee in written form before implementation.

SECTION 6-Industrial Wastewater Discharges

6.1 Requirement for Grease, Oil and Sand Interceptors

Such interceptors shall be provided at (a) all restaurants, and at (b) all industrial or commercial enterprises when, in the opinion of the District, they are necessary to contain grease, flammable wastes or sand and other harmful inert materials. All interceptors shall be approved by the District and shall be readily and easily accessible for cleaning and inspection.

6.2 Liability for Maintenance of Pretreatment and Other Equipment

Where pretreatment or flow-equalizing facilities are required or utilized for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the user at his expense, and shall at all reasonable times be open to inspection and testing by the District.

6.3 Pretreatment Standards

When pretreatment is necessary, the pretreated wastes must meet:

- (a.) state pretreatment standards as established in 327 IAC 5-18-8;
- (b.) pretreatment standards for prohibited discharges, as established in 327 IAC 5-18-2; and (c.) national categorical pretreatment standards incorporated by reference in 327 IAC 5-18-10.

6.4 Requirement for a Significant Industrial User to obtain an Industrial Waste Permit (IWP)

It shall be unlawful for any Significant Industrial User to discharge any waste stream to the District's Collection System or Sewage Treatment Plant without an Industrial Waste Permit (IWP) issued by the Indiana Department of Environmental Management. Any violation of the terms and/or conditions of an industrial user permit shall be deemed a violation of this Ordinance. Obtaining an IWP permit does not relieve an Industrial User of its obligation to obtain other permits required by federal, state, or local laws.

6.5 Significant Industrial Users Monitoring Program

The District shall implement a program of monitoring the discharge from all Significant Industrial Users (SIU's) that discharge into the Collection System or Sewage Treatment Plant. The District shall:

1. Measure the volume of flow and sample and analyze the discharge from each SIU, no less than twice per calendar year, for all parameters contained in the Industrial Wastewater Pretreatment (IWP) permit issued to the SIU by the Control Authority (CA), with the exception of Total Toxic Organics (TTO), which shall be sampled and analyzed no less than once per calendar year.

2. For each parameter, including flow, utilize the sample type (e.g., 24-hour composite or grab) specified in the IWP permit issued by the Control Authority.
3. Collect samples at the sample location specified in the IWP Permit issued by the Control Authority.
4. Utilize the analytical methods contained in the IWP Permit issued by the Control Authority.
5. Sample and analyze the discharge from any Industrial User (IU), including an SIU with an IWP permit issued by the Control Authority, for any parameter, as necessary to:
 - a. achieve and/or maintain compliance with the requirements of the NPDES permit; and/or
 - b. determine compliance with the requirements of this Ordinance and with the District's Sewer Use Ordinances (SUO's).
6. Record and maintain all sampling and analytical data at the Sewage Treatment Plant.

6.6 Significant Industrial Users Inspection Protocol

The District shall implement a program of inspecting all SIU's in accordance with the following minimum requirements:

1. conduct inspections for each SIU, no less than once annually.
2. during each inspection conducted pursuant to item 6.5, evaluate areas including, but not limited to, the following:
 - (a) pretreatment system(s);
 - (b) spill reporting and response procedures;
 - (c) sampling location; and
 - (d) disposal of sludge and other waste streams not regulated by the IWP permit issued by the Control Authority.
3. The District shall inspect any Industrial User, including an SIU with an IWP permit issued by the CA, as necessary to:
 - (a) achieve and/or maintain compliance with the requirements of the NPDES permit; and/or
 - (b) determine compliance with the requirements of the District's Sewer Use Ordinances (SUO's).
4. The District shall, for each inspection conducted, complete a report, utilizing an inspection report form that is at least equivalent to the form that is available from the IDEM Pretreatment Group.

6.7 Recordkeeping for Significant Industrial Users

The District shall establish a file for each SIU that includes, but is not necessarily limited to:

1. A copy of the IWP permit issued by the Control Authority;
2. Information and data pertaining to and resulting from the sampling and analysis required pursuant to Section 6.5. Such information and data shall, for each sample or measurement taken, include, but not necessarily be limited to:

- (a) the date, exact place and time of sampling or measurement;
 - (b) the name of the person(s) who performed the sampling or measurement;
 - (c) the sample type utilized;
 - (d) the date(s) and time(s) analyses were performed;
 - (e) the analytical techniques or methods used; and
 - (f) the results of such measurements and analyses.
3. Copies of all inspection reports required pursuant to Section 6.6 and;
 4. Copies of all documents (including correspondence and discharge monitoring reports) relating to the SIU and/or the IWP permit issued by the CA.

6.8 Retention of Records

The District shall retain, at the wastewater treatment plant, all records required pursuant to Section 6.7, for a minimum of three (3) years and shall make such records available for inspection and copying by IDEM or the U.S. EPA in accordance with 327 IAC 5-16-5(d). This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the industrial user of the operation of the pretreatment program or when requested by IDEM or the U.S. EPA.

6.9 Right to Deny

The District has the right to accept or deny any new or increased discharges from any direct or indirect dischargers.

6.10 Right to Impose Fees for Pretreatment Program

If necessary, the District reserves the right to offset costs incurred for administering a pretreatment program.

6.11 Indirect Dischargers and Industrial Users

The District requires indirect and industrial users to comply with all applicable pretreatment standards and requirements.

SECTION 7-Compliance Monitoring

7.1 Right of Entry

The District Engineer, Utility Director, Inspector or other duly authorized representative of the District, upon reasonable notice to any person who is owner, tenant, or occupant of any real estate, is empowered to enter upon presentation of proper credentials all premises for the purposes of inspection, observation, measuring, sampling and testing water, sewage and industrial waste.

7.2 Submission of Time Schedule

When the District finds that any violation of this Ordinance has occurred, the District may require the user to submit for approval a detailed time schedule of specific actions, acceptable to the Board, which the users

shall take in order to prevent or correct a violation of requirements.

SECTION 8- Administrative Enforcement Remedies

8.1 Administrative Enforcement Remedies

The Utility Director shall have the legal authority to issue Notice of Violations, Cease and Desist orders, establish Time Schedules (Compliance Schedules), as outlined in the Enforcement Response Plan.

8.2 Confidential Information

Any confidentiality request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that the information should be held confidential, the portions of a report that might disclose trade secrets or secret processes must not be made available for inspection by the public, but must be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, will not be recognized as confidential information and will be made available to the public without restriction.

8.3 Entry for Inspections

In order to execute inspections and otherwise determine compliance with the District's ordinances, the District Engineer, Utility Director or his duly authorized representative shall have the right to enter any house, building, or property that is connected to the public sanitary sewer of the District for the purpose of performing his/their duties. No entry shall be made unless prior notice of the need to inspect is provided to the owner of the said house, building, or property. If the District Engineer, Utility Director or his duly authorized representative have been refused access to any house, building, property, or any part thereof, then the District may, as provided in Indiana Code 13-26-5-4(d), make application to any judge of the county in which the property in question is located for the issuance of an order compelling the property owner or occupant to permit entry for the purposes stated therein. Any such application shall identify specifically the premises upon which entry is sought and the purpose for which entry is desired.

8.4 Administrative Orders (AO)

An Administrative Order is notification to the Industrial User to undertake or to cease specified activities by a specified deadline. It is the first formal response to significant noncompliance (unless factors necessitate escalated enforcement actions). It may contain administrative fines, consent orders, compliance orders, show cause hearings, termination of service. In addition, it specifies the name of the parties involved, statement of the facts, the requirement to ensure compliance and the enforcement associated with any future non-compliance. The different types of Administrative Orders are Consent Orders, Show Cause Hearings, Compliance Orders, Emergency Suspensions, Termination of Service Orders.

8.5 Consent Orders

The District may enter into an agreement through a Consent Order with an Industrial User responsible for noncompliance. The Order shall include specific actions to be taken by the Industrial User to correct the noncompliance within a time period specified by the document.

8.6 Show Cause Hearings

The District's POTW staff may meet to discuss the cause and effect of any violation, as well as the enforcement action to be taken against an Industrial User. The Industrial User may present its case as to why the violation occurred and why further enforcement should not be applied. Corrective actions to be undertaken by the Industrial User may also be a part of this meeting.

8.7 Compliance Orders

The District may issue and establish a Compliance Order for an Industrial User. A Compliance Order is a formal time and management schedule contained in an Enforcement Order, established for the non-compliant Industrial User to achieve compliance. It is established for existing Industrial Users to meet the categorical pretreatment standards or local standards. It contains increments of progress in the form of dates for the commencement and completion of major events leading to compliance. In addition, all compliance orders shall contain the following:

1. Monitoring requirements with the location for monitoring;
2. How the data will be used for evaluating compliance;
3. Enforcement associated with non-compliance;
4. Closure date after which Industrial User will be considered either non-compliant with the established compliance order, or evaluated for compliance.

8.8 Issuance of Cease and Desist Orders

When the District finds that a discharge of wastewater has been taking place or is likely to take place in violation of this Ordinance, or reasonably appears to present an imminent endangerment to the health and welfare of the public, the environment, and/or which threatens to interfere with the operation of the POTW, the District, or Utility Director, may issue a "Cease and Desist" Order to halt or prevent any discharges of pollutants to the POTW. This Order may or may not include timetables or corrective actions.

8.9 Termination of Service

The Utility Director or the Board may terminate an Industrial User's privilege to discharge non-domestic wastewater into the District's sewer system if an Industrial User presents imminent endangerment to the health or welfare of persons, or the environment; or threatens to interfere with the POTW's operations; or as an escalating enforcement action to a significant violation when a noncompliant Industrial User fails to respond adequately to previous enforcement actions. Termination of service may be accomplished by physical severance of the Industrial User's connection to the collection system, issuance of an Administrative Order (Cease and Desist Order) which compels the Industrial User to immediately terminate its discharge, or through a court ruling.

8.10 Emergency Suspension

The Utility Director or the Board may immediately suspend a User's discharge, after informal notice to the user, whenever suspension is necessary to stop an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. After notice to the User and their opportunity to respond, the Utility Director may immediately suspend a User's discharge which threatens to interfere with the operation of the POTW, or presents an endangerment to the environment. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Utility Director may take any steps necessary, including immediate severance of the sewer connection to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Utility Director may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Utility Director that the period of endangerment has passed.

8.11 Cost Recovery

The District may recover costs from an Industrial User for expenses incurred as the result of the Industrial User's non-compliance. Costs may include items such as labor, mileage, laboratory, the repair and or the replacement of damaged sewer system parts, professional services and any other related expenditure by the District.

8.12 Administrative Appeals

Any User affected by any decision, action or determination including Cease and Desist Orders, action of the Utility Director, interpreting or implementing the provisions of this Ordinance, any permit issued herein, or any action, decision or regulation of the Board adopted pursuant hereto, may file with the Board a written request for review and reconsideration within ten (10) days of such a decision, action or determination, setting forth in detail the facts supporting the User's request for reconsideration.

The appeal shall be heard by the Board at its next regularly scheduled meeting. The Utility Director's decision, action, or determination shall remain in effect during such period of reconsideration.

8.13 Enforcement Response Plan and Guide

The District may develop an Enforcement Response Plan and an Enforcement Response Guide in order to meet future IDEM requirements. Such plan and guide will contain other provisions, restrictions and requirements which shall be in effect upon passage.

8.14 Referral to EPA or the State (IDEM).

The District may refer violations to the State or EPA for criminal prosecution. Circumstances that may trigger EPA or State referrals include, but are not limited to, evidence of willfulness, evidence of negligence, and/or bad faith shown by the User. Referral to EPA or the State (IDEM) shall not be a bar against, or a prerequisite for, taking any other action against the User.

SECTION 9- Judicial Enforcement Remedies

9.1 Injunction

When the District finds that a discharge of wastewater is in violation of any part of this Ordinance, or otherwise causes or threatens to cause a condition of pollution or nuisance, the Board, on behalf of the District, may petition a court for the issuance of a preliminary or permanent injunction or both in restraining the continuance of such a discharge.

9.2 General Fees; Continuing Violations

The commission of any act prohibited by this Ordinance or by lawful order of the Utility Director or lawful order or regulation of the Board, or the failure to perform any lawful order of the Utility Director or lawful order or regulation of the Board shall be a violation of this Ordinance. Except as otherwise provided in Section 11, the rate or charge for violation shall be a fee of no more than one thousand dollars (\$1,000). In the case of discharges into the sewerage system in violation of this Ordinance, any valid order, or regulation of the Board; each day of violation constitutes a separate offense.

SECTION 10-Reporting Requirements

10.1 Accidental Discharges

A User shall notify the Utility Director immediately upon accidentally discharging chemicals, corrosive substances, or anything deleterious to the sewerage system or treatment process, or wastewaters in violation of this Ordinance, to enable countermeasures to be taken by the District to minimize damage to the sewerage system, treatment processes and the receiving stream.

This notification shall be followed within seven (7) days of the date of occurrence by a detailed written report, signed by the user, describing the causes of the accidental discharge and the measures being taken to prevent future similar occurrence.

10.2 Falsifying of Information

A person shall not knowingly make or submit to the District a false statement, representation, record, report, plan or other document required to be filed hereunder or under a duly adopted regulation of the Board, or voluntarily filed with the intent that the District rely thereon, or falsify, tamper with, or knowingly render inaccurate any monitoring, testing, measuring or timing device required or installed under these regulations. A person shall not during any monitoring or surveillance period, alter industrial processes or other activities for the purpose of rendering samples drawn or measurements taken during said monitoring or surveillance unrepresentative or uncharacteristic of normal operations, flows or concentrations or pollutants.

SECTION 11-Fees

11.1 No FOG Pretreatment Device at a FOG Facility:

Violation	NOV issued and 30 days to install a pretreatment device. No fee.
Failure to Install	2 nd NOV with a \$500 fee with an additional 15 days to install the pretreatment device.
Failure to install after additional 15 day deadline	3 rd NOV with a \$1,000 fee and a \$100 fee per day of violation starting the day after the 15th day deadline ends

11.2 Violation of Cleaning Schedule for Grease Traps, Interceptors, or Oil-Water Separators:

1st Violation	NOV and a \$100 fee
2nd Violation	NOV with a \$200 fee
3rd Violation	NOV with a \$400 fee
4th Violation	NOV and Board review for enforcement

11.3 Violation of Pretreatment Device Capacity of Grease Trap, Interceptor or Oil

Water Separator Exceeded the District Specified Limits:

1st Violation

- NOV with a **\$200** fee and 5 business days to clean the device

Failure to clean the device within 5 business days:

- NOV with a **\$500** fee and 5 additional business days to clean the device

Failure to clean the device after the second 5 day deadline:

- NOV with an additional **\$500** fee and **\$100** fee per day of noncompliance

2nd Violation

- NOV with a **\$400** fee and 5 business days to clean the device

Failure to clean the device within 5 business days:

- NOV with a **\$500** fee and a **\$100** fee per day starting the day after the additional 5 days of noncompliance

3rd Violation

- NOV with a **\$1,000** fee and 5 business days to clean the device

Failure to clean the device within 5 business days:

- NOV with a **\$500** fee and a **\$100** fee per day starting the day after the additional 5 days of noncompliance

4th Violation

- NOV and Board review for enforcement

11.4 Failure to Report an Accidental FOG Discharge:

- A. NOV with a **\$100** fee per day from the date of discharge.

11.5 Samples Determined to be Over the Limit of FOG Discharge:

1st Violation	NOV with a \$200 fee and 5 business days to clean the device.
2nd Violation	NOV with a \$400 fee and 5 business days to clean the device.
3rd Violation	NOV with a \$1,000 fee and 5 business days to clean the device.
4th Violation	NOV and Board review for enforcement.

11.6 Failure to Provide Logs, Files and Other Records during an Inspection:

1st Violation	NOV and a \$100 fee
2nd Violation	NOV with a \$200 fee
3rd Violation	NOV with a \$400 fee
4th Violation	NOV and Board review for enforcement.

11.7 Failure to Provide Quarterly Reports to the District:

Violation	NOV and 5 business days to submit the report.
Failure to provide the report within the 5 business days	NOV and a \$100 fee and an additional 5 business days to submit the report.
Failure to submit the report within the additional 5 business days	NOV with a \$200 fee and a \$100 fee per day starting the day after the additional 5 days of noncompliance.

11.8 Refusal of FOG or Pretreatment Inspection:

1st Violation	NOV with a \$500 fee
2nd Violation	NOV with a \$1,000 fee
3rd Violation	NOV and Board review for enforcement.

11.9 FOG Modification Fee:

The Modification Request Form fee is fifty dollars (\$50)

11.10 Inflow and Infiltration Fees:

1. Initial inflow and infiltration inspection-No charge.
2. Re-inspection, if necessary- \$100.00. Such charge(s) are due and payable upon invoice.
3. For all customers a \$20 per month sewer surcharge shall be imposed beginning thirty (30) days after the sale of the property if the I/I certification of compliance is not on file with the District, thirty (30) days after the documented deadline for the completion of inspection or thirty (30) days following notice of scheduled inspection, whichever is sooner.

Non-Compliance

4. The \$20 per month surcharges shall be in addition to any and all other fees or charges levied by the Board of Trustees, for a failed inspection, failure to schedule an inspection, or failure to make repairs or otherwise, as set forth within this Ordinance.

11.11 Industrial Users Limits Violation Fees

For violations of limitations set forth in Section 4.2 of this Ordinance, the District has the legal authority to impose a fine of at least \$1,000 per day, per violation, in accordance with 40 CFR 403.8(f)(1)(vi)(A), but no more than \$2,500 per day, per violation for a first violation and no more than \$7,500 per day, per violation for subsequent violations.

SECTION 12- Miscellaneous Provisions

12.1 Special Agreements

Special agreements and arrangements between the Board and any person within the District's territory may be established by the Board within the terms and intent of this Ordinance when, in the opinion of the Board, unusual or extraordinary circumstances compel special terms and conditions whereby an unusual wastewater may be accepted for treatment, subject to payment of applicable fees.

12.2 Effective Date

The provisions of this Ordinance shall be in full force and in effect forthwith upon its passage and signing by the Board of Trustees.

12.3 Severability

The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

12.4 Plans and Specifications

All construction shall be designed and constructed in accordance to District details, specifications and District approved plans.

12.5 Testing & Certification

All sewers shall be properly tested for infiltration in accordance with the procedure required by current state and/or District standards (whichever are more stringent). When construction is completed, the Design Engineer shall certify to the Board that the Facilities have been constructed in accordance with the Plans & Specifications and have passed the appropriate Infiltration/Exfiltration/Deflection Tests.

12.6 Inspection & Inspection Fee

All new Facilities shall be inspected by the District's Inspector during construction of the Facilities to insure conformance to the Plans and Specifications and an acceptable system. This Inspection must include presence of the Inspector when the Infiltration Test is performed so he can attest to proper performance of the test. At least 48 hours notice of commencement of testing is required.

A fee shall be assessed to cover the cost of review of Plans and Specifications and inspection of the new Facilities. Such charge is due and payable at the time the Plans and Specifications are submitted for review. Current fees for this service are outlined in the District's rate ordinance.

12.7 District Details and Specifications

All plans and construction shall be in compliance with the District's sanitary sewer details and specifications.

SECTION 13- SPECIFIC DEFINITIONS

13.1 ACT or THE ACT. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 *et seq.*

13.2 ADMINISTRATIVE ORDER (AO). Is a notification to the Industrial User to undertake or to cease specified activities by a specified deadline. It is the first formal response to significant noncompliance (unless factors necessitate escalated enforcement actions). It may contain administrative fines, consent orders, compliance orders, show cause hearings, termination of service. In addition, it specifies the name of the parties involved, statement of the facts, the requirement to ensure compliance and the enforcement associated with any future non-compliance. The different types of Administrative Orders are Consent Orders, Show Cause Hearing, Compliance Orders, Emergency Suspensions, Termination of Service Orders.

13.3 AMMONIA-NITROGEN. Dissolved ammonia including $\text{NH}_3(\text{aq})$ and NH_4^+ , usually expressed as $\text{NH}_3\text{-N}$.

13.4 BENEFICIAL USES. These include, but are not limited to, domestic, municipal, agricultural and industrial use, power generation, recreation, aesthetic enjoyment, navigation, and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, tangible or intangible, as specified by state or federal law.

13.5 BOARD. The Board of Trustees of the Clay Township Regional Waste District. It is the governing body of the District.

13.6 BIOCHEMICAL OXYGEN DEMAND. (BOD) of sewage, sewage effluent, polluted waters or industrial wastes shall mean the quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures for five (5) days at 20 degrees Celsius. The value of the 5-day test for Biochemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water and Wastewater."

13.7 CATEGORICAL STANDARDS. National Categorical Pretreatment Standards or Pretreatment Standards.

13.8 CHEMICAL OXYGEN DEMAND. (COD) of sewage, sewage effluent, polluted waters or industrial wastes is a measure of the oxygen equivalent of that portion of the organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant. The value of the test for Chemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water and Wastewater."

13.9 COMPATIBLE POLLUTANTS. Wastewater having or containing, (a) measurable biochemical oxygen demand, (b) suspended solids, (c) pH, (d) fecal coliform bacteria, or (e) additional pollutants identified or defined in the National Pollutant Discharge Elimination System (NPDES) Permit for the treatment plant that was designed to treat the pollutants.

13.10 COMPLIANCE ORDERS. These types of orders establish formal time and management schedules in an enforcement order, for non-compliant Industrial Users to achieve compliance. It is established for existing Industrial Users to meet the categorical pretreatment standards or local standards. It contains increments of progress in the form of dates for the commencement and completion of major events leading to compliance.

13.11 CONSENT ORDER. A formal agreement established between the District and an Industrial User responsible for noncompliance. Such documents shall include specific actions to be taken by the Industrial User to correct the noncompliance within a time period specified by the document.

13.12 CONSTITUENTS AND CHARACTERISTICS. The chemical, physical, bacteriological and radiological properties, including volume, flow rate and such other properties which serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

13.13 CONTROL AUTHORITY (CA). Unless otherwise stated directly, means the Commissioner of the Indiana Department of Environmental Management.

13.14 COST RECOVERY. Costs such as labor, mileage, laboratory, the repair and or the replacement of damaged sewer system parts, professional services and any other related expenditure by the District that are incurred as a result of an Industrial User's non-compliance.

13.15 DIRECT DISCHARGE. The discharge of treated or untreated wastewater directly to the Waters of the State.

13.16 DISSOLVED SOLIDS. Those solids in water that are in a solution.

13.17 DISTRICT. The municipal corporation established by order of IDEM dated June 3, 1975 to provide sewer service under the name Clay Township Regional Waste District.

13.18 DOMESTIC DISCHARGER. A User that discharges wastewater to the sewerage system that originates from predominately, the human metabolism and household activities.

13.19 EFFLUENT. The water, together with any wastes, that may be present flowing out of a drain, sewer, receptacle or outlet.

13.20 ENVIRONMENTAL PROTECTION AGENCY or EPA or USEPA. The United States Environmental Protection Agency.

13.21 FECAL COLIFORM BACTERIA. Any of a number of organisms common to the intestinal tract of man and animals, whose presence in sanitary sewage is an indicator of pollution.

13.22 FLOATABLE FOG. Oil, fat or grease in a physical state, such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by the District.

13.23 FOG. (All Fats, Oils and Grease, Petroleum Products and By-Products.) Fats, Oils and Grease as found in food service facilities include but are not limited to, any substance such as vegetable or animal product that is used in, or is a by-product of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions. Petroleum, Oils and Grease as found in auto service facilities include but are not limited to any substance such as petroleum oil, non-biodegradable cutting oil or products of mineral oil origin that is used in, or is a by-product of, an automotive process. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time.

- 13.24 FOG Committee.** District Engineer, Plant Supervisor and Pretreatment Compliance Specialists.
- 13.25 FOG Facility.** Any non-domestic User or combination of Users that generates FOG.
- 13.26 FOG Management Program.** The program as set forth in this Ordinance.
- 13.27 FOG Pretreatment Device.** Includes oil-water separators, grease traps, grease interceptors.
- 13.28 GARBAGE.** Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- 13.29 GREASE INTERCEPTOR.** An outdoor, watertight receptacle utilized to intercept, collect, and restrict the passage of grease and food particles into the POTW to which the receptacle is directly or indirectly connected, and to separate and retain grease and food particles from the wastewater discharged by a facility. An interceptor shall have a capacity of at least 1,000 gallons to serve one or more fixtures and shall be located outside the building.
- 13.30 GREASE TRAP.** An indoor, watertight receptacle utilized to intercept, collect, and restrict the passage of grease and food particles into the POTW to which the receptacle is directly or indirectly connected, and to separate and retain grease and food particles from the wastewater discharged by a facility. A maximum of four (4) fixtures shall be connected to a grease trap.
- 13.31 INCOMPATIBLE POLLUTANTS.** Any pollutants not classified as compatible pollutants.
- 13.32 INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT or IDEM.** The state agency that is responsible for administering environmental programs in the State of Indiana.
- 13.33 INDIRECT DISCHARGER.** A non-domestic discharger introducing pollutants into a POTW, regardless of whether the discharge is physically within or without the territory of the District.
- 13.34 INDUSTRIAL USER.** This term refers to any user including an indirect discharger and does not apply to any User who contributes only domestic wastewater that originates from the human metabolism and household activities.
- 13.35 INDUSTRIAL WASTES.** Any solid, liquid or gaseous substance or form of energy discharged, permitted to flow into or enter the sewerage system or ground from an industrial, manufacturing, commercial or business process or from the development, recovery or processing of any natural resources carried on by any person and shall further mean any waste from an industrial user, but not including sanitary sewage or storm water.
- 13.36 INFILTRATION.** The water other than wastewater that enters the sewerage system directly or via private sewers, building drains and building sewers connected therewith, from the ground, through such means as, but not limited to, defective pipe joints, connections, or manhole walls.
- 13.37 INFLOW.** Water other than wastewater that enters the sewerage system from sources including but not limited to, cellars, yard areas, foundation drains, sump pumps, drains from springs and swampy areas, manhole areas, cross connections between storm and sanitary sewers, catch basins, cooling towers, storm water, surface runoff, street water or drainage.
- 13.38 INSPECTOR.** A person authorized by the Board or the Utility Director to perform inspection duties assigned to him by either the Board or Utility Director.
- 13.39 INTERFERENCE.** A discharge that, alone or in conjunction with a discharge or discharges from other sources, does one (1) of the following:

- (1) Inhibits or disrupts the POTW, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods.
- (2) Causes a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
- (3) Prevents the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
 - (a) Section 405 of the Clean Water Act (33 U.S.C. 1345).
 - (b) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:
 - (A) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and
 - (B) the rules contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).
 - (c) The Clean Air Act (42 U.S.C. 7401).
 - (d) The Toxic Substances Control Act (15 U.S.C. 2601).

13.40 LATERAL SEWER. The extension from the building or dwelling drain to the sewerage system or other place of disposal.

13.41 MAY. May means that the act referred to is both permissible and approved, but not required.

13.42 MEDICAL WASTE. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

13.43 MODIFICATION REQUEST FORM. A form provided by the District for the User to complete in order to be considered for a FOG modification.

13.44 NATIONAL CATEGORICAL PRETREATMENT STANDARDS or **PRETREATMENT STANDARDS.** Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with § 307(b) and (c) of the Act (33 USC 1347), which applies to a specific category of industrial users.

13.45 NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT or **NPDES PERMIT.** A permit issued under the National Pollutant Discharge Elimination System for discharge of wastewaters to the Waters of the United States pursuant to § 402 of the Act (33 USC 1342), or Pub. L. 92-500.

13.46 NON-DOMESTIC DISCHARGER. A User that discharges wastewater to the sewerage system that does not originate strictly from the human metabolism and household activities.

13.47 NON-COMPLIANCE. A violation or failure to comply with this Ordinance.

13.48 NOTICE OF VIOLATION (NOV). A written document provided to the User describing any violation or failure of compliance to this Ordinance.

13.49 NUISANCE. Any substance that is injurious to health 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.

13.50 OIL-WATER SEPARATOR. A device which utilizes the difference in density between oil, petroleum products or chemical products, and water for removal.

13.51 pH. The measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.

13.52 PASS THROUGH. A discharge proceeding through a POTW into Waters of the State in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, are 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.

13.53 PERSON. Any individual, firm, company, association, society, corporation, group or other entity.

13.54 POLLUTION . An alteration of the quality of water by waste, contaminants or pollutants to a degree which renders such water unfit for beneficial use.

13.55 PRETREATMENT STANDARDS. (a.) state pretreatment standards as established in 327 IAC 5-18-8; (b.) pretreatment standards for prohibited discharges, as established in 327 IAC 5-18-2; and (c.) National Categorical Pretreatment Standards incorporated by reference in 327 IAC 5-18-10.

13.56 PUBLICLY OWNED TREATMENT WORKS (POTW). A treatment works owned by the State, a municipality or a regional sewer district, except that it does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or compatible industrial wastes. The term also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. "POTW" also means the municipality or regional sewer district that has jurisdiction over the indirect discharges to and the discharges from such treatment works.

13.57 PUBLIC SEWER. A sewer owned by the District. These definitions are part of the public sewer:

(a) Collector sewer shall mean a sewer whose primary purpose is to collect wastewaters from individual point source discharges.

(b) Interceptor sewer shall mean a sewer whose primary purpose is to transport wastewater from collector sewers to a treatment facility.

(c) Force main shall mean a pipe in which wastewater is carried under pressure.

(d) Pumping station shall mean a station positioned in the public sewer system at which wastewater is pumped to a higher level.

13.58 RECEIVING STREAM. The water-body or water-bodies identified by the Indiana Department of Environmental Management as the receptor for a wastewater discharge.

13.59 SANITARY SEWAGE. Sewage such as, and having the characteristics of, domestic sewage from dwellings (including apartment houses and hotels), office buildings, factories, industry or institutions, free from storm and surface water and industrial wastes.

13.60 SANITARY SEWER. A sewer intended to carry only sanitary or sanitary and industrial waste waters from residences, commercial buildings, industrial plants and institutions.

13.61 SETTLED SOLIDS. Particles of debris and fine matter heavy enough to settle out of wastewater. These particles of debris and fine matter can be a collection of hard materials including but not limited to dirt, ground stone, debris from sandblasting or other such grinding, swarf from metalworking, edible and inedible particles of food, disposable diapers, dental floss, sanitary napkins, prophylactics, rags and any other solid substances.

13.62 SEWER. A pipe or conduit laid for carrying sanitary sewage or other liquids, and solids suspended or entrained therein.

13.63 SEWERAGE SYSTEM. The network of publicly owned sewers and appurtenances used for collection, transporting, and pumping wastewater to the wastewater treatment plant (5) that serves the District.

13.64 SHALL. The act referred to is mandatory.

13.65 SHOW CAUSE HEARING. is when an Industrial User and the District POTW staff meet to discuss the cause and effect of the violation, as well as the enforcement action to be taken against the Industrial User. The Industrial User may present its case as to why the violation occurred and why further enforcement should not be applied. Corrective actions to be undertaken by the Industrial User can also be a part of this meeting.

13.66 SIGNIFICANT INDUSTRIAL USER or SIU. Means the following:

(a) Industrial Users subject to categorical pretreatment standards under 327 IAC 5-18-10,

(b) An Industrial User that:

(1) discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater) to the POTW;

(2) contributes a process waste stream that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(3) is designated as a Significant Industrial User by the Control Authority or District on the basis that the industrial user has a reasonable potential to: (A.) adversely affect the POTW's operation; (B.) violate a pretreatment standard; or (C.) violate a requirement of 327 IAC 5-19-3.

(c) The Control Authority may, on its own initiative or in response to a petition received from an Industrial User or a POTW and in accordance with 327 IAC 5-19-3(6), determine that an Industrial User is not a Significant User if it does not meet (b.3) criteria listed above.

13.67 SLUG. Any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds, for any period of duration longer than ten (10) minutes, more than three (3) times the average twenty-four-hour (24-hour) concentration of flows during normal operation, and adversely affects the POTW.

13.68 STANDARD INDUSTRIAL CLASSIFICATION or SIC. A United States government system for classifying industries by a four-digit code.

13.69 STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of *Standard Methods for the Examination of Water and Wastewater*, prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

13.70 STATE. The State of Indiana.

13.71 STORM SEWER. A sewer intended to carry only storm waters, surface runoff, street wash waters and drainage.

13.72 STORM WATER. Water resulting from rain, melting or melted snow, hail or sleet.

13.73 TERMINATION OF SERVICE. To revoke an Industrial User's privilege to discharge non-domestic wastewater into the District's sewer system.

13.74 SUSPENDED SOLIDS. Solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration shall be expressed in milligrams per liter. Quantitative determinations shall be made in accordance with procedures set forth in Standard Methods.

13.75 TOTAL SUSPENDED SOLIDS. (TSS) The value of the test for Total Suspended Solids, as described in the latest edition of *Standard Methods for the Examination of Water & Wastewater*.

13.76 TOXIC AMOUNT. Concentrations of any pollutant or combination of pollutants which, upon exposure to or assimilation into any organism, will cause adverse effects such as cancer, genetic mutations and physiological manifestations, as defined in standards issued pursuant to § 307(a) of the Act, 33 USC 1317(a).

13.77 TOXIC POLLUTANT. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of § 307(a) of the Act, 33 USC 1317(a), or that has a deleterious impact on the operation of the POTW.

13.78 UNPOLLUTED WATER. Water of quality equal to or better than the effluent IDEM criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

13.79 USER. A person, including both the Owner and Occupant of real estate who introduces into or discharges into the sewerage system, any substance whatever.

13.80 UTILITY DIRECTOR. An individual appointed by the District to have management control and authority over operations of the District. The term can also refer to any individual designated to perform duties on behalf of the Utility Director as his authorized deputy, agent or representative.

13.81 WASTE. Sanitary sewage and any and all other waste substances, liquid, solid, gaseous, or radio-active, associated with human habitation, or of human or animal origin, or from any producing, processing, manufacturing, or industrial operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

13.82 WASTEWATER. The water-carried waste from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface and storm waters as may be present.

13.83 WASTEWATER TREATMENT PLANT (WWTP). Any arrangement of devices and structures used by the District for treatment and disposing of sewage, sludge, and other sewage constituents and products. Same as a POTW.

13.84 WATERS OF THE STATE. 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.

PASSED AND ADOPTED by the Board of Trustees of the Clay Township Regional Waste District on the 9 day of June, 2014.

<u>BOARD OF TRUSTEES:</u>	<u>Approve</u>	<u>Oppose</u>	<u>Abstain</u>
<u>Ronald Hagan</u> <i>Ronald Hagan</i> Board of Trustees President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Joseph Clark</u> <i>Joseph Clark</i> Board of Trustees Vice President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Michael McDonald</u> <i>Michael McDonald</i> Board of Trustees Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Jane Merrill</u> <i>Jane Merrill</i> Board of Trustees Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Marilyn Anderson</u> <i>Marilyn Anderson</i> Board of Trustees Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Eric Hand</u> <i>Eric Hand</i> Board of Trustees Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Barbara Lamb</u> <i>Barbara Lamb</i> Board of Trustees Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Carl Mills</u> <i>Carl Mills</i> Board of Trustees Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Amanda Foley</u> <i>Amanda Foley</i> Board of Trustees Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Andrew Williams
Andrew Williams – Utility Director