



## SEWER USE REGULATION

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Princeton Water & Wastewater Commission  
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## ARTICLE I - GENERAL PROVISIONS

### **A. Purpose and Policy**

This regulation sets forth uniform requirements for Users of the wastewater collection and treatment system for the City of Princeton and enables the Commission to comply with all applicable State and Federal laws required by the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403).

The objectives of this regulation are:

1. to prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or including interference with its use or disposal of municipal sludge;
2. to prevent the introduction of pollutants into the municipal wastewater system which will pass through the treatment works, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
3. to improve the opportunity to recycle and reclaim municipal and industrial wastewaters and sludges from the system;
4. to protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
5. to enable the Commission to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject; and
6. to provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the municipal wastewater system.

This regulation shall apply to all Users of the City of Princeton wastewater collection and treatment system. This regulation provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain non-domestic Users and through enforcement of general requirements for the other Users, authorizes monitoring and enforcement activities, requires User reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This regulation shall apply to the City of Princeton and to persons outside the City who are, by contract or agreement with the Commission Users of the City's Publicly Owned Treatment Works (POTW). Except as otherwise provided herein, the Superintendent of the City's Water & Wastewater Commission shall administer, implement and enforce the provisions of this regulation.

### **B. Definitions**

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this regulation, shall have the meanings hereinafter designated:

1. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C.

1251, et seq.

2. Approval Authority. The Secretary of the Kentucky Natural Resources and Environmental Protection Cabinet or an authorized representative thereof.
3. Authorized or Duly Authorized Representative of the User.
  - (1) If the User is a corporation:
    - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    - (b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
  - (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
  - (4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Authorized Representative of the City: An authorized representative of the City may be any person designated by the Commission to act on its behalf.

4. Available. As used in connection with this regulation, means a public sewer located at the property line or point at which connection may be made with City sanitary sewage collection facilities.
5. Baseline Monitoring Report (BMR). A report submitted by the industrial User, who is subject to categorical pretreatment standards and is currently discharging or is scheduled to discharge to a POTW, within 180 days after the effective date of a categorical pretreatment standard.
6. Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Article II (E). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.

7. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures, for five (5) days at 20 degrees Celsius, usually expressed as a concentration in milligrams per liter (mg/l).
8. Building Drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
9. Building Sewer. The extension from the building drain to the public sewer or other place of disposal, also called "house connection."
10. Building Sewer Permit. As set forth in "Building Sewers and Connections" (Article IV).
11. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
12. Categorical Industrial User (CIU). An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.
13. City. The City of Princeton; its City Council, Water & Wastewater Commission or other entity having responsibility for the POTW.
14. Combined Sewer. Any conduit carrying both sanitary sewage and storm water or surface water.
15. Compatible Pollutant. Biochemical oxygen demand, suspended solids and fecal coli form bacteria; plus any additional pollutants identified in the POTW's NPDES/KPDES permit, where the POTW is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the POTW's NPDES/KPDES permit.
16. Composite Wastewater Sample. A combination of individual samples of water or wastewater taken at selected intervals, generally hourly for some specified period, to minimize the effect of variability of the individual sample. Individual samples may have equal volume or may be proportioned to the flow at the time of sampling.
17. Concentration-based Limit. A limit based on the relative strength of a pollutant in a waste stream, usually expressed in mg/l.
18. Control Authority. The entity directly administering and enforcing pretreatment standards and requirements against industrial Users. The City has an approved Pretreatment Program under the provisions of 40 CFR 403.11 and is, therefore, designated the Control Authority.
19. Cooling Water or Noncontact Cooling Water. The water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.
20. County Health Department. The Caldwell County Health Department and shall be applicable to that county in which the applicant resides.

21. Daily Maximum. The arithmetic average of all effluent samples for a pollutant (except pH) collected during a calendar day.
22. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
23. Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Kentucky.
24. Discharger. Any person that discharges or causes a discharge to a public sewer.
25. Domestic Wastewater. The water-carried wastes produced from non-commercial or non-industrial activities and which result from human living processes.
26. Easement. An acquired legal right for specific use of land owned by others.
27. Environmental Protection Agency, or EPA. 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.
28. Equipment. All moveable, non-fixed items necessary to the wastewater treatment process.
29. Existing Source. Any source of discharge that is not a "New Source."
30. Federal Pretreatment Standards. Federal regulations for pretreatment of industrial wastewater under 40 CFR Part 307, 402, 403, 405 and other applicable regulations, as amended.
31. Floatable Oil. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved treatment pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the proper operation of the collection system.
32. Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.
33. Grab Sample. A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
34. Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
35. Incompatible Pollutant. All pollutants other than compatible pollutants as defined in paragraph 13 of this article.
36. Indirect Discharge. The introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act, (33 U.S.C. 1342).
37. Industrial User. A source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402, of the Act (33 U.S.C. 1342).

38. Industrial Wastes. The wastewater from industrial or commercial processes as distinct from domestic or sanitary wastes.
39. Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
40. Interceptor. A device designed and installed so as to separate and retain deleterious, hazardous or undesirable matter from normal wastes while permitting normal sewage or liquid wastes to discharge into the sewer system or drainage system by gravity. Interceptor as defined herein is commonly referred to as a grease, oil or sand trap.
41. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment process or operations, or its sludge processes, use or disposal; or exceeds the design capacity of the treatment works or the collection system; or is a cause of violation of any requirement of the POTW's NPDES/KPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
42. Local Limits. Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions in this regulation and comply with State of Kentucky and EPA pretreatment regulations.
43. May. This is permissive (see "shall," paragraph 71.)
44. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
45. Monthly Average Limit. The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
46. Monthly-Unit Sewer Customer. A location served where there are two or more residential units or apartments, two or more businesses in the same building or complex or where there is any combination of business and residence in the same building complex.
47. National (or Kentucky) Pollutant Discharge Elimination System or NPDES/KPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1332), or a permit issued by the Commonwealth of Kentucky under this authority and referred to as KPDES.
48. Natural Outlet. Any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface or groundwater.



49. New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

- (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
- (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
- (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

- (a) Begun, or caused to begin, as part of a continuous onsite construction program (i) any placement, assembly, or installation of facilities or equipment; or (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

50. Ninety Day Compliance Report. A report submitted by an industrial User who is subject to pretreatment standards and requirements, within 90 days following the date for final compliance, indicating the nature and concentration of all pollutants in the discharge.

51. Operation and Maintenance Expenses. All annual operation and maintenance expenses including replacement related directly to operating and maintaining the sewage works as shown by annual audit.

52. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's KPDES permit (including an increase in the magnitude or duration of a violation).

53. Periodic Compliance Report. Reports submitted by the industrial User indicating the nature and concentration of pollutants in the effluent which are limited by categorical pretreatment standards.
54. Person. Any individual, partnership, joint venture firm, limited liability company, corporation, association, trust, estate, governmental entity or any other entity of any kind or nature. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
55. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units. The logarithm of the reciprocal of the hydrogen ion concentration.
56. Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
57. Pollution. The man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
58. POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater.
59. Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes other means, except as prohibited by 40 CFR Section 403.6 (d).
60. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial User.
61. Pretreatment Standards or Standards. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
62. Private Sanitary Sewer . A sanitary sewer main or sewer lateral serving one or more buildings, connecting to the public sanitary sewer; for which there is no record of installation by the Princeton Water & Wastewater Commission (PWWC).
63. Properly Shredded Garbage. The waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions of normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.
64. Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned, in this instance, by the City. This definition includes any devices and systems used in the collection, storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.
65. Public Sewer. A common sewer controlled by a governmental agency or public utility. In general, the public sewer shall include the main sewer in the street and the service branch to the curb or property line, or a main sewer on private property and the service branch to the extent of ownership by public authority.

66. Replacement. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
67. Sanitary Sewer. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.
68. Sewage. The spent water of a community. Domestic or sanitary waste shall mean the liquid or water-carried wastes from residences, commercial buildings and institutions as distinct from industrial sewage. The terms "sewage" and "wastewater" are used interchangeably.
69. Sewage System or Works. All facilities for collecting, transporting, pumping, treating and disposing of sewage and sludge, namely the sewerage system and POTW.
70. Sewer. A pipe or conduit that carries wastewater or drainage water.
71. Sewer Lateral. sewer pipe from the property to the public sewer main.
72. Sewer User Charges. A system of charges levied on Users of a POTW for the cost of operation and maintenance, including replacement, of such works.
73. Shall. Is mandatory (see "may," paragraph 44).
74. Significant User. All industrial Users subject to categorical pretreatment standards under 40 CFR Chapter I, Subchapter N; and Any other industrial User that:
- (1) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
  - (2) contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - (3) is designated as such by the City as defined in 40 CFR 405.12(a) on the basis that the industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
75. Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Article II (E) of this regulation. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
76. Specifications. The City's specifications for water and sewer system design, construction and inspection, latest revision.
77. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, U.S. Bureau of the Budget, 1972.
78. Standard Methods. The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, the American Water Works Association and Pollution Control Federation and as set forth in the Congressional Record 40 CFR 136.

79. State. Commonwealth of Kentucky.
80. Storm Drain (Sometimes Termed "Storm Sewer"). A drain or sewer for conveying water, groundwater, surface water or unpolluted water from any source.
81. Storm Water. Any flow occurring during or following any form of natural precipitation and resulting from such precipitation, including snowmelt.
82. Superintendent. The Superintendent of Princeton Water and Wastewater Commission or his authorized deputy, agent or representative.
83. Surcharge. A charge for services in addition to the basic sewer User and debt service charges.
84. Suspended Solids (TSS). Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids and that is removable by laboratory filtering as prescribed in Standard Methods for Examination of Water and Wastewater and 40 CFR 136.
85. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of CWA Section 307 (a) or other Acts.
86. Unpolluted Water. Water of quality equal to or better than the treatment works effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to sanitary sewers and wastewater treatment facilities provided.
87. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with the categorical pretreatment standards because of factors beyond the reasonable control of the industrial User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
88. User. Any person who contributes, causes or permits the contribution of wastewater into the POTW.
89. User Charge. The charge levied on all Users, including but not limited to, persons, firms, corporations, or governmental entities that discharge, cause or permit the discharge of sewage into the POTW.
90. Wastewater. The spent water of a community. Sanitary or domestic wastes shall mean the liquid and water carried wastes from residences, commercial buildings and institutions as distinct from industrial waste.
91. Wastewater Contribution Permit. As set forth in the Administration Section of this regulation.
92. Wastewater Facilities. The structures, equipment and process required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.
93. Wastewater Treatment Works. An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant" or "sewage treatment plant."
94. Water and Wastewater Commission. The governing body of the Princeton water and sewer department in charge of administering, operating, and enforcing the infrastructure and use of these facilities.
95. Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

96. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation system, drainage system 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.

### **C. Abbreviations**

The following abbreviations shall have the designated meanings:

ADMI	- American Dye Manufacturers Institute
ASTM	- American Society of Testing and Materials
BMP	- Best Management Practice
BPJ	- Best Professional Judgment
BOD	- Biochemical Oxygen Demand
CFR	- Code of Federal Regulations
CWA	- Clean Water Act of 1979
EPA	- Environmental Protection Agency
FR	- Federal Register
FOG	- Fats, Oils and Grease
GC/MS	- Gas Chromatograph/Mass Spectrophotometer
gpd	- gallons per day
IU	- Industrial User
KPDES	- Kentucky Pollutant Discharge Elimination System
l	- Liter
mg	- Milligrams
mg/l	- Milligrams per liter
NPDES	- National Pollutant Discharge Elimination System POTW-Publicly Owned Treatment Works
QA	- Quality Assurance
QC	- Quality Control
RCRA	- Resource Conservation and Recovery Act
SIC	- Standard Industrial Classification
SWDA	- Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
TP	- Total Phosphorus
TSS	- Total suspended solids
TTO	- Total Toxic Organics
USC	- United States Code

## ARTICLE II - USE OF PUBLIC SEWERS

### **A. Mandatory Sewer Connection**

1. The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley or right-of way in which there is now located, or may in the future be located, a public sanitary sewer of the City, is hereby required at the owner's expense to install suitable toilet facilities therein and in accordance with the provisions of this regulation, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.
2. It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater where public sanitary sewer service is available, as defined in paragraph 1, except as provided for in "Private Wastewater Disposal" (Article III). The existence within the City, wherever the services of the City sanitary sewage collection, treatment and disposal facilities are available, or may hereafter be made available (as the term "available" is hereinbefore defined), of septic tanks, seepage laterals, privies, fields, private sewage disposal systems, or any other such facilities or works for the disposition of sanitary sewage wastes, other than the facilities of the City, is hereby declared to be a menace to the public health, safety and general welfare of the citizens and inhabitants of the City and is hereby determined and declared to constitute a public nuisance. The existence of such facilities as toilets, sinks, wash basins, shower baths, bathtubs, any commercial or industrial machinery or device producing a liquid waste product, etc., in or upon any improved property or premises in said City where the facilities of the City's sewage collection, treatment and disposal system are available, or may hereafter be made available, is similarly declared to be a menace to the public health and general welfare of the City and its inhabitants unless such facilities are connected to the City sewage collection, treatment and disposal system. The Superintendent may prescribe the type and manner of connection to said facilities and may require that each connection be supervised and inspected by an authorized and qualified agent of the City.
3. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer system in compliance with this regulation within ninety (90) days after such line is placed into service or within ninety (90) days of official notice to do so. Any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material or salvaged and removed.

### **B. Unlawful Discharge to Storm Sewers or Natural Outlets**

1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner, on public or private property within the City of Princeton or any area under the jurisdiction of said City or into any sewer which connects to the storm sewer system of the City of Princeton, any objectionable wastewater or industrial wastes.
2. It shall be unlawful to discharge, to any natural outlet within the City of Princeton or in any area under the jurisdiction of said City, any wastewater or other polluted waters except where suitable

treatment has been provided in accordance with subsequent provisions of this regulation. No provision of this regulation shall be construed to relieve the owner of a discharge to any natural outlet of the responsibility for complying with applicable State and Federal Regulations governing such discharge.

### **C. Compliance with Local, State and Federal Laws**

1. The discharge of any wastewater into the public sewer system by any person is unlawful except in compliance with the provisions of this regulation and any more stringent State or Federal Standards promulgated pursuant to the Federal Water Pollution Control Act Amendments of 1972, the Clean Water Act of 1977, and subsequent amendments.

### **D. Discharge of Unpolluted Waters into Sewer**

1. No person(s) shall discharge, or cause to be discharged, through any leak, defect or connection any unpolluted waters such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, building sewer, building drain or building plumbing. The Superintendent or his representative shall have the right, at any time, to inspect the inside or outside of buildings or smoke test for connections, leaks or defects to building sewers and require disconnection or repair of any pipes carrying such water to the building sewer. Such waters shall not be removed through the dual use of a sanitary drain sump or sump pump to building sanitary sewer. Discharge of such waters by manual switch-over from sanitary sewer to storm drainage will not be an acceptable method of separation. In case both storm and sanitary sewage is present, separate drainage or pumping systems shall be included.
2. Storm water, groundwater and all other unpolluted drainage may be discharged to such sewers as are used as storm sewers approved by the Superintendent. Unpolluted cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer or natural outlet. Under no circumstances shall sanitary sewage be discharged to a storm sewer.
3. The owners of any building sewers having such connections, leaks or defects shall bear all costs incidental to removal of such sources.

### **E. Prohibited Discharges**

- A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. 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.
- B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
  1. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system; or waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five percent (5%) nor any single reading over ten percent (10%) of the lower Explosive Limit

(LEL) of the meter. Prohibited materials include, but are not limited to gasoline, diesel, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, and hydrides;

2. Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair hides or fleshings, entrails, whole blood, feathers, ashes, cinders sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, gas tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;
3. Any wastewater having a pH less than 6.0 and greater than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater disposal system;
4. Any 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; or any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act;
5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair;
6. Any substance which may cause the wastewater disposal system's effluent or any other product of the wastewater treatment process such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the wastewater disposal system cause the system to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; the Clean Air Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, or State standards applicable to the sludge management method being used;
7. Any substance which will cause the POTW to violate its NPDES/KPDES and/or sludge disposal system permit or the receiving water quality standards.
8. Any wastewater with objectionable color not removed in the treatment process, such as but not limited to, dye wastes and vegetable tanning solutions which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
9. Any wastewater which creates conditions at or near the wastewater disposal system which violates any statute or any rule, regulation or ordinance of any public agency or state or federal regulatory body;
10. Any wastewater having a temperature greater than 150 degrees F (65.6 degrees C), or which will inhibit biological activity in the treatment plant resulting in interference but in no case wastewater which causes the temperature at the influent at the wastewater treatment plant to



- have a temperature exceeding 104 degrees F (40 degrees C);
11. Any slug load which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the wastewater disposal system. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation;
  12. Any significant volumes of unpolluted water including, but not limited to, cooling water, storm water, or groundwater as determined by the Superintendent;
  13. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils or products of mineral oil origin.
  14. Trucked or hauled pollutants, except at discharge points designated by the Superintendent.
  15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
  16. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
  17. Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that they would cause interference;
  18. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the City;
  19. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable State or Federal Regulations;
  20. Any waste(s) or wastewater(s) classified as a hazardous waste by the Resource Conservation and Recovery (RCRA) without a sixty (60) day prior notification of such discharge to the City. This notification must include the name of the hazardous waste, the EPA hazardous waste number, type of discharge, volume/mass of discharge and time of occurrence(s). The Superintendent may prohibit or condition the discharge(s) at any time.
  21. Waters and wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment or processes employed or are amenable to treatment only to such degree that the wastewater treatment plan effluent cannot meet the requirement of other agencies having jurisdiction over discharge to the receiving waters.
  22. Any wastewater containing fats, wax, grease, or oils, whether emulsified or not containing substances which may solidify or become viscous at temperatures between 32 degrees F and 65.6 degrees F; and any wastewater containing oil and grease concentrations of animal or vegetable origin of greater than 100 mg/l, whether emulsified or not; and wastewater from industrial plants or commercial businesses containing floatable oils, fat or grease.
  23. Pollutants, substances, or wastewater prohibited by this Section (B. Specific Prohibitions) shall

not be processed or stored in such a manner that they could be discharged to the POTW.

## **F. Limitations on Wastewater Strength**

1. Federal pretreatment standards promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all Users which are subject to such standards in any instance where they are more stringent than the limitations in this Regulation. Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.
2. State requirements and limitations on discharges shall be met by all Users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this Regulation.
3. The City acting through the Commission reserves the right to establish more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Article 1 of this Regulation in order to comply with applicable Federal or State regulations and minimum effluent limits.
4. No User shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute or adequate treatment to achieve compliance with the limitations contained herein, contained in the federal pretreatment standards, or contained in any state requirement.
5. No User shall discharge wastewater in violation of the maximum discharge limitations identified under Article V, Restricted Discharges, incorporated fully herein. These limits may be modified by the Superintendent as dictated by Federal or State Regulations, local conditions or demands, in order to meet minimum effluent limits.
6. Each User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Regulation. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review and shall be approved by the Superintendent before construction of the facility. 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 Regulation.
7. In the case of an accidental discharge, it shall be the responsibility of the User to immediately telephone and notify the Superintendent of the incident, including the location of discharge, type or waste, concentration, volume and corrective actions to be implemented.

## ARTICLE III - PRIVATE WASTEWATER DISPOSAL

### **A. Public Sewer Not Available**

- 1 . Where a public sanitary sewer is not available under the provisions of Section 4.4, the building sewer shall be connected, until the public sewer system is available, to a private wastewater disposal system complying with the provisions of applicable local and state regulations. No permit shall be issued for construction of a private sewage disposal system until the owner has obtained written approval from all local, state and federal agencies having jurisdiction.
- 2 . Connection to the City's utilities when they become available shall be prohibited unless private facilities are in accordance with all local, state and federal requirements, and have been duly inspected, with approval given in writing by the agencies having jurisdiction, including but not limited to the Sewerage and Water Works Commission.
- 3 . The City and the Water and Wastewater Commission's representatives shall have free access to the development at all times both during construction, and after completion to ascertain the condition of the water and sewer facilities.
- 4 . Sanitary sewer extensions and connections within developments such as Subdivisions, Apartments, Condominiums, Town Houses, and Mobile Home Complexes shall be as required by the "Regulations and Specifications Pertaining to materials and Construction of new water mains and sanitary facilities" and supplements thereto of the Water and Wastewater Commission, on file in the office of the Commission, and all applicable state and federal regulations and codes:
  - (1) Each separate structure shall be served by at least one water service line. Each water service shall contain a water meter.
  - (2) Each separate structure shall be served by at least one sanitary sewer lateral connected directly into the building sewer or manhole.
  - (3) Floor, basement or crawl space drains which are lower than ground surfaces surrounding sewer. No sanitary inlet which is lower than six (6) inches above the top of the lowest of the two adjacent sanitary manholes shall be connected by direct drainage to the sanitary sewer system.
- 5 . Upon completion of construction, the owner shall furnish the Water and Wastewater Commission with "As Built Drawings" showing true locations, and elevations of all lines, manholes, and connections, In the case of pumping stations or sewage treatment facilities with mechanical equipment, shop drawings, parts lists, oiling and greasing instructions, wiring diagrams and other information relating to the maintenance and operation of such facilities shall be provided to the Commission.
- 6 . At such time as a public sewer becomes available to a property served by a sewage disposal system employing subsurface soil absorption facilities a direct connection shall be made to the public sewer, and any septic tank, cesspools or similar private sewage disposal facilities shall be abandoned.
- 7 . The owner shall operate and maintain the private sewage disposal facilities in a sound, safe, leak proof condition, and shall obtain all required permits, and perform all operation, testing and reporting, and

maintenance in strict compliance with regulations and instructions set forth by local, state and federal agencies involved at no cost to the Water and Wastewater Commission, or the City of Princeton.

## **B. Use of Public Sewer Required**

- 1 . It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City of Princeton, or any area under the jurisdiction of said City or into any sewer which connects to the sewage system of the City of Princeton any human or animal excrement, garbage or other objectionable waste.
- 2 . It shall be unlawful to discharge to any natural outlet within the City of Princeton, or in any area under the jurisdiction of said City or into any sewer which connects to the sewage system of the City of Princeton any sanitary sewage, industrial waste or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this Regulation, and in compliance with all local, state, and federal regulations governing effluent standards.
- 3 . Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for disposal of sewage, where sewer service is available.
- 4 . The owner or developer of all houses, buildings or properties, including apartments, condominiums, town houses, mobile home complexes and subdivisions used for human occupancy, employment recreation or other purposes, situated within the City of Princeton, and abutting on any street, alley or sewer rights-of-way in which there is located a public sanitary sewer, is hereby required, at his own expense, to install plumbing facilities and sewers which meet the requirements of this Regulation, and to connect said facilities directly with the public sewer connection provided within ninety (90) days of official notice to do so.

## **C. Requirements for Installation**

- 1 . The type, capacity, location and layout of a private sewage disposal system shall comply with all local or State regulations. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit issued by the City after approval of the system by the local and State authorities if required. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent.
- 2 . A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the local and State authorities, if required. They shall be allowed to inspect the work at any stage of construction and in any event the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered.
- 3 . No septic tank or cesspool shall be permitted to discharge to any natural outlet.

## ARTICLE IV - BUILDING SEWERS AND CONNECTIONS

### **A. Permits**

1. There shall be two (2) classes of building sewer permits required; (a) for residential and (b) for service to commercial and industrial establishments. In either case, the owner(s) or his agent shall make application on a special form furnished by the City. Applicants for service to commercial and industrial establishments shall be required to furnish information about all waste producing activities, wastewater characteristics and constituents. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. Details regarding commercial and industrial permits include but are not limited to those required by this regulation. Permit and inspection fees shall be paid to the City at the time the application is filed.
2. No unauthorized person(s) shall uncover, or make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining written permission from the City.

### **B. Prohibited Connections**

1. No person shall make connection of roof downspouts, basement wall seepage or floor seepage, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Any such connections which already exist on the effective date of this regulation shall be completely and permanently disconnected within sixty (60) days of the effective date of this regulation. The owners of any building sewers having such connections, leaks or defects shall bear all costs incidental to removal of such sources. Pipes, sumps and pumps for such sources ground and surface water shall be separate from wastewater facilities. Removal of such sources of water without presence of separate facilities shall be evidence of drainage to public sanitary sewer.
2. Floor, basement or crawl space drains which are lower than ground surfaces surrounding the building shall not be connected to the building sanitary sewer. No sanitary inlet which is lower than six (6) inches above the top of the lowest of the two adjacent public sanitary sewer manholes shall be connected by direct drainage to the building sanitary sewer.

### **C. Design and Installation**

1. PWWC Maintenance Department will make new sewer tap and install sewer lateral with two way cleanout tee at the edge of property line. This service is invoiced to the property owner through miscellaneous billing. All sewer laterals installed by PWWC will be maintained by PWWC for the lifetime of the property. PWWC responsibility will begin from the cleanout at edge of property to the sewer main. Records shall be kept at the Office and Maintenance Department.
2. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

3. Old building sewers may be used in connection with new buildings- only when they are found, on examination and test by the Superintendent, to meet all requirements of this regulation. Permit and inspection fees and tap-on fees for new buildings using existing building sewers shall be the same as for new building sewers. If additional sewer consumers or additional facilities are added to the old building sewers, additional sewer tap fees shall be charged accordingly even though no new sewer tap is actually made into the City's POTW.
4. Extension of customer service lines from any point on the customer's side of the tap for delivery of waste from any location other than that of the customer in whose name the tap is registered shall not be permitted.
5. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the local and state building and plumbing codes and other applicable rules and regulations of the City.
6. In absence of local code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
7. No building sewer shall be laid parallel to within three (3) feet of any bearing wall which might thereby be weakened. The depth shall be sufficient to afford 24 inches of cover over pipe except where exposed to vehicular traffic. Portions of the building sewer subject to vehicular traffic shall have a minimum cover of 36 inches or be encased in a six-inch envelope of concrete. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible.
8. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Fees for connection shall be as established by the City.
9. The owner shall ensure that all excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.
10. In all buildings in which any sanitary facility drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by an approved means and discharged to the building sewer. Drain pipe and sump for collection of such sanitary drainage shall be above basement floor or in a separate watertight or drained sump or channel.
11. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
12. All building sanitary sewer lines will be installed so as to meet or exceed the most current revision of the State Plumbing Code.
13. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

## D. Inspection

1. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Superintendent or his representative. All connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

## E. PRIVATE SANITARY SEWER REPAIR AND MAINTENANCE

1. Private Sanitary Sewer - A sanitary sewer main or sewer lateral serving one or more buildings, connecting to the public sanitary sewer; for which there is no record of dedication to or installation by the Princeton Water & Wastewater Commission (PWWC).
2. Owner of the Private Sanitary Sewer is responsible from the point of connection to public sewer main to the building or buildings. PWWC will not repair or maintain any portion of any private sanitary sewer except under the following conditions: (1) when immediate emergency repair or maintenance is required for the protection of the public health, safety, and welfare or (2) when immediate repair or maintenance is required on facilities that are not known at the time to be a private sanitary sewer. **The performance by PWWC of emergency repair or maintenance on a private sanitary sewer shall not constitute an act of acceptance of the subject private sanitary sewer, or any component thereof, into the public sanitary sewer system.**
3. STATEMENT OF PROCEDURE – Upon receiving a call for immediate or emergency repair or maintenance of a sanitary sewer, the request will be forwarded to the Maintenance Department which will assess the problem and make a determination as to the appropriate response. The following actions may occur as they relate to a private sanitary sewer: (1) If the subject sanitary sewer is known to be a private sanitary sewer and emergency repairs are not required, the customer will be informed immediately by the Maintenance Department that PWWC does not own the subject facilities and that PWWC does not repair or maintain a private sanitary sewer. (2) If the subject sanitary sewer is known to be a private sanitary sewer and emergency repairs are required to protect the public health, safety, and welfare. PWWC may initiate necessary emergency repair or maintenance. At the same time, the customer will be informed by the Maintenance Department that PWWC does not repair or maintain a private sanitary sewer, and that only emergency repair and maintenance will be performed. PWWC will invoice through miscellaneous billing for emergency repairs to private sewers. (3) If repair or maintenance is performed on sanitary sewer facilities which are not known at the time to be a private sanitary sewer, the customer will be informed immediately upon identification of the facilities as a private sanitary sewer that PWWC does not own the subject facilities, that PWWC does not repair or maintain a private sanitary sewer, and that no further repair or maintenance will be performed on the subject facilities. Any question regarding the identification of a private sanitary sewer shall be directed to the Maintenance Department.

## ARTICLE V - POLLUTANT DISCHARGE LIMITS

### **A. General Conditions**

The following described substances, materials, waters, or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set additional limitations or limitations more stringent than those established in the regulations below, if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Superintendent shall give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of wastes or wastewaters discharged to the sanitary sewer shall not be violated without written approval of the Superintendent.

### **B. Restricted Discharges**

1. No User shall contribute, or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. The general prohibitions and specific prohibitions at Article II (E) (A and B) apply to all Users of a POTW. All Users are subject to applicable National Categorical Pretreatment Standards or any other National, State or local Pretreatment Standard or Requirement. In addition, no User shall cause the WWTP influent protection criteria to be exceeded.
2. Best Management Practices (BMPs) may be implemented as a local limit by the City.
3. A User may be subject to surcharge as provided in Article VII of this Regulation for any wastewater which has characteristics based on a 24-hour composite sample, or a shorter period composite sample if more representative, which exceed the following normal maximum domestic wastewater parameter concentrations:

<u>PARAMETER</u>	<u>MAXIMUM ALLOWABLE CONCENTRATION WITHOUT SURCHARGE*</u>
BOD	250 mg/l
TSS	250 mg/l
Ammonia (NH <sub>3</sub> -N)	20 mg/l
Total Phosphorus (TP)	10 mg/l

*\*The City may establish an upper local limit on these pollutants.*

4. In addition to the requirements stated above, the following pollutant limitations are established to protect against Pass Through and interference. These limits apply at the point where the wastewater is



discharged to the POTW. No person or User shall discharge wastewater containing in excess of the following:

<u>PARAMETER</u>	<u>DAILY MAXIMUM CONCENTRATION</u>
Ammonia *1	50 mg/L
Arsenic, total	0.68 mg/l
Cadmium, total	0.014 mg/l
Chlorides	15740 mg/l
Chromium, hexavalent	0.31 mg/l
Chromium, total	1.56 mg/l
Copper, total	1.27 mg/l
Cyanide, amenable*	0.35 mg/l
Iron, total	436 mg/l
Lead, total	0.21 mg/l
Mercury, total	0.002 mg/l
Molybdenum, total	1.10 mg/l
Nickel, total	2.91 mg/l
Phenols, Total*	18.7 mg/l
Selenium	0.22 mg/l
Silver, total	0.68 mg/l
Zinc, total	3.74 mg/l

*\*GRAB Samples-Instantaneous Maximum Concentration*

*\*1 Ammonia upper limit is 50 mg/l; surcharge range is 20 mg/l to 50 mg/l.*

### **C. Dilution of Wastewater Discharge**

No User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the City or State. Dilution may be permitted to pretreatment of compatible wastes if provided for in said Users permit.

### **D. Grease, Oil, and Sand Interceptors**

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type

and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal. The City may require reporting of such information for their review. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms, interceptors shall also comply with applicable regulations of the County Health Department.

(1). Food Service Establishments Grease Control Equipment Requirements.

All food service establishments, including but not limited to cafes, restaurants, hotels, retirement centers, nursing homes, hospitals, grocery stores, prisons, mobile food units, schools, markets, or other food preparation establishments, are required to comply with Operational Division Policy No. 2011-01: Princeton Water and Wastewater Fats, Oils and Grease (FOG) Management Policy. The grease interceptor must be designed in accordance with standards approved by the Princeton Water and Wastewater Commission, shall be easily accessible for cleaning and inspection, shall have all proper components, and shall be approved by the Commission. Failure to meet the requirements of the Operational Division Policy No. 2011-01: Princeton Water and Wastewater Commission FOG Management Policy will result in enforcement action, which may include orders of scheduled compliance, fines and penalties, and/or termination of service.

## **E. Special Industrial Pretreatment Requirements**

1. Pursuant to the requirements imposed on publicly owned wastewater treatment works by the Federal Water Pollution Control Act Amendments of 1972 and later amendments, all pretreatment standards promulgated by the U.S. Environmental Protection Agency for new and existing industrial dischargers to public sewer systems are hereby made a part of this regulation. Any industrial waste discharge which violates these EPA Pretreatment Standards shall be in violation of this regulation.
2. Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously, in satisfactory and effective operation, by the owner(s) at his expense.
3. Any person who transports septic tank, seepage pit or cesspool contents, liquid industrial waste or other hauled waste and wishes to discharge such waste to the public sewer system shall first obtain permission for such discharge from the Superintendent. All persons receiving such permission shall abide by all applicable provisions of this regulation, and any other special provisions that may be established by the Superintendent as necessary for the proper operation and maintenance of the sewerage system. The Superintendent may issue permits to hauled waste companies.

It shall be illegal to discharge any batch liquid waste or hauled waste into any manhole or other part of the public sewer system, or any building sewer, or other facility that discharges to the public sewer system, except at designated points of discharge specified by the Superintendent for such purposes.

Waste haulers who have been granted permission to discharge to the public sewer system shall pay fees for such discharge in accordance with a fee schedule established by the Superintendent and approved by the City.

Any liquid waste hauler illegally discharging to the public sewer system shall be subject to immediate revocation of discharge privileges (if granted) and further subject to the penalties prescribed in Article X.

Nothing in this regulation shall relieve waste haulers of the responsibility for compliance with

County Health Department, State or Federal Regulations.

## **F. Protection from Accidental Discharge**

- 1) Each significant User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this regulation. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review and shall be approved by the City before construction of the facility. All existing Users shall complete such a plan within ninety (90) days after the effective date of this regulation. Construction shall be completed within 120 days of approval of plans and notification by the Superintendent. No User who commences contribution to the POTW after the effective date of this regulation shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of this regulation. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.
- 2) Written Notice. Within five (5) days following an accidental discharge, the User shall submit, to the Superintendent, a detailed written report describing the cause of the discharge and the 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 which may be incurred as a result of damage to the POTW, 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 which may be imposed by this article or applicable law.
- 3) Notice to Employees. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such dangerous discharge to occur are advised of the emergency notification procedure.

## **G. State Requirements**

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this regulation.

## **H. City's Right of Revision**

The City reserves the right, at the recommendation of the Superintendent, to establish, by majority vote of its Commission revised limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in this regulation.

## **I. Federal Categorical Pretreatment Standards**

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this regulation for sources in that subcategory, shall immediately supersede the limitations imposed under this regulation. The Superintendent shall notify all affected Users of the applicable reporting requirements under 40 CFR, Section 403.12.

## **J. Modification of Federal Categorical Pretreatment Standards**

Where the City's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the City may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7 (c) (2) of the "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The City may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR 403.7 are fulfilled and prior approval from the Approval Authority is obtained.

## **ARTICLE VI - PRETREATMENT PROGRAM ADMINISTRATION**

### **A. Wastewater Dischargers**

The Superintendent may require that any person discharging or proposing to discharge wastewater to the wastewater disposal system file a periodic discharge report. The discharge report may include, but not be limited to, nature of process, rates of flow, mass discharge rate, raw material and production quantities, hours of operation, number and classification of employees, compliance status with any state or federal pretreatment standards, or other information which relates to the generation of waste, including wastewater constituents and characteristics in the wastewater discharge. Such reports may also include the chemical constituents and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged. At a minimum, a summary of such data indicating each industrial User's compliance with this Regulation shall be prepared semi-annually and submitted to the Superintendent. In addition to discharge reports, compliance schedules, and discharge questionnaires.

### **B. Individual Wastewater Discharge Permits and General Wastewater Discharge Permits**

#### **1) Requirements**

I. All significant industrial Users proposing to connect or to commence a new discharge to the wastewater disposal system shall obtain a Wastewater Discharge Permit before connecting to or discharging into the wastewater system. All existing significant industrial Users or industrial Users subject to federal pretreatment standards under Section 307 (b) and (c) of the Act connected to or discharging into the wastewater disposal system shall obtain a Wastewater Discharge Permit within 120 days after the effective date of this Regulation.

II. The Superintendent may require other Users to obtain individual wastewater discharge permits, or general permits, as necessary to carry out the purposes of this regulation.

III. Any violation of the terms and conditions of an individual wastewater discharge permit or general permit shall be deemed a violation of this regulation and subjects the wastewater discharge permittee to sanctions and enforcement actions as outlined in this regulation. Obtaining an individual wastewater discharge permit or general permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal,

State, and local law.

## 2) Permit Application

All Users required to obtain an Individual Industrial User Discharge Permit, or General Permit, shall complete and file, with the Superintendent, an application, in the form prescribed by the Superintendent, accompanied by a permit fee. Existing non-permitted Users shall apply for a Industrial User Discharge Permit within thirty (60) days after the effective date of this regulation and proposed new Users shall apply at least ninety (90) days prior to connecting to or contributing to the POTW. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:

- a) Company or facility name, name of operator and owner, phone number, address and mailing address;
- b) SIC number(s) according to the Standard Industrial Classification Manual, United States Bureau of the Budget, 1972, as amended;
- c) Measurement of wastewater pollutants and characteristics with samples representative of daily operations; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136, as amended; and analysis conducted by an analytical laboratory acceptable to the City.
- d) Time and duration of discharges;
- e) Information showing the average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams, and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variation if any;
- f) Site plans, floor plans, mechanical and plumbing' plans and details to show all sewers, sewer connections, and appurtenances by size, location and elevation;
- g) Description of operations, activities, facilities and plant processes on the premises including all materials which are or could be discharged, including number of employees, hours of operation, a schematic process diagram which indicates points of discharge to the POTW from the regulated process
- h) Where known, the nature and concentration of any pollutants in the discharge which are limited by City, State or Federal Pretreatment Standards and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional pretreatment is required for the User to meet applicable Pretreatment Standards;
- i) Each product produced by type, amount, process or processes, and rate of production;
- j) Type and amount of raw materials processed (average and maximum per day);
- k) Number of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system
- l) The location for monitoring all wastes covered by the permit;

m) Any other information as may be deemed necessary by the Superintendent to evaluate the permit application.

### 3) General Permits

At the discretion of the Superintendent, the Superintendent may use general permits to control SIU discharges, or other User discharges, to the POTW if the following conditions are met. All facilities to be covered by a general permit must:

- Involve the same or substantially similar types of operations;
  - Discharge the same types of wastes;
  - Require the same effluent limitations;
  - Require the same or similar monitoring; and
  - In the opinion of the Superintendent, are more appropriately controlled under a general permit than under individual wastewater discharge permits.
1. To be covered by the general permit, the SIU, or other User, must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit, and any other information the POTW deems appropriate.
  2. The Superintendent will retain a copy of the general permit, documentation to support the POTW's determination that a specific SIU, or User, meets the criteria in Article VI (B)(2A) and applicable State regulations, and a copy of the User's written request for coverage for three (3) years after the expiration of the general permit.

The Superintendent may not control an SIU through a general permit where the facility is subject to production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass of pollutant discharged per day or for IUs whose limits are based on the Combined Wastestream Formula or Net/Gross calculations.

### 4) Issuance

Any other information as may be deemed by the Superintendent to be necessary to evaluate the permit application. The Superintendent will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the Superintendent may issue a Wastewater Discharge Permit subject to the terms and conditions provided herein this regulation.

### 5) Application Signatories and Certifications

- a) All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the applicable certification statement.
- b) If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Superintendent prior to or together with any reports to be signed by an Authorized Representative.

## **C. Permit Modifications**

Within nine (9) months of the promulgation of National Categorical Pretreatment Standards, the Industrial User Discharge Permit of the Users subject to such standards shall be revised to require

compliance with such standard within the time frame prescribed by such standard. Where a User subject to National Categorical Pretreatment Standards has not previously submitted an application for a Industrial User Discharge Permit as required, the User shall apply for a Industrial User Discharge Permit within ninety (90) days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the User with an existing Industrial User Discharge Permit shall submit, to the Superintendent, within ninety (90) days after the promulgation of an applicable Federal Categorical Pretreatment Standard, the information required by this regulation

The Superintendent may modify an individual wastewater discharge permit, or a general permit for good cause, including, but not limited to, the following reasons:

- (1) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- (2) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
- (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (4) Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- (5) Violation of any terms or conditions of the individual wastewater discharge permit;
- (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (7) Revision of or a grant of variance from categorical pretreatment standards;
- (8) To correct typographical or other errors in the individual wastewater discharge permit; or
- (9) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested.

#### **D. Permit Conditions**

Individual Wastewater Discharge Permits, and General Permits, shall be expressly subject to all provisions of this regulation and all other applicable regulations, User charges and fees established by the City.

I. Individual wastewater permits or general permits shall contain the following:

1. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards, or local limitations;
2. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

3. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; Specifications for monitoring programs which may include sampling locations; frequency of sampling; number, types and standards for tests; and reporting schedule;
4. Compliance schedules, if applicable;
5. Requirements for submission of technical reports or discharge reports (See Article VI.G.);
6. Requirements for maintaining and retaining, for a minimum of three (3) years, plant records relating to wastewater discharge as specified by the City and affording City access thereto;
7. Requirements for notification of the City of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater system;
8. A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Article VI (G) of this regulation, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.
9. Requirements to control Slug Discharge, if determined by the Superintendent to be necessary. The Superintendent shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Superintendent may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Superintendent may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:
  - a. Description of discharge practices, including nonroutine batch discharges;
  - b. Description of stored chemicals;
  - c. Procedures for immediately notifying the Superintendent of any accidental or Slug Discharge; and
  - d. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
10. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;

II. Individual wastewater permits or general permits may contain the following:

1. The unit charge or schedule of User charges and fees for the wastewater to be discharged to a community sewer;
2. Limits on average and maximum rate and time of discharge or requirements for flow regulations



and equalization;

3. Requirements for installation and maintenance of inspection and sampling facilities;
4. The permit may require the User to reimburse the City for all expenses related to monitoring, sampling and testing performed at the direction of the Superintendent and deemed necessary by the City to verify that the User is in compliance with said permit;
5. Other conditions as deemed appropriate by the City to ensure compliance with this regulation.

## **E. Alternative Discharge Limits**

Where an effluent from an industrial process(es) is mixed prior to treatment with wastewater other than those generated by the regulated process, fixed alternative discharge limits may be derived for the discharge permit by the Superintendent. These alternative limits shall be applied to mixed effluent and shall be calculated using the Combined Wastestream Formula and/or Flow-Weighted Averaging Formula.

Where the effluent limits in a Categorical Pretreatment Standard are expressed only in terms of mass of pollutants per unit of production (production-based standard), the Superintendent may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or of effluent concentration for purposes of calculating effluent permit limitations applicable to the permittee. The permittee shall be subject to all permit limits calculated in this manner under 40 CFR 403.6(c) and must fully comply with these alternative limits.

## **F. Permit Duration**

Permits shall issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The User shall apply for permit reissuance a minimum of 120 days prior to the expiration of the User's existing permit. The terms and conditions of the permit may be subject to modification, by the City, during the term of the permit as limitations or requirements as identified in Article V are modified or other just cause exists. The User shall be informed of any proposed changes in their permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

## **G. Permit Transfer**

Wastewater Contribution Permits are issued to a specific User for a specific operation. An Industrial User Discharge Permit shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation without the approval of the City. Any succeeding owner or User shall also comply with the terms and conditions of the existing permit.

## **H. Reporting Requirements for Permittee**

### 1. Compliance Data Reporting

Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards or, in the case of a new User, following commencement of the introduction of wastewater into the POTW, any User subject to Pretreatment Standards and Requirements shall submit, to the Superintendent, a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the User's facility which are limited by such Pretreatment Standards or Requirements.

The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional pretreatment and time schedule is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. Also, the Compliance Data Report shall include:

- A. Compliance Certification. A statement, reviewed by the User's Authorized Representative certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.
- B. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in this regulation.
- C. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Article VI (P) of this regulation and signed by an Authorized Representative.

## 2. Periodic Compliance Reports

- A. All Significant Industrial Users must, at a frequency determined by the Superintendent submit no less than twice per year (June and December , or semi-annual dates specified by the Superintendent) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Superintendent or the Pretreatment Standard necessary to determine the compliance status of the User. Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a new User, after commencement of the discharge into the POTW, shall submit, to the Superintendent, during the month of May, unless required more frequently in the permit, a report indicating the nature and concentration of pollutants in the effluent which are limited by this regulation and measured in a scan to be conducted annually during March. In addition, this report shall include a record of measured or estimated average or maximum daily flows for the reporting period. At the discretion of the Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted. The City may require more detailed reporting of flows as determined by the Superintendent.
- B. The Superintendent may impose mass limitations on Users where their imposition is appropriate. In such cases, the report required by Section G.1. of this article shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User.
- C. The industrial User shall notify the POTW immediately of any slug loading as defined herein by the industrial User. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration or production and mass, where requested by the Superintendent, of pollutants contained therein which are limited by the applicable Pretreatment Standards. All analyses shall be performed by a laboratory acceptable to the City. Analytical procedures shall be in accordance with procedures established by the U.S. EPA Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136 and amendments thereto or

with any other test procedures approved by the U.S. EPA Administrator. Sampling shall be performed in accordance with the techniques approved by the U.S. EPA Administrator.

- D. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April, 1977 and amendments thereto, or with any other sampling and analytical procedures approved by the U.S. EPA Administrator.
- E. The reports required by paragraphs (a), (b) and (c) of this section must be signed by an authorized representative of the industrial User as defined by this regulation.
- F. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

## **I. Permit Violation**

All significant industrial Users must notify the Superintendent within 24 hours of first becoming aware of a permit violation. This notification shall include the date of violation, the parameter violated and the amount in exceedance.

The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within thirty (30) days after becoming aware of the violation. . Exception to this regulation is only if the City performs the sampling within the same time period for the same parameter(s) in question. Re-sampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User.

Significant Industrial Users are required to notify the Superintendent immediately of any changes at its facility affecting the potential for a Slug Discharge.

## **J. Monitoring Facilities**

The City shall require significant Users to provide and operate, at the User's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage system. The monitoring facility should normally be situated on the User's premises, but the City may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in a public right-of-way. The Superintendent shall review and approve the location, plans and specifications for such monitoring facilities and may require them to be constructed to provide for the separate monitoring and sampling of industrial waste and sanitary sewage flows.

There shall be ample room in or near such sampling 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.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided

in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following approval of the location, plans and specifications.

All sampling analyses done in accordance with approved Federal EPA procedures by the industrial User, and collected at the wastewater discharge sampling location during a reporting period shall be submitted to the Superintendent regardless of whether or not that analysis was required by the industrial User's discharge permit.

The industrial User must receive the approval of the Superintendent before changing the sampling point and/or monitoring facilities to be used in all required sampling.

## **K. Inspection, Right of Entry, and Sampling**

The City shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this regulation and any individual wastewater permit or general permit or order issued hereunder. Users shall allow the City, or their representative, ready access, at all reasonable times, to all parts of the premises for the purposes of inspection, sampling, copying records, record examination or in the performance of any additional duties.

The City, or their authorized representative, Approval Authority and EPA shall have the right to set up, on the User's property, such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into premises, the User shall make necessary arrangements for their security guards so that, upon presentation of suitable identification, personnel from the City, Approval Authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Superintendent and shall not be replaced. The cost of clearing such access to the User's premises shall be born by the User. Unreasonable delays in allowing the Superintendent access to the User's premises shall be a violation of this regulation.

The Superintendent may require the User install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least semi-annually to ensure their accuracy.

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

- A. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Superintendent. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. If approved by the Superintendent, protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA

methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

- B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- C. For sampling required in support of baseline monitoring and 90-day compliance reports required in this regulation, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Superintendent may authorize a lower minimum. For the reports required by this regulation and Federal Pretreatment Standards, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

#### **L. Pretreatment Facilities and Additional Pretreatment Measures**

Users shall provide necessary wastewater treatment as required to comply with this regulation and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the City 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 City for review and shall be acceptable to the City 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 effluent acceptable to the City under the provisions of this regulation. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to the User's initiation of changes.

Whenever deemed necessary, the Superintendent may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this regulation.

#### **M. Publication of Users in Significant Noncompliance**

The City is required by Federal regulation to keep the public informed of all cases of Users in significant noncompliance. To accomplish this the City shall, annually, publish in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all significant industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six-(6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent

(33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

- C. Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Superintendent determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit, or a general permit, or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of Best Management Practices, which the Superintendent determines will adversely affect the operation or implementation of the local pretreatment program.

The notification shall also summarize any enforcement actions taken against the User(s) during the same twelve (12) months.

All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or Approval Authority upon request.

#### **N. Confidential Information**

Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests in writing and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or a secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this regulation, the NPDES/KPDES Permit, Sludge Disposal System Permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics shall not be recognized as confidential information.

Information accepted by the City as confidential, shall not be transmitted to any governmental agency or

to the general public by the City until and unless a ten-day notification is given to the User.

## **O. Record Keeping Requirements**

Any industrial User subject to reporting requirements established in this Regulation shall maintain records of all information resulting from any monitoring activities, including best management activities. Such records shall include for all samples:

1. The date, exact place, method and time of sampling and the name of the person or persons taking the samples;
2. The dates analyses were performed;
3. Who performed the analyses;
4. The analytical techniques/methods used; and
5. The results of such analyses.

Any industrial User subject to the reporting requirements established in this Regulation shall be required to retain, for a minimum of three (3) years, any records of monitoring activities, best management practices, and results (whether or not such monitoring activities are required) and shall make such records available for inspection and copying by the City, the Director and the Regional Administrator. The period of retention shall be extended during the course of any unresolved litigation regarding the industrial User or POTW or when requested by the Director or Regional Administrator.

## **P. Certification Statements**

1. Certification of Permit Applications, and User Reports—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with this regulation; Users submitting baseline monitoring reports as referenced in this regulation and **40 CFR 403.12 (l)**; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines as referenced in this regulation and **40 CFR 403.12(d)**; and Users submitting periodic compliance reports required by this regulation and **40 CFR 403.12(e) and (h)**]. The following certification statement must be signed by an Authorized Representative:

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

## ARTICLE VII - FEES

### **A. Purpose**

This article provides for the recovery of costs from Users of the POTW for the implementation and conduct of the program established herein. The applicable charges or fees shall be set forth in the City's Schedule of Charges and Fees.

### **B. Charges and Fees**

The City may adopt charges and fees which may include:

1. Fees for reimbursement of costs of setting up and operating the City's Pretreatment Program;
2. Fees for monitoring, inspections and surveillance procedures;
3. Fees for reviewing accidental discharge procedures and construction;
4. Fees for permit applications;
5. Fees for filing appeals;
6. Fees for consistent removal, by POTW, of Pollutants otherwise subject to Federal Pretreatment Standards;
7. Other fees as the City may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this regulation and are separate from all other fees chargeable by the City.

### **C. Conditions for Changes**

The following shall be general conditions for changes:

1. The User charge shall reflect the costs of operation and maintenance, including replacement, of the POTW.
2. Each User shall pay its proportionate share of operation and maintenance (including replacement cost based on volume of flow).
3. The City shall review, not less often than annually, the User charge system. The User charge shall be revised as necessary to accomplish the following:
  - a. Maintain the proportionate distribution of operation and maintenance costs among Users as provided herein; and
  - b. Generate at least sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance, including replacement, of the sewage works.
4. All flow to the sewage works not directly attributable to User (i.e. infiltration/inflow) shall be distributed among all Users of the sewage works based upon the volume of flow of the Users.
5. Each User shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the User charge which is attributable to operation and maintenance of the POTW.



## D. Surcharges

In the event a User discharges wastes to the sewage works having an average BOD content in excess of 250 mg/l, or an average Suspended Solids content in excess of 250 mg/l, or an average ammonia nitrogen content in excess of 20 mg/l, or an average total phosphorus in excess of 10 mg/l the User shall pay a surcharge based upon the excess of its waste. The City may establish an upper limit for any surchargeable pollutant.

### 1. Excessive Strength Surcharge

The costs of treatment for each pound of BOD, Suspended Solids, Ammonia-nitrogen, and Total Phosphorus removed by the POTW shall be reviewed at the time of and in conjunction with the review of the User charge. Surcharge rates shall be revised where necessary to approximate current treatment costs. These rates shall be in effect until the next rate review. Current surcharge rates per pound of BOD5, Suspended Solids, and Ammonia are on file at the City of Princeton Wastewater Department.

### 2. Method of Billing Surcharge

The excessive strength surcharge shall be based on the following formula, with the total applied to the monthly bill of effected Users:

Surcharge (\$)/P = 8.34 X (F) X (TC) X (Pa-Pm) Surcharge (\$) total = Surcharges of BOD5 + ammonia + suspended solids.

P—Parameter: BOD5 or ammonia or suspended solids or TP.

F—Total Flow for the month in millions of gallons.

TC—Treatment costs for servicing POTW per pound of parameter.

Pa—Parameter, actual.

Pm—Parameter, maximum (Surcharge initiation level).

No reduction in sewer charges, fees, or taxes shall be permitted because of the fact that certain wastes discharged to the sewage works contain less than 250 mg/l of BOD, 250 mg/l of SS, of 20 mg/l NH<sub>3</sub>-N, or 10mg/l of TP.

## ARTICLE VIII - POWERS AND AUTHORITY OF INSPECTORS

### **A. Right to Enter Premises**

The Superintendent and other duly authorized employees and representatives of the Princeton Water and Wastewater Commission and authorized representatives of applicable Federal and State regulatory agencies, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, sampling and testing pertinent to discharges to the public sewer system in accordance with the provisions of this regulation.

### **B. Right to Obtain Information Regarding Discharge**

Duly authorized employees and representatives of the Princeton Water and Wastewater Commission, bearing proper credentials and identification, are authorized to obtain information concerning character, strength and quality of industrial wastes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

### **C. Access to Easements**

Duly authorized employees and representatives of the City, bearing proper credentials and identification, shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

### **D. Safety**

While performing the necessary work on private properties referred to in Section C of this Article, the Superintendent, or duly authorized employees of the Commission, shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to employees and the City shall indemnify the company against loss or damage to its property by Commission employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section J.

## ARTICLE IX – ENFORCEMENT

### **A. General**

Users shall notify the Superintendent immediately upon having a slug or accidental discharge of substances or wastewater in violation of this Regulation in order to enable countermeasures to be taken by the Superintendent to minimize damage to the wastewater disposal system and the receiving waters. Such notification will not relieve Users of liability for any expense, loss or damage to the wastewater disposal system or treatment process, or for any fines imposed on the City on account thereof under any state or federal law.

The Superintendent may suspend the wastewater treatment service and/or a Industrial User Discharge Permit whenever such suspension is necessary, in the opinion of the Superintendent, in order to stop an actual or threatened discharge which is presenting or causing an imminent or substantial endangerment to the health or welfare of persons, the POTW or the environment; or would cause the City to violate any condition of its NPDES or State Disposal Permit.

Any User notified of a suspension of wastewater treatment service and/or the Industrial User Discharge Permit shall immediately stop or eliminate the contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Superintendent shall take such steps as deemed 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 Superintendent shall allow the User to recommence its discharge when the endangerment has passed.

An industrial User which is responsible, in whole or part, for imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and measures taken to prevent any future occurrence to the Superintendent prior to the date of the hearing described in Section D of this Article.

The Superintendent has the authority to enforce the Princeton Enforcement Response Plan (ERP).

### **B. Notice of Violation**

Whenever the Superintendent finds that any industrial User has violated or is violating this Regulation, or a wastewater permit or order issued hereunder, the Superintendent or his agent may serve upon said User written notice of the violation. Within forty-five (45) days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Superintendent. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation.

### **C. Administrative Orders**

1. In accordance with the procedures of Article 5 of this Regulation, the Superintendent may revoke the permit of any User which fails to factually report the wastewater constituents and characteristics of his discharge; which fails to report significant changes in wastewater constituents or characteristics; which refuses reasonable access to the User's premises for the purpose of inspection or monitoring; or for violation of conditions of its permit, this Regulation, or applicable state and federal regulations.

2. Whenever the Superintendent finds that any person has violated or is violating this Regulation, Wastewater Discharge Permit, or any prohibition, limitations or requirement contained herein, the Superintendent shall serve upon such person a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently correct and cease all violations.
  3. If the violation is not corrected by timely compliance, the Superintendent may order any User which causes or allows an unauthorized discharge to appear before the Superintendent and the Commission to explain the delay in remedying the violation and to present a plan for eliminating the causes of the violation. The User shall be contacted at least seven (7) days prior to the meeting date to be informed of the circumstances and the meeting. At the meeting the Commission may designate a member of its body to conduct the hearing, take evidence, and transmit a report of the meeting.
- D. Once the Commission has reviewed the evidence concerning a violation it may issue an order to the User responsible for the discharge directing that, following a specified time period, the sewer service be disconnected or a fine levied unless either the violation has been corrected, a plan for remedying the violation has been received and approved by the Commission or an extension is granted by the Commission. Further orders and directives as are necessary and appropriate may be issued.
- E. A list of the Users which were not in compliance with any pretreatment requirement or standard at least once during the twelve (12) previous months may be annually published in a local newspaper. The notification shall also summarize any enforcement actions taken against the User(s) during the same twelve (12) months.
- F. Any industrial User which experiences an upset in operations that places it in a temporary state of noncompliance, which is not the result of operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation, shall inform the Superintendent thereof immediately upon becoming aware of the upset. Where such information is given orally, a written report thereof shall be filed by the User within five (5) days. The report shall contain:
1. A description of the upset, its cause(s) and impact on the discharger's compliance status;
  2. The duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to be restored;
  3. All steps taken or planned to reduce, eliminate and prevent recurrence of such an upset.
- An industrial User which complies with the notification provisions of this section in a timely manner shall have an affirmative defense to any enforcement action brought by the Superintendent for any noncompliance with this regulation or an order or permit issued hereunder by the User, which arises out of the documented and verified upset.
- G. A bypass of the treatment system is prohibited unless all of the following conditions are met:
1. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage;
  2. There was no feasible alternative to bypass, including the use of auxiliary treatment or retention of wastewater; and

3. The industrial User properly notified the Superintendent as described in the following paragraph.

- I. Industrial Users must provide immediate notice to the Superintendent upon discovery of an unanticipated bypass. If necessary, the Superintendent may require the industrial User to submit a written report explaining the cause(s), nature and duration of the bypass and the steps being taken to prevent its recurrence.
- J. An industrial User may allow a bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it is for essential maintenance to ensure efficient operation of the treatment system. Industrial Users anticipating a bypass must submit notice to the Superintendent may only approve the anticipated bypass if the circumstances satisfy those set forth in this section.

## ARTICLE X – FINES, PENALTIES AND REMEDIES

### **A. Misrepresentation / Falsifying Documents**

Any person who knowingly makes any false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this regulation, or Industrial User Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this regulation shall, upon conviction, be guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00 per violation per day, imprisonment for not more than one year, or both. Each violation shall constitute a separate offense.

### **B. Destruction of POTW**

No person(s) shall maliciously, willfully or intentionally break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the POTW. Any person who violates this provision shall, upon conviction, be guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00 per violation, imprisonment for not more than one year, or both. Each violation shall constitute a separate offense. Additionally, such person shall be subject to prosecution for any other applicable misdemeanor or felony charge under the Kentucky Revised Statutes.

### **C. Criminal Prosecution**

Any person who violates any provision of this regulation or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not more than \$500.00 per violation per day, imprisonment for not more than one year, or both. Each violation shall constitute a separate offense. Additionally, such person shall be subject to prosecution for any other applicable misdemeanor or felony charge under the Kentucky Revised Statutes.

### **D. Civil Penalties**

Any industrial User who has violated or continues to violate this regulation or any order or permit issued hereunder shall, be liable to the Commission for civil penalties in the amount of \$1,000.00 per violation per day. Such civil penalties shall be in addition to any monetary damages that are recoverable from the offending User under Section F of this Article X.

## **E. Administrative Fines**

Notwithstanding any other section of this regulation, any User who is found to have violated any provision of this regulation, or permits or orders issued hereunder, shall be fined in an amount not to exceed one thousand dollars (\$1000.00) per violation. Each day on which noncompliance exists shall be deemed a separate and distinct violation. Such assessments may be added to the User's next scheduled sewer service charge and the Superintendent shall have such other collection remedies as he has to collect other service charges. Unpaid charges, fines and penalties shall constitute a lien against the individual User's property. Industrial Users desiring to dispute such fines must file a request for the Superintendent to reconsider the fine within ten (10) days of being notified of the fine. If the Superintendent determines that such a request has merit, he shall convene a hearing on the matter within fifteen (15) days of receiving the request from the industrial User.

## **F. Liability**

Any person violating any of the provisions of this regulation shall be liable to the Commission for all expenses, losses and damages resulting from such violation.

## **G. Legal Action**

If any person discharges sewage, industrial wastes or other wastes into the City's wastewater disposal system contrary to the provisions of this regulation, federal or state pretreatment requirements or any order of the City or Commission, or otherwise violates any term, condition or requirement of this regulation, the Commission may institute appropriate legal action to restrain, prevent, enjoin, abate, correct or remove such violation, and may pursue such other legal remedies as necessary to carry out the terms and provisions of this regulation, including without limitation an action for recovery of monetary damages for any and all harm done to the City's wastewater disposal system, water treatment system, or other facilities as a result of the violation. All costs and expenses, including reasonable attorney's fees, incurred by the Commission in connection with any legal action initiated pursuant to this paragraph shall be recoverable from the offending User.

## **H. Cumulative Remedies**

The administrative, civil and criminal fines, penalties and remedies provided for in this regulation shall be cumulative and non-exclusive, and shall be in addition to any other remedies provided by law. All fines, penalties and remedies may be pursued concurrently or consecutively, and the pursuit of any fine, penalty or remedy shall not be construed as the waiver of the right to pursue any other fine, penalty or remedy available to the Commission.

ARTICLE XI - VALIDITY

**A. Inconsistent or Conflicting Regulation**

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

**B. Separation Clause**

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

**C. Effective Date of Regulation**

This regulation shall be in full force and effect when it is adopted, signed and published as required by law.

GIVEN first reading and approval: \_\_\_\_\_

GIVEN second reading and final adoption: \_\_\_\_\_

PUBLISHED in the: \_\_\_\_\_

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

Chairperson

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

Superintendent