

COTTONWOOD IMPROVEMENT DISTRICT
WASTEWATER CONTROL RULES AND REGULATIONS

Adopted December 2, 1986
Amended March 13, 1989
Amended June 18, 1990
Amended for name change June 20, 1996
Amended March 24, 2014
Amended January 1, 2016

WASTEWATER CONTROL RULES AND REGULATIONS

TABLE OF CONTENTS

CHAPTER 1 GENERAL PROVISIONS

- 1.1 Short Title
- 1.2 Purpose
- 1.3 Definitions
- 1.4 Abbreviations

CHAPTER 2 GENERAL REGULATIONS

- 2.1 Supervision
- 2.2 General Prohibitions
- 2.3 Commercial Garbage Grinders
- 2.4 Federal Categorical Pretreatment Standards
- 2.5 Specific Pollutant Limitations
- 2.6 State Requirements
- 2.7 POTW's Right of Revision
- 2.8 Dilution Prohibited
- 2.9 Injuring Sewer Prohibited
- 2.10 Manhole Covers
- 2.11 Mandatory Connections
- 2.12 Contracts with Other POTW's
- 2.13 Grease, Oil and Sand Interceptors
- 2.14 Prohibited Connections
- 2.15 Cleaning of Sewers - License and Bond Required
- 2.16 Private Sewage Disposal
- 2.17 Discontinuance of Service

CHAPTER 3 BUILDING SEWERS, CONNECTIONS AND REPAIRS

- 3.1 Separate Connections Required
- 3.2 Old Building Sewers
- 3.3 Design and Construction
- 3.4 Building Sewer Elevation
- 3.5 Installation Expenses
- 3.6 Connection Requirement
- 3.7 Building Sewer Repair
- 3.8 Excavation Safeguards for Public
- 3.9 Separation from Other Utilities
- 3.10 Maintenance Expenses
- 3.11 Connection of Unlike Pipe
- 3.12 Sewer Specifications
- 3.13 Pipe to be Free of Defects
- 3.14 Backflow Preventers
- 3.15 Cleanouts
- 3.16 Trench Safety
- 3.17 Test for Leaks
- 3.18 Specifications for Joint at Point of Connection to POTW Sewer
- 3.19 Earth Cover Required

CHAPTER 4 CONSTRUCTION, CONNECTION AND REPAIR PERMITS

- 4.1 Permit Required
- 4.2 Application for Permit
- 4.3 Additional Fee for Additional Survey and/or Inspection
- 4.4 Fee for Repairs and Replacement
- 4.5 Permits Must Be Procured Before Starting Work
- 4.6 Trial Sewer Survey Fee
- 4.7 Failure to Remedy Defective Work
- 4.8 Permit Not Transferable
- 4.9 Work Must Be Completed Within 60 Days
- 4.10 Revocation of Permit
- 4.11 Inspection Required
- 4.12 Re-inspection - Additional Fee
- 4.13 Survey Stakes Not to Be Removed
- 4.14 Fee for Resetting Stakes
- 4.15 Permit Not to Be Issued until Special Sewer Assessment is Paid
- 4.16 Assessment to Be in Addition to Fees

CHAPTER 5 AUTHORIZATION TO DISCHARGE WASTEWATER

- 5.1 Central Valley Water Reclamation Facility Regulation
- 5.2 Agreement to Comply with Central Valley Regulations
- 5.3 Monitoring Facilities
- 5.4 Inspection
- 5.5 Failure to Permit Inspection
- 5.6 Sampling
- 5.7 Pretreatment
- 5.8 Confidential Information

CHAPTER 6 FEES AND CHARGES

- 6.1 Purpose
- 6.2 Fees and Charges
- 6.3 Collection Procedures

CHAPTER 7 ENFORCEMENT AND PENALTIES

- 7.1 Enforcement Authority
- 7.2 Notification of Violation
- 7.3 Methods of Notification
- 7.4 Suspension of Service
- 7.5 Permit Revocation
- 7.6 Referral for Prosecution
- 7.7 Civil Liability for Surcharge Expenses
- 7.8 Administrative Remedies
- 7.9 Appeal Procedure
- 7.10 Legal Action Authorized
- 7.11 Criminal Penalty and Fines
- 7.12 Termination of Service
- 7.13 Civil Fine Pass Through
- 7.14 Falsifying Information
- 7.15 Additional Penalties
- 7.16 Owner Reports and Liability

CHAPTER 8 LIFT STATIONS

- 8.1 Private Lift Stations
- 8.2 District Owned Lift Stations

CHAPTER 9 SUBDIVISIONS

- 9.1 Approval Required Before Recordation
- 9.2 Mobile Park and Subdivision Connection Allowed
- 9.3 Mobile Home Compliance Required

CHAPTER 10 POTW SEWER CONSTRUCTION

- 10.1 Design and Construction
- 10.2 Construction
- 10.3 Excavation Safeguards for Public
- 10.4 Maintenance Expense
- 10.5 Inspection and Approval

CHAPTER 11 CONFLICT AND SEVERABILITY

CHAPTER 12 AMENDMENT PROCESS

APPENDIX

- Schedule 1 Impact fees
- Schedule 2 Surcharge Calculations and Discharge Limits

WASTEWATER CONTROL RULES AND REGULATIONS

CHAPTER 1

GENERAL PROVISIONS

Section 1.1 Short Title

These rules and regulations are enforced by Cottonwood Improvement District (the "District") as a specific condition precedent to service and as a continuing requirement of the implicit service contract between the District and its users. Violations of the implicit service contract are referred to throughout as violations of these rules and regulations.

Section 1.2 Purpose

(1) It is necessary for the health, safety and welfare of the residents of the area serviced by the District to regulate the collection of wastewater and treatment thereof to provide for maximum public benefit. The provisions herein set forth uniform requirements for direct and indirect contributors into the wastewater collection systems of the District and/or treatment system of Central Valley Water Reclamation -Facility (the "POTW"); enabling the District and the POTW to comply with all applicable local, state and federal laws.

(2) The objectives are:

(a) To prevent the introduction of pollutants into the Districts or POTW wastewater systems, which interfere with the operation of the systems or contaminate the resulting biosolids;

(b) To prevent the introduction of pollutants into the District or POTW wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

(c) To improve the opportunity to recycle and reclaim wastewater and biosolids;

(d) To provide for equitable distribution among the District's users of the District's costs;

(e) To provide for and promote the general health, safety and welfare of District employees and POTW employees, and the citizens within the boundaries of the District and POTW.

(3) The provisions herein:

(a) Provide for the regulation of direct and indirect contributors to the District through the issuance of permits and through the enforcement of general requirements for all users;

(b) Authorize monitoring and enforcement activities;

(c) Require user reporting;

(d) Assume that existing user's capability will not be preempted; and

(e) Provide for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(4) The provisions herein shall apply to all persons within the District boundaries and to all persons who receive services of the District by contract or agreement. These provisions shall provide enforcement procedures and penalties for violations.

Section 1.3 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases shall have the following meanings:

(1) Act or "The Act". The Federal Water Pollution Control Act, P.L. 92-500 also known as the Clean Water Act, including the amendments made by the Clean Water Act of 1977, P.L. 95-217, and any subsequent amendments.

(2) Approval Authority. The Director in an NPDES state with an approved state pretreatment program and the Administrator of the EPA in a non NPDES state or NPDES state without an approved state pretreatment program.

(3) Authorized Representative of Industrial User. An authorized representative of an industrial user may be: (a) A principal executive officer of at least the level of vice president, if the industrial user is a corporation; (b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; and (c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

(4) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)). Laboratory determinations shall be made in accordance with procedures set forth in Standard Methods.

(5) Building Sewer or Lateral Sewer. A sewer conveying the wastewater of a user from a residence building or other structure to a POTW sewer, including direct connections to a POTW sewer where permitted by the POTW. A lateral sewer is a building sewer.

(6) Business Classification Code (BCC). A classification of dischargers based on the 1972 Standards Industrial Classification Manual, Bureau of the Budget of the United States of America

(7) Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.

(8) Chemical Oxygen Demand (COD). The oxygen equivalent of the portion of organic matter in a wastewater sample that is susceptible to oxidation by a strong chemical oxidant.

(9) Chlorine Demand. The amount of chlorine required to produce a free chlorine residual of 0.1 mg/l after a contact time of 15 minutes as measured by the DPD (N,N, Diethylp-Phenylene-Diamine) Method on a sample at a temperature of 20 degrees centigrade in conformance with Standard Methods.

(10) Commercial User. All retail stores, restaurants, office buildings, laundries, and other private business and service establishments.

(11) Compatible Pollutant. Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria; plus any additional pollutants identified in the publicly owned treatment work's NPDES permit, where the publicly owned treatment work is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the POTW's NPDES permit.

(12) Construction Standards. The general construction requirements adopted by the POTW for installation of sewerage facilities.

- (13) Contamination. An impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the environmental and/or public health through poisoning or through the spread of disease, as described in Standard Methods.
- (14) Control Authority. The term "control authority" shall refer to the "Approval Authority", defined herein above; or the Manager, if the POTW has an approved Pretreatment Program under provisions of 40 CFR, 403.11.
- (15) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.
- (16) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Utah.
- (17) Discharger. Any person who discharges or causes the discharge of wastewater to the POTW sewer system.
- (18) District. The term "District" shall refer to the Cottonwood Improvement District, a local district of the State of Utah.
- (19) 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.
- (20) Garbage. Shall mean solid wastes from the preparation, cooking and dispensing of food and from handling, storage, and sale of produce.
- (21) Governmental User. Legislative, judicial, administrative, and regulatory activities of Federal, State and local governments.
- (22) Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (23) Holding Tank Sewage. Any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, sealed vaults and vacuum-pump tank trucks.
- (24) Incompatible Pollutant. All pollutants other than compatible pollutants as defined in subparagraph (12) of this section.
- (25) Indirect Discharge. The discharge or the introduction of non-domestic pollutants from any source regulated under section 307(b) or (c) of the Federal Water Pollution Control Act, (33, U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).
- (26) Insignificant Industrial Users. Those commercial users that discharge only sanitary waste to the public sewer system.
- (27) Institutional User. Social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.
- (28) Interference. The inhibition or disruption of the POTW treatment processes or operations or which contributes to a violation of any requirement of the POTW NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any

State sludge management plan prepared pursuant to Title IV or SWDA) applicable to the method of treatment and disposal or use employed by the POTW.

(29) Manager or District Manager. Shall mean the General Manager of the Cottonwood Improvement District.

(30) Minor Industrial User. An industrial user which discharges non-domestic conventional pollutants to the public sewer in amounts on a routine basis that have little or no impact on the wastewater collection system, wastewater treatment plant, the quality of sludge, or the quality of the effluent or violate the prohibited discharge limitations of the wastewater control rules and regulations. Minor industrial users include the industrial users subject to the industrial use cost recovery ordinances discharging conventional pollutants which may require the imposition of surcharges and require monitoring to determine the appropriate cost recovery charges. Minor industrial users include the industrial users who present the potential to cause sewer obstruction, conventional slug loads or accidental chemical spills.

(31) National Categorical Pretreatment Standard or Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 of the Act which applies to a specific category of Industrial User.

(32) National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

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

(34) New Source. Any wastewater source commenced after the publication of proposed regulations prescribing a section 307(c) (33 U.S.C. 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

(35) Normal Domestic Wastewater. Wastewater that has a BOD concentration of not more than 200 mg/ and a suspended solids concentration of not more than 250 mg/l.

(36) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.

(37) pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of the solution.

(38) Pollution or Pollutant. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water. Including, but not limited to, 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.

(39) POTW. The term "POTW" shall refer to Central Valley Water Reclamation Facility, an Interlocal government agency, which is recognized under the Utah State Interlocal Agreement Act.

(40) POTW Governing Authority. The term "POTW Governing Authority" shall refer to the governing authority of each political subdivision operating all or a portion of a POTW.

(41) POTW Treatment Plant. The portion of the Publicly Owned Treatment Works designed to provide treatment for wastewater.

(42) 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 in to POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).

(43) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

(44) Private Sewer Main. A sewer line at least six (6) inches in diameter not located in a public way or easement granted to the District and a sewer serving only one property or a group of properties with agreement for common maintenance of sewer facilities.

(45) Receiving Water Quality Requirements. Requirements for the POTW's treatment plant effluent established by POTW or by applicable State or Federal regulatory agencies for the protection of receiving water quality. Such requirements shall include effluent limitations, and waste discharge standards, requirements, limitations, or prohibitions, which may be established or adopted from time to time by State or Federal laws or regulatory agencies.

(46) Replacement. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(47) Residential Equivalent. 7,500 gallons of flow per month.

(48) Residential User. Any contributor to the District's treatment works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.

(49) Sanitary Sewer. The pipe or conduit system and appurtenances for the collection, transportation, pumping, and treatment of sewage. This definition shall also include the terms "public sewer", "sewer system", "POTW sewer" and "sewer".

(50) Sewage. The water-borne wastes discharged to the sanitary sewer from buildings for residential, business, institutional, and industrial purposes. Wastewater and sewage are synonymous; thus, they are interchangeable.

(51) Shall and Will are mandatory; May is permissive.

(52) Significant Industrial User (SIU).

(a) Any industrial user of the wastewater disposal system who has a non-domestic discharge flow of 25,000 gallons or more within a 24-hour period; or

(b) has a non-domestic flow greater than 5 percent of the flow in the POTW wastewater treatment system; or

(c) has in his waters, toxic pollutants as defined herein, or pursuant to Section 307 of the Act or Utah Statutes and Rules; or

(d) is found by the POTW, Utah State Water Pollution Committee, or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing

industries, on the wastewater treatment system, the quality of a sludge, the system's effluent quality, or air emissions generated by the system.

(53) Slug. Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any one period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during the normal operation of the user.

(54) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

(55) Standard Methods. Procedures described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation or such other procedures as may be adopted by the POTW.

(56) State. State of Utah.

(57) Storm Sewer. Shall mean a sewer that carries only storm, surface and ground water drainage.

(58) Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

(59) Subdivision. The division of a tract, or lot, or parcel of land into two or more lots, plots, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development or redevelopment, provided, however, that divisions of land for agricultural purposes or for commercial, manufacturing, or industrial purposes shall be exempt. Further, the above definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of which a plat has theretofore been recorded in the office of the county recorder. The word subdivide and any derivative thereof shall have reference to the term subdivision as herein defined.

(60) Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in water, wastewater, or other liquids, and which is removable by laboratory filtering in accordance with procedures set forth in Standard Methods.

(61) Treatment Works. Any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions improvement, remodeling additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

(62) Useful Life. The estimated period during which a treatment works will be operated.

(63) User. Any person, who contributes, causes or permits the contribution of wastewater into the District or the POTW.

(64) User Charge. That portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment works.

(65) Viscosity. The property of a fluid that resists internal flow by releasing counteracting forces.

(66) Wastewater. The liquid- and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions together with any infiltrating groundwater, surface water, and storm water that may be present, whether treated or untreated, which enters the POTW.

(67) Wastewater Discharge Permit. As set forth in Section 5.2 herein.

(68) Wastewater Strength. The quality of wastewater discharged as measured by its elements, including its constituents and characteristics.

(69) Water Meter. A water volume measuring and recording device furnished and/or installed by a user and approved by the Cottonwood Improvement District.

(70) Waters of the State. All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, 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.

Section 1.4. Abbreviations

The following abbreviations shall have designated meanings:

- (1) **BOD** Biochemical Oxygen Demand
- (2) **CFR** Code of Federal Regulations
- (3) **cp** Centipoise = 0.01 poise = c.g.s. unit of absolute viscosity gm sec x cm.
- (4) **COD** Chemical Oxygen Demand
- (5) **EPA** United States Environmental Protection Agency or its successor
- (6) **l** Liter
- (7) **mg** Milligrams
- (8) **MG/l** Milligrams per liter
- (9) **NPDES** National Pollutant Discharge Elimination System
- (10) **POTW** Publicly Owned Treatment Works
- (11) **SIC** Standard Industrial Classification
- (12) **SWDA** Solid Waste Disposal Act, 42 USC 6901, et seq.
- (13) **USC** United States Code
- (14) **TSS** Total Suspended Solids

CHAPTER 2
GENERAL REGULATIONS

Section 2.1 **Supervision**

The District shall be supervised and directed by the Manager.

Section 2.2 **General Prohibitions**

2.2.1 Discharge to District

All sewage shall be discharged to public sewers except as provided hereinafter.

2.2.2 Discharge of Sewage

No person shall discharge any sewage from any premises within the boundaries of the District into or upon any public highway, stream, water course, or public place, or into any drain, cesspool, storm sewer or private sewer, except as provided for in these rules and regulations.

2.2.3 Prohibited Discharge - Sanitary Sewer

No person shall discharge or make a connection to any sanitary sewer which would allow for the discharge of any storm water, surface drainage, groundwater, roof runoff, cooling water or other water into any sanitary sewer. No person shall mix any of the above waters with that person's sewage in order to dilute the sewage.

2.2.4 Prohibited Discharge - Storm Sewers

Storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water or unpolluted water may only be discharged to specifically designated storm sewers which have adequate capacity to accommodate the waters. No person shall connect to and/or use sanitary sewers for the above purposes without first obtaining the written consent of the District Manager.

2.2.5 Prohibited Discharges - Specific Categories

No user shall contribute or cause to be contributed directly or indirectly, any pollutant or wastewater which, in the opinion of the District or POTW, will interfere with the operation or performance of the POTW. These discharge standards and general prohibitions apply to all users of the District, whether or not the user is subject to National Categorical Pretreatment Standards or any other national, state, or local Pretreatment Standards or requirements. Users may not discharge the following substances to the District:

(1) Explosives. 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 POTW or to the operation of the POTW. At no time shall two successive readings on any 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.

(2) Solids. Except as authorized in the FEDERAL CATEGORICAL PRETREATMENT STANDARDS AS PROMULGATED BY U.S. EPA, solid or viscous substances which 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-quarter inch 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, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

(3) Corrosion. Any wastewater having an acid pH less than 5 or more alkaline than 12 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.

(4) Toxic. Any wastewater containing pollutants which either singly or by interaction with other pollutants, may injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, contaminate the sludge of any POTW systems, or exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) and (b) of the Act.

(5) Noxious. Any malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.

(6) Untreatable. Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being use.

(7) NPDES Permit Violation. Any substances which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.

(8) Objectionable Color. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.

(9) Temperature. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference or cause temperature at the headworks of the POTW treatment plant to exceed 104 degrees F.

(10) Slug Loads. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow and/or pollutant concentration which a user ' knows, should know upon reasonable inquiry, or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities 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.

(11) Radioactive. Any wastewater containing any radioactive wastes or isotope of such half life or concentration as may exceed limits established by the POTW Manager in compliance with applicable State or Federal regulations.

(12) Hazard. Any wastewater which causes a hazard to human life or creates a public nuisance.

(13) Additional Substances: Any substance that the District or POTW determines interferes with the operations of the POTW.

2.2.6 Recreational Vehicle Waste Holding Tank Disposal

Recreational vehicle (RV) waste holding tanks may only be emptied into District approved RV dump locations. A private RV dump shall not be connected to a residential building sewer. A commercial RV dump may be constructed and connected to a building sewer only upon approval of the District General Manager, compliance with all District constructions standards and requirements, and payment of all District fees. An RV waste holding tank may not be emptied directly into a manhole, cleanout or other non-approved sewer system appurtenance.

2.2.7 Carpet Cleaning Equipment Vehicle Waste Disposal

Carpet cleaning vehicles holding tanks may only be emptied into District approved RV dump locations. A carpet cleaning equipment vehicles may not be emptied directly into a manhole, cleanout or other non-approved sewer system appurtenance.

2.2.8 Septic Hauler Waste Disposal

Septic Haulers waste holding tanks may only be emptied into District approved RV dump locations. A septic hauler waste holding tank may not be emptied directly into a manhole, cleanout or other non-approved sewer system appurtenance.

Section 2.3 Commercial Garbage Grinders

Mechanically operated garbage grinders for producing properly ground garbage are permitted in establishments engaged in the preparation of food or drink to be consumed on the premises or to be sold, delivered or picked up for immediate consumption. Every mechanically operated grinder shall be so designed and installed to meet the following:

(a) That it shall discharge waste at a reasonable uniform rate in fluid form, which shall flow readily through an approved trap, drain line or soil line in a manner which prevents clogging or stoppage of the drain line.

(b) That it shall be of such construction and have such operating characteristic that not more than 5% by weight of all material discharged from it shall have any dimension larger than 1/4 inch. Weights shall be determined on a dry basis.

(c) That the entire installation shall comply in all particulars with the provisions of the Plumbing and Electrical Codes of Salt Lake County and the State of Utah.

(d) Additionally, commercial garbage grinders will operate with cold water flowing into the grinder and through the sink drain line in such a manner as to congeal and aerate the solid and liquid greases within the grinding unit.

The final decision as to the sufficiency of the design to meet these requirements shall rest with the District Manager.

Section 2.4 Federal Categorical Pretreatment Standards

Any federal rules promulgated for a particular industrial subcategory under the Federal Categorical Pretreatment Standard, 40 CFR, Section 403.6, that are more stringent than the limitations imposed in these rules and regulations for sources in that subcategory shall supersede the limitations imposed herein. The POTW Manager shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

Section 2.5 Specific Pollutant Limitations

No person shall discharge wastewater in violation of the pretreatment and discharge standards set forth in the FEDERAL CATEGORICAL PRETREATMENT STANDARDS AS PROMULGATED BY U.S. EPA. Violations of the limits set forth in Schedule 2 shall be subject to the penalty surcharge.

Section 2.6 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 contained herein.

Section 2.7 District's Right of Revision

The District 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 in Section 1.2.

Section 2.8 Dilution Prohibited

No user shall ever dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the District, POTW or State.

Section 2.9 Injuring Sewer Prohibited

No person shall injure, break or remove any part or portion of any sewer system or any sewer appliance or appurtenance.

Section 2.10 Manhole Covers

No person shall open any sewer manhole without permission from the District Manager.

Section 2.11 Mandatory Connections

2.11.1 Connection Required

In accordance with Salt Lake County Health Department Regulation #13, the owner or his agent of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District boundaries and abutting on any street, alley, or right-of-way in which a District line is located within three hundred (300) feet of the owner's property line is required, at his expense to connect such facilities to the District sewer within sixty (60) days after receiving notice of sewer availability, unless a waiver is granted by the Salt Lake County Health Department. ,

2.12.2 Discontinuance of Privy Vaults, Cesspools, and Septic Tanks

(a) No owner, or his agent, or other person having occupying any property connected to the District sewer shall maintain or use or cause or permit to exist any privy vault, septic tank, or cesspool upon said property.

(b) In no case shall any plumbing in any house or building not complying with subparagraph (a) above remain unconnected to any public sewer for more than thirty (30) days after such a sewer is available.

2.11.3 Outhouses Prohibited

No person shall erect or maintain any outhouse or privy within the District boundaries.

Section 2.12 Contracts with Persons Outside District Boundaries

Whenever the existing sewage treatment capacity is adequate therefore, the District may contract with any other organized and established POTW, with any other governmental agency or with private enterprise or private persons, for the collection of wastewater, upon such terms and conditions and for such periods of time as may be deemed reasonable by the District.

Section 2.13 Grease, Oil and Sand Interceptors

(a) Grease, oil and sand interceptors, as described by the Utah Plumbing Code, shall be required of any user when, in the opinion of the District Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for dwelling units. All commercial establishments where food is prepared shall be required to use a grease trap. All interceptors shall be of a type and capacity approved by the District Manager according to plans on file in the District's office and shall be located as to be readily accessible for cleaning by user and inspection by District employees.

(b) All grease, oil, and sand interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water tight and equipped with easily removable covers which, when bolted in place, shall be gas and water tight.

(c) Where installed, all grease, oil, and sand interceptors shall be maintained by the user at his sole expense, in continuous efficient operation at all times.

Section 2.14 Prohibited Connections

No person, either in person or through an agent, employee, or contractor, shall make, allow or cause to be made any sewer connection to the District sewer to service, or for the purpose of servicing property outside the boundaries of the District, except upon recommendation of the District Manager and the express approval of the District's Board of Trustees. . Such connection to the District sewer shall be made by a person who is either a bonded, state licensed sewer contractor (license classification A-8) or plumber (license classification C-18) who has obtained the necessary permits.

Section 2.15 Cleaning of Sewers - License and Bond Required

(a) No person not licensed as a plumber or licensed and bonded sewer contractor pursuant to the requirements hereof shall engage in the business of removing stoppage from a building drain or building sewer, without first obtaining a license or permit from the District and filing a corporate surety bond with the District in an amount to be specified by the District, such that the principal and surety shall hold the

District harmless from any and all injuries to persons or damage to property, and particularly to the sewer mains, caused by or through the cleaning or removal of any stoppage in any drain or sewer, and further conditioned that the principal will faithfully observe all ordinances, rules and regulations of the District pertaining to plumbing and sewers.

- (b) The fee for the license or permit herein shall be set by the District's Board of Trustees.

Section 2.16 Private Sewage Disposal

2.16.1 Private Sewage Prohibited

(a) No person shall construct, use or maintain any privy, privy vault, septic tanks, cesspool or other facility intended or used for the disposal of sewage within the boundaries of the District where District service is available within 300 feet of the property line of any property.

2.16.2 Private Disposal Authorized

(a) Where District service is not available within the limits provided in 2.11.1, the building's sewer shall be connected to a private sewage disposal system complying with the provisions of the Salt Lake City County Health Department.

(b) Prior to commencement of construction of a private sewage disposal system, the owner or his agent shall first obtain a written permission from the District for submission to the Salt Lake City-County Health Department.

(c) The owner or his agent shall operate and maintain the private sewage disposal facilities at owner's sole expense and in compliance with all federal, state, and local laws and rules and regulations.

(d) No statement contained in this section shall be construed to interfere with any additional requirements, which may be imposed by the Salt Lake City-County Health Department.

Section 2.17 Discontinuance of Service

Any user desiring to discontinue service shall notify the District in writing of such fact at least 30 days before the date when such service shall be discontinued. Upon giving such written notice, said user shall not be responsible for bills incurred after the date specified in said notice. Any credit balance in favor of the customer as a result of an advance payment of bills or a deposit will be refunded upon discontinuance of service promptly thereafter.

CHAPTER 3

BUILDING SEWERS, CONNECTIONS AND REPAIRS

Section 3.1 Separate Connections Required

Each separate building or premise shall have a separate connection to the main line sewer, unless the District Manager determines that a separate connection is impossible or impracticable. Each owner will bear and pay for the maintenance and repair of the building sewer or lateral sewer for his property. Notwithstanding the above, where a dwelling is in the rear of another building and on the same building lot and owned by the same party, the District Manager may issue a sewer permit for a multiple connection.

Section 3.2 Old Building Sewers

Old building sewers may only be used in connection with new buildings if the District determines that the connections meet all requirements of these rules and regulations. Otherwise, the use of the old building sewers shall be discontinued and the sewers shall be plugged at the user's expense. The plug in the old building sewer must be approved by the District and an inspection fee will be charged by the District.

Section 3.3 Design and Construction

The size, slope, alignment, materials, and construction of a building sewer, and the methods used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench shall conform to District's Construction Standards and any other applicable laws, rules and regulations of any federal, state, or local entity, including any applicable building or plumbing codes.

Section 3.4 Building Sewer Elevation

In all buildings where the elevation is too low to permit gravity flow to the District sewer, the user shall install and maintain a mechanism to lift and discharge the sewage to the District sewer. The District shall inspect and approve the mechanism prior to connection to the sewer.

Section 3.5 Installation Expenses

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the applicant. The applicant shall retain or employ a licensed and bonded sewer contractor or plumber to connect and install a sewer.

Section 3.6 Connection Requirement

The applicant for the building sewer permit shall notify the District Manager when the building sewer is ready for inspection and connection to the District sewer. The connection shall be made under the supervision of the District Manager or his representative. The connection of the building sewer to the District sewer shall conform to the requirements of the building and plumbing code, District standards, and other applicable laws, rules and regulations of federal, state and local entities.

Section 3.7 Building Sewer Repair

Where an existing building sewer must be repaired, said repairs must be performed by a licensed and bonded sewer contractor or plumber in accordance with current District construction standards and any other applicable laws and plumbing codes. The repair may be made by the property owner if the all the following conditions are met:

- (1) property must be owner occupied;
- (2) all work must be performed by the property owner; and
- (3) no third party may be paid to perform any of the work.

Section 3.8 Excavation Safeguards for Public

All excavations for building sewer installation shall be adequately guarded by the owner or his representative with barricades and lights to protect the public from hazard. The owner or his representative shall restore streets, sidewalks, parkways, and other public property disturbed in the course of the work in a manner satisfactory to the District and the street owner.

Section 3.9 Separation from Other Utilities

All utility lines or conduits shall be separated from the building sewer as required by State law.

Section 3.10 Maintenance Expense

All building sewers, including the connection to the District sewer, shall be maintained by the property owner. If the connection to the District sewer cannot be made without disturbing, modifying or repairing the District sewer, the District will repair the connection to the main sewer line.

Section 3.11 Connection of Unlike Pipe

Any connection of pipes of unlike materials shall comply with the Utah Plumbing Code and the District's Construction Standards.

Section 3.12 Sewer Specifications

The size of building sewers, type of pipe allowed, bed and grade of pipe changes in direction of pipe shall conform to the Utah Plumbing Code and the District's Construction Standards.

Section 3.13 Pipe to Be Free of Defects

All pipe shall be sound, free from holes or cracks, and not contain traps, valves or other obstruction which might prevent or retard the free passage of air and sewage other than backflow preventers.

Section 3.14 Backflow Preventers

Backflow preventers shall be installed according to local plumbing code and also when it is determined that a sewer backup or surcharging in the District sewer would cause significant damage to the connected building.

Section 3.15 Cleanouts

A cleanout "tee" must be located immediately inside the property line. In all cases, the cleanout pipe from the "tee" to the surface of the finished grade must be cast iron or other material approved by the POTW Manager, and on a slope of 90 degrees. The cover must be a brass cleanout plug, with a 1-inch high solid wrench head. Additional cleanouts shall be placed a minimum of 90 feet apart along any 4-inch building sewer, and every 90 feet along any 6-inch building sewer, and at all other changes in direction greater than 45-degree bend. Cross supports for cleanouts shall be 18 inches below the cleanout tops. No waste or soil shall enter cleanout pipes. A test tee shall be required at or near the property line.

Section 3.16 Trench Safety

Safety for all trench excavation and restoration shall be the sole responsibility of the person making the excavation.

Section 3.17 Test for Leaks

All building sewers shall be tested for leaks in the manner prescribed by District and in the presence of its inspector. Every joint shall be water tight before acceptance by the inspector.

Section 3.18 Specification for Joint at Point of Connection to District Sewer

The connection of the "tee" onto the main sewer shall be entirely surrounded with a collar of a design specified by the District Construction Standards. The "tee" shall be installed only by the District, unless authority to do so has been previously obtained. Connection work shall be done only in the presence of the District inspector. The trench shall not be backfilled until the building sewer line has been connected, tested and approved by the District Inspector.

Section 3.19 Earth Cover Required

No building sewer line lateral shall have less than two (2) feet of earth cover at finished grade.

CHAPTER 4

CONSTRUCTION, CONNECTION AND REPAIR PERMITS

Section 4.1 Permit Required

No person shall commence or carry on the work of laying, repairing, altering, or connecting any building sewer, directly or indirectly, to the District sewer, without first having received a permit from the District.

Section 4.2 Application for Permit

Application for permits for sewer connections must be made in writing by a licensed and bonded contractor or plumber, or by the property owner as defined in Section 3.7, on an application furnished by the District. All permits shall be subject to the rules and regulations of the District.

Section 4.3 Additional Fee for Additional Survey and/or Inspection

The District shall determine and charge an additional fee if the building sewer is not exposed when the inspector visits the site to determine the elevation and slope, or if the application for a permit does not provide sufficient information so that the survey can be completed, or if the permittee requests a change in the survey.

Section 4.4 Fee for Repairs and Replacement

Application for permits for sewer repair or replacement of any sewer line must be made in writing by a licensed and bonded sewer contractor or plumber, or by the property owner as defined in Section 3.7, on an application furnished by the District. Repair or replacement of any sewer line shall be tested and inspected in accordance with standards set by the District. A fee shall be determined and collected by the District for each inspection.

Section 4.5 Permits Must Be Procured Before Starting Work

If any work requiring a permit is commenced without a permit, the District or POTW may immediately issue a stop work order until the proper permit(s) are obtained, and such an offender shall, in addition to any other penalties, be charged a penalty of up to \$500.

Section 4.6 Trial Sewer Survey Fee

In order to determine the feasibility of connecting a building to the District sewer, the property owner, or a licensed and bonded plumber or sewer contractor may make an application for a trial sewer survey, the cost of which shall be set by the District. Any payment made hereunder does not constitute payment for a permit to connect to the sewer. Such survey shall not be made until the fee is paid in full.

Section 4.7 Failure to Remedy Defective Work

No further permit shall be issued to any licensed and bonded sewer contractor or plumber who has failed to remedy defective work to the satisfaction of the District Manager after he has been notified in writing.

Section 4.8 Permits Not Transferable

No sewer contractor or plumber shall use or allow his license to be used in any way for the purpose of procuring a permit for any person other than himself, or his duly authorized representative. The duly licensed and bonded sewer contractor or plumber shall be responsible for any and all work done pursuant

to the issuance of any permit specified hereunder, regardless of whether the work is actually done by said contractor or his duly authorized representative.

Section 4.9 Work Must Be Completed Within 60 Days

The work authorized by a permit hereunder shall be done with all possible speed and in accordance with District rules and regulations. If the work is not completed within 60 days (unless a special extension is granted in writing by the District) the permit shall be void, no refund made for such permit, and a new permit must be obtained to finish the work.

Section 4.10 Revocation of Permit

The District Manager may, at any time, revoke a permit because of defective work which has not been corrected after written notice and within the time specified by the District Manager.

Section 4.11 Inspection Required

The inspection of sewer lines between the District sewer main and a building foundation shall be under the direction of, the District Manager or by his duly authorized inspectors. The District shall be notified on a regular working day at least 24 hours in advance of the time the permittee requests inspection. The entire length of the building sewer, including the junction at the District sewer, shall be fully exposed. Any portion of the work not done in accordance with these requirements and the instruction of the District, or its inspectors, shall be corrected promptly. There shall be no backfilling until the inspection is made and the work accepted. No certificate of inspection shall be issued until the work is satisfactorily performed and accepted.

Section 4.12 Re-inspection - Additional Fee

In the event that the inspector finds the connection not in conformity with District standards, or if any changes are necessary requiring another inspection, a charge to be set by the District shall be collected for each such additional inspection.

Section 4.13 Survey Stakes Not to be Removed

Survey stakes set by the District for the sewer connection must not be disturbed, removed or covered.

Section 4.14 Fee for Resetting Stakes

In the event that said stakes are not available for the inspector to check the pipeline when inspection is required, he may refuse to make an inspection of the work until stakes have been reset by the District and a fee to be set by the District has been paid by the permittee for the restaking.

Section 4.15 Permit Not to Be Issued Until Special Sewer Assessment is Paid

(a) No permit for a sewer connection shall be issued until the District has been paid any required assessment or surcharge in addition to the connection fee.

(b) The District Manager shall maintain a record of the payment of the said assessments and fees, together with survey plats indicating the real property within District for which said sewer connection assessments and fees have been paid and these records shall be open to public inspection during regular hours of the District.

Section 4.16 Assessment to Be in Addition to Fees

The payment of any of the assessments or surcharges required by the District shall not relieve the owner of the payment of other required fees.

CHAPTER 5

AUTHORIZATION TO DISCHARGE WASTEWATER

Section 5.1 Central Valley Water Reclamation Facility Regulation

The Cottonwood Improvement District is the owner of treatment capacity in the Central Valley Water Reclamation Facility which is the treatment entity permitted by the State of Utah and the United States Environmental Protection Agency to discharge treated wastewater to the State of Utah and the United States. Central Valley Water Reclamation Facility regulates the discharge of pollutants to its system through agreement with the Cottonwood Improvement District and its other member entities.

Section 5.2 Agreement to Comply with Central Valley Regulations

By accepting service from the District each person or entity connected to the sewer system also agrees to comply with the rules and regulations of the Central Valley Water Reclamation Facility (also referred to in these rules and regulations as the "POTW"). The rules and regulations of Central Valley Water Reclamation Facility with respect to the pretreatment of industrial wastes and the requirements of permits for the discharge of pollutants are hereby incorporated by reference and are enforced directly by the Central Valley Water Reclamation Facility pursuant to authorization granted by the Cottonwood Improvement District. The rules and regulations of the Central Valley Water Reclamation Facility are in full force and effect within the boundaries of the Cottonwood Improvement District and for all extraterritorial service rendered by the District to entities beyond the boundaries of the District. Any violations of the Central Valley Water Reclamation Facility Rules and Regulations are considered violations of the rules and regulations of the Cottonwood Improvement District and may be enforced as specifically provided in the Central Valley Water Reclamation Facility Rules and Regulations.

Section 5.3 Monitoring Facilities

The User shall provide and operate, at its expense, monitoring equipment and facilities approved by the District Manager and/or POTW Manager, sufficient to allow inspection, sampling, and flow measurement of the building sewer systems. The monitoring equipment and facilities shall be situated on the User's premises or such other location as allowed by the District.

There shall be ample room in or near the monitoring 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 user's expense,

Whether constructed on public or private property, the sampling and monitoring equipment and facilities shall be provided in accordance with the District's and POTW's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the District.

Section 5.4 Inspection

All users shall allow the District and/or POTW or their representatives ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, records examination or in the performance of any of its duties. The District, POTW, Approval Authority, State and EPA shall have the right to set up on the user's property such devices that are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. If a user has security measures in force which would require proper identification and clearance before entry onto their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the District, POTW, Approval Authority, State and EPA will be permitted to enter, without unreasonable delay, for the purposes of performing their specific responsibilities.

Section 5.5 Failure to Permit Inspection

In the event a duly authorized officer or agent of the District, POTW, Approval Authority, State or EPA is refused admission for any purpose, the District Manager may cause sewer service to the premises in question to be discontinued until such agents have been afforded reasonable access to the premises and sewer system to accomplish the inspection and/or sampling.

Section 5.6 Sample

All measurements, tests, sample collection and analyses required for the submission of permit compliance reports shall be conducted by a laboratory certified for such analyses and collection by U.S. EPA and the State of Utah.

Section 5.7 Pretreatment

Users shall provide necessary wastewater treatment required to comply with these Rules and Regulations. Any monitoring equipment and facilities required to pretreat wastewater to a level acceptable to the District and/or POTW shall be provided, operated, and maintained at the user's expense. Such facilities required by the District may include the requirement for separate systems to handle sanitary and industrial wastewater so that both can be discharged into the District collection system independently of each other. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be approved in writing by the District Manager 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 and effluent acceptable to the District. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to the user's initiation of the changes.

Section 5.8 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 that the District not release the information and is able to demonstrate to the satisfaction of the District manager that the release of such information would divulge information, processes or methods or production entitled to protection as trade secrets. Under no circumstances will effluent data be considered confidential. All effluent data shall be available to the public, the State and U.S. EPA personnel.

The portions of a report which the District determines may disclose trade secrets or secret processes shall be made available to the POTW or other governmental agencies for uses related to the National Pollutant Discharge Elimination System (NPDES) Permit, and/or the pretreatment requirements, and shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the user furnishing the report.

Information accepted by the District as confidential shall not be transmitted to any member of the public by the District until and unless a 10-day written notification is given to the user by certified mail or personal service.

This section specifically shall not prevent disclosure of all effluent monitoring reports, data and sample results to the public and all appropriate agencies. Effluent data shall not be considered confidential under any circumstances.

CHAPTER 6

FEES AND CHARGES

Section 6.1 Purpose

Each user shall pay all impact fees, connection fees, inspection fees, charges and surcharges required by the District. It is the purpose of this chapter to provide for the payment of all District costs, maintenance and operation. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund. The charges will be based upon the quality and quantity of user's wastewater, and also upon the District's capital and operating costs to intercept, treat, and dispose of wastewater. The applicable charges shall be set forth in a schedule of rates for the District. The schedule of rates and charges shall be adjusted from time to time to accurately apportion such costs among the users of the District.

Section 6.2 Fees and Charges

The District's fees and charges are set forth in the attached Schedule 1 and Schedule 2.

6.2.1 Service Charges and Calculation of Estimated Water Use

All users of its system shall pay either a fixed monthly charge for service or an amount based on the quantity of wastewater flow. The basic residential unit of service is equal to 7,500 gallons of flow per month. Flows are determined by water meter readings of indoor water use. Where water meters are not made available by the user, the District may estimate the flow based on available information.

Where the District estimates the flow, the amount estimated by the District shall carry a presumption of correctness. In order to overcome the presumption of correctness, the user must install a water metering device approved by the District and provide metered use data showing the volume of flow.

6.2.2 Classification of Users

The users of the District may be divided into various classifications, including, but not limited to, single dwelling units, duplexes, multiple dwelling units, commercial and other nonresidential.

6.2.3 Surcharges

Users shall be subject to a surcharge for excessive BOD, suspended solids, and for service outside the District boundaries as provided for in Schedule 2.

6.2.3.1 Calculation of Estimated Surcharges

Surcharges payable under the provisions of this Chapter shall be calculated based on the rates in Schedule 2 of these Regulations. Where users have sampling manholes or other acceptable alternative access for wastewater sampling, surcharges shall be based on actual samples taken by employees or agents of the District.

In addition to the rates published on Schedule 2, the District may collect from each user a surcharge for the cost of sampling and laboratory analysis.

If samples are not available, the District may estimate the amount of surcharge for any user based upon sampling and laboratory data gathered by the District from similar users.

Where the District estimates the surcharge, the District's estimate shall carry a presumption of correctness. In order to overcome the presumption of correctness, it shall be the user's responsibility to provide actual sample data and laboratory results of the strength of wastewater discharged by the user into the District collection system.

6.2.4 Fees

The District may adopt fees including, but not be limited to, the following:

- (a) Fees for all District costs, including maintenance and operation.
- (b) Fees for reimbursement of costs of setting up and operating the District's Pretreatment Program.
- (c) Fees for monitoring, inspections, surveillance and laboratory analysis.
- (d) Fees for reviewing accidental discharge procedures and construction.
- (e) Fees for permit applications.
- (f) Fees for filing appeals.
- (g) Fees for consistent removal (by the District) of pollutants otherwise subject to Federal Pretreatment Standards.
- (h) Impact Fees.
- (i) Fees for repairs and disconnection.
- (j) Fees for inspections and surveys.
- (k) Fees for development and expansion of District facilities.
- (l) Other fees as the District may deem necessary.

6.2.5 Charges for Discontinuing or Restoring Services

If District service to any building or premises is physically disconnected from the District's sewer, an inspection fee may be charged because the physical disconnection must be inspected. An inspection fee may also be charged at the restoration of sewer service.

6.2.6 Damage to Facilities

The user shall pay for all costs incurred by the District if the user's discharge causes an obstruction or damage, or increased costs due to the nature of the discharge, such as the increased cost of treating toxic pollutants.

6.2.7 Review of Each User's Wastewater Service Charge

The District shall review the District's total cost of operation and maintenance, estimate need for future facilities and improvement, and the amount the District charges each category of users, if necessary, the District shall amend its charges to assure equitable treatment of each category of user and/or assure the

District has sufficient funds to operate and maintain the District. If an industrial user has completed in-plant modifications which changes the user's discharge, the user may present, at a regularly scheduled meeting of the District Board of Trustees, such factual information, and the District shall determine whether to change the user's charge.

Section 6.3 Collection Procedures

6.3.1 Charges - Responsibility of Owner

The owner of any premises connected or to be connected with the sewer shall be responsible for all fees and charges for sewer service.

6.3.2 Periodic Billing Statements

The District shall periodically bill for wastewater treatment at rates set forth in Schedule 2, as amended by the District Board of Trustees.

6.3.3 Collection and Delinquency

The District shall receive and collect the sewer fees and charges levied under the provisions of this chapter. If the fees and charges are not paid within 90 days after billing, the District may terminate sewer service and initiate a civil action to collect all fees, charges and penalties.

6.3.4 Tax Lien Authority

In addition to any other remedies, the District may impose a tax lien on the property being served for failure to pay the applicable fees and charges, pursuant to the provisions of Utah law. A fee of \$20 shall be applied to delinquent accounts certified to pay for the District's administrative costs of certifying and collecting past due sewer service fees.

6.3.5 Restoration of Service

The District shall not restore sewer service until the user pays all fees, charges, and penalties, including the expense of termination and restoration of service.

CHAPTER 7

ENFORCEMENT AND PENALTIES

Section 7.1 **Enforcement Authority**

The District may adopt procedures for the implementation, administration, and enforcement of these rules and regulations.

Section 7.2 **Notification of Violation**

Whenever the District finds that any user has violated or is violating the user's wastewater discharge permit, or has violated or is violating any prohibition, limitation or requirement of the District, the District shall notify the user in writing of the nature of the violation. The notification shall instruct the user to timely submit a plan of corrective action to the District and may include a cease and desist order. If the District receives monitoring reports or written sample analysis indicating a violation, the District shall issue a notice of violation to the user within twenty (20) days of confirming a violation.

Section 7.3 **Methods of Notification**

All notifications required by these rules and regulations shall be served either personally or by registered or certified mail upon the property owner or its registered agent. In the event that the District is not able to serve the property owner personally or by registered or certified mail, service may be achieved by posting notice on the property.

Section 7.4 **Suspension of Service**

The District may suspend wastewater treatment service and/or a Wastewater Discharge Permit without notice or hearing if the District and/or POTW determines the suspension is necessary to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, may cause substantial environmental degradation, causes interference to the operations of the District and/or POTW, or causes the POTW to violate any condition of its NPDES Permit.

Any person notified of suspension of wastewater treatment service and/or the user's Wastewater Discharge Permit shall immediately stop or eliminate the discharge. In the event the user fails to voluntarily comply with the suspension order, the District shall take all steps the District deems necessary to prevent or minimize damage to the POTW system or endangerment to any individuals, including immediate severance of the sewer connection. The District shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. User shall pay all District costs and expenses for any such suspension and restoration of service. The user shall also submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence within 15 days of the date of occurrence.

Section 7.5 **Permit Revocation**

Any user who violates any applicable state and federal regulations or any of the following conditions, is subject to enforcement action by the District:

- (a) Failure of a user to accurately report the constituents and characteristics of its discharge;
- (b) Failure of the user to report significant changes in its operations that may impact the constituents and characteristics of its discharge;
- (c) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring;

- (d) Violation of conditions of the user's permit;
- (e) Failure to pay any District fees or charges;
- (f) Encouraging, permitting, or committing damage or interference to flow measuring equipment, monitoring equipment, surveillance equipment or facilities used to fulfill the enforcement of these rules and regulations.
- (g) Interfering with any personnel acting under the provisions of these rules and regulations.

Section 7.6 Referral for Prosecution

All violations of these rules and regulations which are also punishable under State law shall be referred to the Salt Lake County Attorney's Office, or other applicable criminal enforcement authority for consultation and the commencement of criminal prosecution. Prosecution may be deferred when the purpose of the prosecution is achieved without the commencement of a criminal complaint.

Section 7.7 Civil Liability for Surcharge Expenses

Any person that violates any provision of these rules and regulations shall be liable to the District for all expenses, losses, damages, and surcharges incurred by the District or the POTW as a result of the violation; including any increased costs for managing effluent or sludge which result from the user's discharge of toxic pollutants.

Section 7.8 Administrative Remedies

7.8.1 Show Cause Hearing

The District may order any user to show cause before the District Board of Trustees why the District should not take an enforcement action against the user. A notice shall be served on the user specifying the time and place of a hearing, the reasons why the action is to be or was taken, the nature of the enforcement action, and directing the user to show cause before the District Board of Trustees why the District should not take the enforcement action. The notice of the hearing shall be served at least ten (10) days before the hearing.

7.8.2 Designation of Hearing Entity

The District Board of Trustees may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the District, or contract with others to:

- (1) Issue in the name of the District notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- (2) Take the evidence;
- (3) Prepare a report of the hearing, including a transcript, together with a recommendation for action.

7.8.3 Testimony

At any hearing, testimony may be recorded.

7.8.4 Cease and Desist Orders

The District Manager may issue a cease and desist order instructing the user responsible for the discharge to discontinue discharging sewage to the system unless the user installs adequate treatment facilities, devices or other related appurtenances or the user properly operates existing treatment facilities, devices or other related appurtenances. The District may issue further orders and directives if necessary and appropriate.

Section 7.9 Appeal Procedure

Any permit applicant, permit holder, or other user affected by any District decision, action, or determination, including cease and desist orders, may file a written request for reconsideration with the District Manager within ten (10) days of such decision, action, or determination. The request shall set forth in detail the facts supporting the request. The District Manager may elect to hold a hearing on the request. The request for reconsideration shall be acted upon by the District Manager within ten (10) days from the date of filing or the close of the reconsideration hearing. The decision, action, or determination shall remain in effect during such period of review by the District Manager.

If the person appealing is not satisfied with the District Manager's decision, he may file a written appeal to the District Board of Trustees within ten (10) days after receipt of the decision. The District Board of Trustees may either conduct a new hearing or make a decision based upon the evidence provided in the appeal. The District Board of Trustees shall issue a final decision on the appeal within twenty (20) days after receipt of the user's written appeal, unless the District Board of Trustees conduct a hearing, in which case the decision shall be issued within ten (10) days after the hearing. The decision, action, or determination of the District Manager shall remain in effect during such period of review by the District Board of Trustees. The decisions of the District Board of Trustees shall be binding on all user unless overruled by an appropriate court.

Section 7.10 Legal Action Authorized

The District's attorney may commence an action for appropriate legal and/or equitable relief, including injunctive relief against any user who discharges into the District system in violation of any provision of these rules and regulations, any federal or state Pretreatment Requirements or any order of the District.

Section 7.11 Criminal Penalty and Fines

A violation of the pretreatment and discharge standards, which are defined in these rules and regulations, is a felony subject to prosecution under the Utah Water Pollution Control Act, Title 26, Chapter 11, Section 16, (2)(c) Utah Code Annotated.

Section 7.12 Termination of Service

The District may terminate sewage treatment service to any user for a violation of any provision of these rules and regulations.

Section 7.13 Civil Fine Pass Through

In the event that a user discharges any pollutants which cause the POTW to violate any condition of its NPDES Permit and the POTW is fined by EPA or the State for such violation, then the user shall be fully liable for the total amount of the fine assessed against the POTW by EPA or the State. The District shall collect the fine on behalf of the POTW.

Section 7.14 Falsifying Information

Any user who knowingly makes false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant hereto, or wastewater

discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required herein shall, upon conviction, be punished by a fine of not more than \$299.00 or by imprisonment for not more than six (6) months, or by both.

Section 7.15 Additional Penalties

The District may recover reasonable attorney's fees, court costs, court reporters' fees, and other expenses of litigation by appropriate legal action against the user found to have violated any provision of these rules and regulations, or the orders, rules, regulations, and permits issued hereunder. The attorney for the District, upon request of the District Manager or District Board of Trustees, shall petition the District Court to impose, assess, and recover such sums.

Section 7.16 Owner Reports and Liability

Every owner of improved non-residential commercial property who rents, leases or otherwise permits the use of premises shall provide to the District the following information: a description of the premises, the name of each lessee or tenant, a street address for each lessee or tenant, a mailing address for each lessee or tenant, the name, house address and telephone number of the principal individual who entered into the lease or other agreement with the property owner, and the telephone number of the business and the nature of the operation or business conducted by the lessee. The owner shall inform the District of each change of tenant and provide the information required above.

Every owner of improved non-residential commercial property who rents, leases or otherwise permits the use of premises to be occupied by any type of food service company, must first contact the District to see if any plumbing changes are required, especially as it relates to grease traps or sampling manholes.

Every owner of improved non-residential real property engaged in the business of leasing premises to others for industrial or commercial purposes shall be jointly liable with each lessee for each violation of these regulations occurring on the owner's premises. Fines, surcharges and other enforcement penalties may be assessed by the District against the owners of the property and may become a lien on the real property.

CHAPTER 8

LIFT STATIONS

Section 8.1 Private Lift Stations

Private lift stations may be required for single users or groups of users as part of a private system when the dwellings are located lower in elevation than the adjacent District-owned sewer main line. Issuance of a "Sewer Availability" or "Will Serve" letter does not guarantee a private lift station will not be required in order to connect to the District sewer.

Lift stations for a single user or group of users in a private system will be owned and operated by said users. All costs associated with the lift station, including but not limited to, construction, operation and maintenance, shall be born by the users.

Section 8.2 District Owned Lift Stations

The District-owned lift stations are designed to serve multiple users attached to the District's collection system. All costs of these lift stations is borne by the District as a whole.

The Districts Capital Facility plan may be updated to show the need for a future lift station or replacement of existing lift stations to increase capacity. The District will apportion the costs of any such lift stations in accordance with Utah State Law.

CHAPTER 9

SUBDIVISIONS

Section 9.1 Approval Required Before Recordation

All persons, contractors, builders, operators, subdividers and developers shall obtain the District's written approval for the design of their sewage collection facilities and shall pay all required fees to the District prior to recording a master plan or plat for a mobile home park, subdivision, or other development.

Section 9.2 Mobile Park and Subdivision Connections Allowed

Mobile home parks and subdivisions within the boundaries of the District may, at the user's sole expense, connect to the District sewer at a location designated by the District after the user has paid all required fees and complied with all other rules and regulations of the District.

Section 9.3 Mobile Home Compliance Required

All sewage collection systems and appurtenant facilities for mobile home parks and subdivisions shall be designed, constructed, and maintained in strict accordance with all applicable provisions of the rules and regulations adopted by the District.

CHAPTER 10

SEWER CONSTRUCTION

Section 10.1 Design and Construction

The size, slope alignment, materials of construction of a POTW 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 set forth in the "Code of Waste Disposal Regulations" adopted pursuant to State law, and other specific requirements as set forth by the District

Section 10.2 Construction

The actual construction of the District sewer shall be conducted by a bonded sewer contractor licensed in the State of Utah. Prior to construction the contractor must be approved by the District.

Section 10.3 Excavation Safeguards for Public

The contractor shall guard all excavations for District sewer installation with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored by the contractor in a manner satisfactory to the District and property owner.

Section 10.4 Maintenance Expense

All District sewers, except building sewers and private sewer mains, shall be maintained by the District.

Section 10.5 Inspection and Approval

All phases of the District sewer construction shall be inspected and approved by the District. Failure to obtain the necessary inspections and approvals will result in the work being redone. All work shall be completed in accordance with the construction, testing, and acceptance standards of the District.

CHAPTER 11

CONFLICT AND SEVERABILITY

All other ordinances or regulations adopted by the District inconsistent or conflicting with any part of these rules and regulations are repealed to the extent of the inconsistency or conflict. If any provision, paragraph, word, section or chapter of these rules or regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, word, sections, and chapters shall not be affected and shall continue in full force and effect.

CHAPTER 12

AMENDMENT PROCESS

These rules and regulations may be amended by a majority vote of the District Board of Trustees.