

**DELAWARE COUNTY  
REGIONAL SEWER DISTRICT  
RULES AND REGULATIONS**



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RULES & REGULATIONS**

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**DELAWARE COUNTY REGIONAL SEWER DISTRICT  
RULES & REGULATIONS**

**CHAPTER I**

**GENERAL PROVISIONS**

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- 101 PURPOSE:** The Rules & Regulations contained herein are adopted to provide a well-planned and uniform wastewater collection and disposal system in Delaware County, Ohio in order to preserve and promote the general health and welfare of the public.
- 102 AUTHORITY:** The Board of County Commissioners, Delaware County, Ohio are authorized to adopt Rules & Regulations for the construction, maintenance, protection and use of sewers and sewer improvements as provided in section 6117.01 of the Ohio Revised Code.
- 103 INTERPRETATION:** The provisions of these Rules & Regulations shall be held to be minimum requirements. Whenever these provisions are different from the requirements of other lawfully adopted regulations the more restrictive rule or higher standard shall prevail. These Rules & Regulations may be amended, updated or superseded by Commissioner’s Resolution.
- 104 REFERENCES:**
- 1) Delaware County Regional Sewer District Construction and Material Specifications and Standard Drawings;
  - 2) Recommended Standards for Waste Water Facilities, A Report of the Wastewater Committee of the Great Lakes – Upper Mississippi River, commonly known as Ten (10) State Standard, the most recent Edition;
  - 3) Subdivision Regulations of Delaware County, Ohio as adopted by Regional Planning Commission; and
  - 4) Design Standards: Wastewater Treatment Plants & Collection Systems ≤ 100,000 gpd. (Ohio EPA Greenbook).
- 105 DEFINITIONS:** Unless the context specifically indicates otherwise, the following words and phrases when used in these Rules & Regulations shall have the meaning defined below:
- 105.01 Act:** The Federal Water Pollution Control Act, as amended by the Clean Water Act and the Water Quality Act of 1987 (33 U.S.C. 1251 et. seq.).
- 105.02 Administrator:** The administrator of the United States Environmental Protection Agency.
- 105.03 Applicable Pretreatment Standard:** Any pretreatment standard or requirement (federal, state, and/or local) with which users are required to comply.
- 105.04 Authorized Representative of the Industrial User:** (1) a Responsible Corporate Officer, if the Industrial User is a corporation; (2) a general partner or proprietor, if the Industrial User is a partnership or sole proprietor respectively; (3) a member or manager, if the Industrial User is a Limited Liability Corporation; (4) a duly authorized representative of the individual designated in (1) through (3) of this definition if (a) the authorization is made in writing by the individual described in (1) through (3) of this definition, or (b) the authorization specifies either an individual or a position having responsibility for the responsibility for the overall operation of the facility from which the Discharge originates, such as the position of plant manager or a position of responsibility for

environmental matters for the company, and (c) the written authorization is submitted to the Sanitary Engineer

- 105.05 Board:** The Delaware County Board of County Commissioners.
- 105.06 Biochemical Oxygen Demand (BOD):** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million (ppm) or milligrams per liter (mg/l) by weight.
- 105.07 Biodegradable:** Any material that is easily amenable to breakdown to less complex compounds by biologic processes present in the District sanitary sewer system. The District shall determine whether a material is biodegradable if such determination is required.
- 105.08 Building:** Any structure, or part of a building or structure, whether or not constructed for human habitation.
- 105.09 Building Drain:** That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes, including sump pumps, roof drains, and other similar connections, inside the walls of a building.
- 105.10 Building Sewer:** The extension from the building drain to the public sewer or other place of disposal.
- 105.11 Bypass:** 1. The intentional diversion of waste streams from any portion of an Industrial User's treatment system, or 2. Intentional diversion of natural streams, existing sewers or other flow during the construction of Improvements.
- 105.12 Capacity:** The ability to convey and treat sanitary sewage flow up to a specific volume.
- 105.13 Capacity Fee:** The fee that is charged for connection to the sanitary sewer system. Capacity is not guaranteed until the capacity fee is paid.
- 105.14 Capacity (Fee) Letter:** After submission of a capacity fee application, the District will prepare a letter which determines the equivalent residential units (ERU's), capacity fee, and user charges.
- 105.15 Carbonaceous Biochemical Oxygen Demand (CBOD):** The quantity of oxygen utilized in the biochemical oxidation of organic matter, not including nitrification, under standard laboratory procedure in five (5) days at 20°C, expressed in parts per million (ppm) or milligrams per liter (mg/l) by weight, determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.
- 105.16 Categorical Discharger:** An Industrial User subject to a National Categorical Pretreatment Standard.
- 105.17 Categorical Pretreatment Standard:** Same as "National Categorical Pretreatment

Standard”.

- 105.18 Commercial Sewage:** All non-domestic sewage originating from businesses, institutions, mixed use buildings, not subject to Categorical Pretreatment Standards.
- 105.19 Commercial Use:** The use of sanitary sewer services in connection with normal business activities only (i.e., offices, restaurants, retail stores, service stations, etc.); and not to include industrial/manufacturing process wastes.
- 105.20 Commissioners:** The Delaware County Board of County Commissioners.
- 105.21 Conditional Acceptance:** Acceptance by the District on a conditional basis of the sanitary sewer facilities constructed by a developer or other person as defined herein who has constructed facilities to be transferred to the District. Acceptance will remain in a conditional status until the District’s final acceptance of the facilities. Connections cannot be made to such facilities and services will not be provided by the District through such facilities until conditional acceptance by the District has occurred.
- 105.22 Connection:** The installing of a sewer main or service line to the District’s existing sanitary sewer system.
- 105.23 Consumer:** Any person who is the ultimate user of sanitary sewer services provided by the District.
- 105.24 Contractor:** A person or company that undertakes a contract to provide materials or labor to construct Improvements.
- 105.25 Cooling Water:** The water discharged from an air conditioning, condensation, cooling, refrigeration, or other system, but free from odor or oil, and containing no polluting substances which could produce BOD<sub>5</sub> or suspended solids each in excess of ten milligrams per liter (10 mg/l).
- 105.26 Cost:** The expenditures made by the District for engineering, labor, material, motor vehicles, supervision, tools, and any other expenditures incidental thereto, required in any project undertaken by the District, including cost of land, land rights, and other personal and real property owned by the District necessary to construction, operation, maintenance, and repair of sanitary sewer systems.
- 105.27 County:** Delaware County, Ohio, acting through its duly authorized officials and employees.
- 105.28 County Sanitary Engineer:** The Delaware County, Ohio Sanitary Engineer or his authorized agent or representative.
- 105.29 Customer:** Any person who receives sanitary sewer services from the District, as well as any property owner whose property is benefited by the availability of sanitary sewer services to his or her property, including but not limited to any person who enters into a contractual agreement with the District to receive or to pay for utility services provided

by the District. Customers may, but need not, be consumers of the services provided under such a contractual agreement.

- 105.30 Developer:** Any corporation, firm or person that presumes to excavate or fill, build structures or otherwise improve a specific parcel or tract of land.
- 105.31 Developer's Agreement:** An agreement between a developer and the County for the construction of improvements. Synonymous with: Agreement, Sanitary Sewer Agreement, Improvements Agreement and Subdivider's Agreement.
- 105.32 Development:** The improvement of a parcel or tract of land.
- 105.33 Director:** The Executive Director of the Delaware County Regional Sewer District.
- 105.34 Discharge:** Sewage, water or any liquid flowing out of any domestic or industrial establishment.
- 105.35 District:** The Delaware County Regional Sewer District as established under O.R.C. 6117.
- 105.36 District System:** That portion of a system of sanitary sewers, treatment facilities, and associated equipment and materials which is owned by the District.
- 105.37 Domestic Sewage:** Sewage derived principally from single and multifamily dwellings that originates purely from activities of human habitation. These discharges shall contain no process or trade wastes.
- 105.38 Domestic Use:** The use of sanitary sewer services in connection with normal household activities only.
- 105.39 Easement:** An acquired legal right for the specific use of land owned by others.
- 105.40 Engineer:** Synonymous with County Sanitary Engineer.
- 105.41 Environmental Control Facility:** Same as Water Reclamation Facility or Water Reclamation System.
- 105.42 Equivalent Residential Unit (ERU):** One single family residential unit or its equivalent.
- 105.43 Extra-strength charges** – Same as surcharges.
- 105.44 Final Acceptance:** Acceptance by the District, on a final basis, of the sanitary sewer facilities constructed by a developer or other person as defined herein who has constructed facilities to be transferred to the County. Final acceptance occurs when all contingencies required by the Agreement and these Rules & Regulations have been met, and when the Board passes a Resolution to finally accept the facilities.
- 105.45 Fats, Oils, and Grease (FOG):** Fats, oils, and grease that accumulate in the sanitary

sewer system due to residential or commercial discharge normally associated with food service.

- 105.46 Foundation Drains:** Subsurface drains laid around the foundation of a building, either within or outside of the building foundation for the purpose of carrying ground or surface water to some point of disposal.
- 105.47 Garbage:** Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the commercial handling, storage and sale of produce.
- 105.48 Governmental:** Any consumer or customer whose offices or facilities are used for the purposes of administering public policy and/or services, controlling and/or governing whether at a federal, state or local level.
- 105.49 Improvements:** Any addition to the natural state of land which increases its utility or value including buildings, landscaping, paved parking areas, public utilities, sanitary sewers, storm sewers, water mains, street pavements with or without curbs, crosswalks, gutters, lighting, and/or sidewalks, and other appropriate items.
- (a) Site Improvements: Improvements made to the land outside the exterior limits of a structure or structures.
- (b) Public Improvements: Improvements financed entirely or in part by public funds or which are dedicated to public use after completion thereof.
- 105.50 Incompatible:** Any wastewater that is deleterious to or degrades the Wastewater Treatment System, or the effluent, sludge, or residual products (biosolids) from the Wastewater Treatment System.
- 105.51 Industrial:** Of, pertaining to, or derived from industry.
- 105.52 Industrial Discharge Permit:** A permit to discharge industrial wastewater into the County's wastewater treatment plant, as issued by the County Sanitary Engineer.
- 105.53 Industrial/Manufacturing Process Wastes:** The gaseous, liquid or solid wastes resulting from any process of business, industry, manufacturing, trade or from the development, processing or recovery of any natural resource which will pollute any water it enters. As distinct from normal domestic sewage.
- 105.54 Industrial User or Commercial User:** A customer that discharges non-domestic sewage to the wastewater collection system and/or environmental control facility and is not classified as a Significant Industrial User.
- 105.55 Industrial Discharger:** Any user or discharge subject to the Categorical Pretreatment Standards.
- 105.56 Industrial Wastewater:** Any combination of liquid and water-carried wastes, discharged from any industrial or commercial establishment, and resulting from any trade or



process carried on in that establishment, including the wastewater from pre-treatment facilities and polluted cooling water, and any wastewater from non-domestic sources.

**105.57 Institutional:** Any consumer or customer whose facilities or offices are used for the purposes of an established foundation or organization dedicated to public service (i.e., churches, hospitals, nursing homes, schools, etc.).

**105.58 Interference:** A discharge which alone or in conjunction with a discharge or discharges from other sources, both:

(a) Inhibits or disrupts the County’s Wastewater Treatment Plant, its treatment processes or operations, or its sludge processes, use or disposal; and

(b) Is a cause of a violation of any requirement of the wastewater treatment plant’s NPDES permit (including an increase in the magnitude or duration of violation) or of the prevention of sewage sludge use or disposal in compliance with any federal, state or local requirements, including, the following statutory provisions and regulations or permits issued there under (or more stringent 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 standards for the use and disposal of sewage sludge (40CFR part 503), the Clean Air Act, CERCLA (Comprehensive Environmental Response, compensation and Liability Act), and the Toxic Substance Control Act.

**105.59 May:** “May” is permissive; “Shall” – is mandatory.

**105.60 mg/l:** Milligrams per liter

**105.61 Mixed Use Buildings:** Buildings occupied by business and dwellings.

**105.62 National Categorical Pretreatment Standard:** A categorical pretreatment standard promulgated by the Administrator in accordance with section 307 of the Act and as may be promulgated by the Administrator in the future.

**105.63 National Pretreatment Standard:** Any regulation of the USEPA containing pollutant discharge limits promulgated by the Administrator in accordance with sections 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 40 CFR section 403.5, and as may be amended in the future.

**105.64 Non-Domestic Use:** All uses other than domestic use.

**105.65 Non-Sanitary Flow:** Storm water originating from downspouts, storm and groundwater drains, infiltration, inflow, sump pumps, and foundation, footer drains or other clean

water connections. Non-Sanitary flow is prohibited from being discharged into the sanitary sewer system.

- 105.66 Normal Domestic Sewage:** All wastes similar in the characteristics of BOD<sub>5</sub>, pH, and suspended solids to that of normal residential sewage.
- 105.67 NPDES Permit:** A permit issued to the County by the Environmental Protection Agency under the National Pollution Discharge Elimination System that establishes limitations for discharge of waste waters to the waters of the United States pursuant to Section 402 of FR 92-500 and its amendments.
- 105.68 Oils and Greases:** Those materials extractable from an acidified sample by “Freon”, or other acceptable solvent, in accordance with approved laboratory procedures.
- 105.69 Operation, Maintenance, and Repair (OM&R):** Activities and related expenses necessary to ensure the maximum useful life of the sanitary sewer systems.
- 105.70 Organic:** Containing carbon compounds or produced in living organisms.
- 105.71 Owner:** All associations, corporations, individuals, partnerships or political subdivisions holding any interest or title in any easements, interests, and/or rights in any real property served or which may be served by a District system.
- 105.72 Parcel:** A specific part of a larger acreage of land.
- 105.73 Pass Through:** A discharge that exits the wastewater treatment plant into waters of the United States in quantities or concentration which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the wastewater treatment plant’s NPDES Permit (including an increase in the magnitude or duration of a violation.)
- 105.74 Person:** Any individual, partnership, trust, estate, firm, company, association, society, state or federal governmental entity, agency, public subdivision of the state, corporation, Limited Liability Corporation (LLC), municipality, group, or owner of a premises.
- 105.75 pH:** The expression of both acidity and alkalinity on a scale whose values run from zero (0) to fourteen (14) with seven (7) representing neutrality; numbers less than seven (7) indicate increasing acidity, and numbers greater than seven (7) increasing alkalinity.
- 105.76 Plat:** A plan of a parcel or tract of land made by a surveyor registered in the State of Ohio, showing public dedications, property lines, lot lines, and such other information as is required by law.
- 105.77 Pollutant:** Sewage, industrial waste or other waste as those terms are defined by paragraphs (B), (C) and (D) in section 6111.01 of the Ohio Revised Code.
- 105.78 Pollution:** The placing of any deleterious or noxious substances in any waters within the

District or affecting the properties of any waters of the state in a manner which renders such waters harmful or inimical to the public health, or to animal or aquatic life, or to the use of such waters for agricultural purposes, domestic water supply, industrial/manufacturing purposes or recreation.

- 105.79 Potable Water:** Water treated for human consumption; satisfactory for drinking, culinary, and domestic purpose and meets the requirements of the EPA. Non-potable water is not meant for human consumption; it is not safe for drinking, culinary or personal use.
- 105.80 ppm:** Parts per million.
- 105.81 Premises:** A tract of land, platted or unplatted.
- 105.82 Pretreatment:** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the County's Wastewater Treatment System. The reduction or alteration may be obtained by physical, chemical, or biological treatment processes, BMPs (Best Management Practices), pollution prevention alternatives including process changes, material substitutions, improved operating practices and recycling, or by other means, except as prohibited by paragraph (E) of rule 3745-3-09 of the Ohio Administrative Code (unauthorized dilution).
- 105.83 Pretreatment Device:** Device designed to lower the pollutant concentrations from the private facility to meet acceptable levels established by the District prior to discharge into the District sanitary sewer system.
- 105.84 Public Sewer:** Any sewer owned by the county or other public authority, including storm, sanitary, or combined sewers.
- 105.85 Regulations:** The Delaware County Regional Sewer District Rules & Regulations, also referred to as "Regulations". Regulations may also pertain to the requirements of other regulatory agencies, in which case, the more stringent regulation shall govern.
- 105.86 Replacement:** The act, or process, of being replaced; substitution. The construction and/or substitution of new equipment and/or materials for similar equipment and/or materials for the purposes of continuing its original intended function or use.
- 105.87 Residential:** Of, pertaining to or having living accommodations.
- 105.88 Resolution:** A resolution adopted by the Delaware County Board of County Commissioners.
- 105.89 Sanitary Engineer:** The Sanitary Engineer of Delaware County, Ohio
- 105.90 Sanitary Sewer:** A sewer which collects and carries liquid and water-carried wastes from commercial buildings, industrial plants, institutions, and residences, and to which ground, storm, and surface waters are not legally admitted.

- 105.91 Sanitary Sewer System:** The waste water facilities or system. The District sanitary sewer system shall be that part of the waste water system owned, operated, and maintained by the District.
- 105.92 Service:** The availability of waste water disposal is called sanitary sewer service.
- 105.93 Service Line:** The line owned by the lot or parcel owner that starts at the branch joint of the wye and extends onto the private property. The owner is responsible for the operation and maintenance of the service line.
- 105.94 Serviceability Letter:** Determines not only if service is available and where, but also determines if Capacity is available based on the request.
- 105.95 Sewage:** Any substance that contains waste products, excrement or other discharge from the bodies of human beings or animals, which will pollute any water it enters. The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions.
- 105.96 Sewer:** A conduit or pipe for conveying ground water, industrial/manufacturing process waste water, non-polluted water, sewage or storm water.
- 105.97 Sewerage Works:** A system of sewers used to convey sewage.
- 105.98 Shall:** "Shall" is mandatory; "May" – is permissive.
- 105.99 Significant Industrial User (SIU):** 1. All dischargers subject to Categorical Pretreatment Standards; or 2. All non-categorical dischargers that, in the opinion of the Sanitary Engineer, have a reasonable potential to adversely affect the wastewater treatment plant's operation, or which discharges a process waste stream or Industrial Wastewater that makes up five percent (5%) or more of the average dry weather, hydraulic or organic capacity of the wastewater treatment plant receiving the process waste stream or Industrial Wastewater, or that discharges an average of 25,000 gallons per day or more of process wastewater or Industrial Wastewater to the County's Wastewater Treatment System.
- 105.100 Sludge:** Any solid, semi-solid or liquid waste generated by a wastewater treatment plant, water supply treatment plant or air pollution control facility or any other waste having similar characteristics and effects.
- 105.101 Slug load:** Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration, which will cause interference with or pass through the District sanitary sewer system.
- 105.102 Storm Drain or Storm Sewer:** A pipe or conduit designed for the purpose of carrying storm water drainage, surface water run-off, unpolluted cooling, and drainage water from the point of origin to some point of disposal, but which is not intended to carry domestic sewage, sanitary sewage, industrial sewage, Industrial Wastewater or other

polluted wastewater.

- 105.103 Storm Drainage System or Drainage System:** All ditches, facilities, natural watercourses, outlets, sewers, streams, structures, swales or waterways which carry cooling water, ground water, storm water, subsurface drainage water, surface water or unpolluted industrial process water.
- 105.104 Storm Water:** Any water that is not commercial, domestic or industrial/manufacturing waste in nature; including, but not limited to, cooling water, drainage water, ground water, subsurface drainage water, and/or unpolluted industrial/manufacturing process water.
- 105.105 Subcontractor:** A person or business which has a contract with a contractor to provide some portion of the work or services on a project which the contractor has agreed to perform.
- 105.106 Surcharges:** Sewage strength in excess of normal sewage strength as defined by these Rules & Regulations. Surcharge may also be used to refer to additional capacity (tap) fees imposed on certain tributary areas established by Resolution.
- 105.107 Suspended Solids (SS):** Solids that either float on the surface of, or are suspended in, water, sewage or other liquid, and which are removable by laboratory filtering.
- 105.108 System Components:** All pump stations, manholes, pipes, pits, service lines, valves, and sanitary sewer lines and appurtenances thereto, which are a part of or connect to the District sanitary sewer system.
- 105.109 Toxic:** Being capable of adversely affecting any organism upon assimilation or exposure.
- 105.110 Tract:** An expanse of land.
- 105.111 User:** Any person who discharges, causes, contributes or permits the discharge of Wastewater, Sewage, Domestic or Sanitary Sewage, Industrial Wastewater, Pollutants or Garbage, or any other wastes or substances, directly or indirectly, into the County's Wastewater Treatment System, including industrial users.
- 105.112 User Charge:** That portion of the monthly rate which is used for payment of operation, maintenance, and repair costs of the sanitary sewer systems. Synonymous with Service Charge.
- 105.113 User Classifications:** The designation assigned to each customer of the sanitary sewer system. The user classifications are: commercial, governmental, industrial - heavy or light, institutional, manufactured housing, and residential.
- 105.114 Waste:** Superfluous, unneeded or useless matter which is discarded; such as ashes, garbage, process by-product or sewage.

**105.115 Wastewater:** The liquid and water-carried waste from dwellings, commercial buildings, industrial facilities (including, but not limited to industrial wastewater generated by said industrial facilities), institutions, or premises, together with any groundwater, surface water, or storm water that may be present, whether treated or untreated, which is discharged, introduced or otherwise permitted to directly or indirectly enter the County's Wastewater Treatment System.

**105.116 Wastewater Treatment System:** The structures, pipes, pumps, tanks, equipment, trucks, and processes necessary to collect, transport, treat and discharge, Wastewater, Domestic Sewage, Sanitary Sewage, and Industrial Wastewater, and to manage, store, or dispose of the County's wastewater treatment plant effluent and accumulated residual solids (biosolids).

**105.117 Watercourse:** A channel in which a flow of water occurs, either continuously or intermittently.

**106 GUARANTEE OF CAPACITY:** The District does not guarantee sanitary sewer service capacity to any person as defined herein for any purpose, whether such purpose be residential, commercial or industrial/manufacturing. Nothing in these Rules & Regulations or other written document of the District shall be construed to constitute an expressed or implied guarantee of the availability of sanitary sewer services to any property in any amount, or of the intent of the District to provide the same.

**106.01 Capacity Request:** A request must be submitted to the District on the availability of service for a specific area or development. A serviceability letter with stated conditions shall be provided by the District dependent on the available capacity for the subject property.

**107 CONSTRUCTION AND TRANSFER OF SYSTEM COMPONENTS:**

**107.01 Owner to Bear the Cost:** Any property owner or developer wishing to develop a lot, tract or parcel of ground and wishing to connect improvements constructed thereon to the District's systems shall bear all the costs incidental to the construction and installation of the sanitary sewer system components. Said construction and installation shall be done in accordance with these Rules & Regulations as they currently exist or as they may be amended from time to time.

**107.02 Provision for Extension of Systems:** Any property owner or developer wishing to improve a lot, parcel or tract of ground and wishing to extend the existing sanitary sewer facilities to obtain service from the District's systems, shall be required to construct the extended facilities as directed by the District and at the owner's or developer's expense.

**107.03 Conveyance of Systems Components by Owner or Developer:**

- (a) Upon certification in writing from the Sanitary Engineer that all construction is complete according to the plans and specifications, the County shall accept by Resolution of the Board of Commissioners without additional consideration

from the District, all of the system components and easements which are or are caused to be acquired, constructed or installed by the owner or developer and which are reasonably required in order for the District to provide sanitary sewer service to the owner's or developer's property, except that the owner or developer shall not convey the part of the service lines from the mainline to the building that connects the individual buildings or dwellings to the sanitary sewer mains.

- (b)** At the time of acceptance described in these Rules & Regulations, the owner or developer shall assign to the District all obligations or warranties, whether expressed or implied, created by contract or by law, by contractors, manufacturers, and vendors of the personal property comprising the sanitary sewer systems within the owner's or developer's property, to the extent the same may be assignable. The owner or developer agrees that it will fully cooperate with the District in enforcing any warranties given by or claimed against all contractors, manufacturers, and vendors of the personal property so conveyed, provided that any costs or expenses in connection therewith shall be borne by the District. The owner or developer will not knowingly waive any such warranties which it obtains. A Developer's Agreement must be executed between the County and Developer which fully outlines all requirements prior to project initiation.

**108 SEPARATION OF SYSTEMS:** All water, drainage, and sanitary sewer systems are separate and distinct systems. No person shall connect any two systems together in any manner that could cause water or drainage system runoff to enter the wastewater system.

**109 ACCESS TO PROPERTY:** Any duly authorized representative of the District bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspecting, maintaining and verifying separation of systems and discharge of impermissible storm water, sewage or waste, and/or for the purpose of measuring, sampling or testing in accordance with the provision of these Rules & Regulations, and for any actions associated with protection of the District's systems.

**110 GENERAL TERMS:**

**110.01** In the interest of public health and for the protection of its property, the District will not permit use of its sanitary sewer systems or any system components for anything other than District approved uses.

**110.02** The District undertakes to use reasonable care and diligence to provide adequate sanitary sewer service. The District shall not be liable for a deficiency or failure, regardless of cause, in the supply of sanitary sewer service or for any damage therefrom, or for the breaking of any main or service lines or for any damage caused thereby, or for failure of electrical power supply or equipment failures or failure of other facilities used by the District or for any damage caused thereby, if the District is without willful default or negligence on its part.

**110.03** The District shall be entitled to assume that the fixtures and piping to which the service will be supplied are in good order, will be maintained in good order, and will be operated properly. The District will not be liable for any accidents, breaks, leakage or other harmful events resulting in any way from the supplying of sanitary sewer service to faulty fixtures or piping, or improperly operated fixtures or piping.

**110.04** The District shall have the sole right to review and, if necessary, revise the size and type of construction materials and methods, and location of service lines and connections necessary to provide the service for which application has been made.

**110.05** Operating control of all District sanitary sewer systems and the connections thereto is vested in and shall at all times remain with the District, and shall not be trespassed on or interfered with in any manner.

**110.06** The District shall be notified by the owner of any change of ownership for any premise being served by the District.

**110.07** The liabilities and responsibilities for proper use of, and payment for, the sanitary sewer service is the obligation of the owner of the premises being served unless approved otherwise by the District in writing.

**111 CHARGES FOR DAMAGES TO SANITARY SEWER SYSTEMS:**

**111.01** When any person causes damage to, or an obstruction of, or any other impairment to any part of the District sanitary sewer system or the treatment process, the District may levy a charge against the owner from whose premises the damage originated, or against the person responsible for causing the damage, or both. The charges shall be for the cost of the work required to clear and/or repair the part of the sanitary sewer system or reestablish the treatment process affected by said damage. In addition, the District may charge the owner or the responsible party, or both, for its expenses in identifying the damage to or obstruction of its system, and for its incidental expenses in collecting such charges, including reasonable attorney's fees. The District may add such charges to the usual services charges, surcharges, and fees of the owner from whose premises the damages originated or may bill the person responsible for causing the damage.



**DELAWARE COUNTY REGIONAL SEWER DISTRICT  
RULES & REGULATIONS**

**CHAPTER II**

**SEWER SYSTEM USE**

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**201 PURPOSE:** The Rules & Regulations contained herein are adopted to set forth uniform requirements for discharging into the District's sanitary sewer collection and treatment system and enable the District to protect public health and safety in conformance with all applicable local, state, and federal laws related thereto.

The objectives of this section are as follows:

- (a) Establish uniform requirements for direct and indirect contributors into the sanitary sewer collection and treatment system.
- (b) Prevent the introductions of pollutants into the District's sanitary sewer system which will interfere with the normal operation of the system, and pollutants which cannot be adequately treated and pass through the system into receiving waters or the atmosphere.
- (c) Establish guidelines for commercial, industrial, and Significant Industrial Users (SIUs).
- (d) Establish guidelines for Fats, Oils, and Grease control.

**202 CONNECTION WITH DISTRICT'S SANITARY SEWER SYSTEM REQUIRED:** The owner of any real property located within the Delaware County Regional Sewer District is required to connect to the District sanitary sewer system as stated herein, pursuant to O.R.C. 6117.01, so as to prevent or abate pollution and protect the health and property of persons in the District. No household sewage disposal system shall be installed, maintained or operated on any property accessible to a sanitary sewer system.

**202.01 New Construction:** The owner of real property shall, prior to the commencement of any new construction or grading on the property, inform the District of the owner's intent to engage in construction activities on the property, including, but not limited to, the construction of:

- (a) Single family residence(s);
- (b) Multi-family residence(s);
- (c) Office, commercial, manufacturing or industrial buildings;
- (d) Recreational facilities; or
- (e) Any other type of building or structure not falling within the classifications noted above.

The owner shall also provide the Sanitary Engineer a copy of the building plan for the property. If the Sanitary Engineer determines that the property is accessible to the District's sanitary sewer system, the owner shall be required to connect to the District's sanitary sewer system. The owner shall be required to obtain a permit and construct at his/her own cost and expense all lines, equipment, and appurtenances necessary to connect to the District's sanitary sewer facilities in accordance with these Regulations.

Connection must be made within ninety (90) days after date of official notice from the Sanitary Engineer to do so, provided the foundation wall of the structure from which wastewater, sewage or other wastes originated is less than two hundred (200) feet from the nearest boundary of the right-of-way within which the sewer is located.

**202.02 Existing Buildings:** The owner of real property shall connect any existing structure or building that contains plumbing fixtures to the District's sanitary sewer system in accordance with these Regulations, provided the District has determined that such structure or building is accessible to the District's sanitary sewer system pursuant to ORC 6117.01.

**202.03 Expansion of Existing Facilities:** When the owner of real property intends to enlarge or expand the existing use of the property, either by constructing additional buildings or structures or enlarging existing buildings or structures, the owner must comply with all requirements of these Regulations. Following the District's review of the building plan, the owner shall proceed with construction of the new or expanded building or structure so that it shall be connected to the existing building sewer, provided the District has determined that it is accessible to the system. A new connection to the District's sanitary sewer system shall only be approved by the Sanitary Engineer and may require payment of additional capacity fees. At the discretion of the Sanitary Engineer, the expansion of the existing facilities may require an adjustment to the owner's user charges.

### **203 APPLICATION FOR SANITARY SEWER SERVICE:**

**203.01** Any residential property owner who is currently connected to an on-lot disposal system and wishes to connect to the District's sanitary sewer system, must complete an Information Request Form, either online or over the phone with a District representative. The Sanitary Engineer will then review availability of sewer to that property and determine the amount of the capacity and inspection fees required to connect. All fees must be paid to our office prior to connection (see Chapter III, Sections 305 and 306).

**203.02** Residential property owners located in a subdivision that District has previously accepted into Sanitary Sewer Service need to contact District by phone for confirmation of the amount of capacity and inspection fees due on the property. All fees must be paid to our office prior to connection (see Chapter III).

**203.03** Commercial property owners who wish to connect to the District's sanitary sewer system must complete a Commercial Tap Fee Application Form (available online). The Sanitary Engineer will then review availability of sewer to that property and determine the amount of the capacity and inspection fees required to connect (see Chapter III). All fees must be paid to our office prior to connection (see Chapter III).

**204 ACCEPTABILITY OR UNACCEPTABILITY OF DISCHARGE:** The District shall determine the acceptability or unacceptability of any discharges to the sanitary sewer system in accordance with this Chapter. The owner shall provide all necessary information for the District to evaluate the discharge.

**204.01** Upon determination that an existing or proposed discharge is unacceptable, the District shall in its sole discretion do one (1) or more of the following:

- (a) Refuse sanitary sewer service to the owner whose premises is discharging, or who is proposing to discharge unacceptable waste and, furthermore, may order the removal of such discharges from the sanitary sewer system, including the physical removal of connection to the system; or
- (b) Require pretreatment of the unacceptable discharge by equipment or procedures acceptable to the District; and/or
- (c) Approve discharge concentrations in excess of normal domestic sewage and require payment of a surcharge.

**204.02** When pretreatment is to be used, the District shall determine the classification of the user as one of the following:

- (a) Industrial User or Commercial User
- (b) Significant Industrial User

**205 PROHIBITED DISCHARGES:**

**205.01 Wastewater Discharges to Natural Outlets Prohibited:** It shall be prohibited to discharge any wastewater or other polluted waters to any natural outlet or storm water drainage system within the County of Delaware, Ohio or in any area under the jurisdiction of said County.

**205.02 Approval of Onsite Wastewater Disposal:** It shall be prohibited to construct or maintain any privy, privy vault, septic tank, cesspool, storage tank, or other facility intended or used for the permanent storage or disposal of wastewater without first obtaining the required permits from the permitting authority.

**205.03 Unpolluted Discharges to Sanitary Sewer System:** No Person shall discharge or cause to be discharged any storm water, groundwater, sump pump discharge, roof runoff, parking lot runoff or subsurface drainage to the sanitary sewer system.

**205.04 Foundation and Basement Drainage:** It shall be prohibited to discharge into the building sanitary sewer, the surface water which collects in basement or foundation excavations, or foundation or footer drains.

**205.05 Suitable Toilet Facilities Required:** The owner(s) of all houses, building, or properties used for human occupancy, employment, recreation, business or other purposes, situated within the District 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 District, is hereby required at the owner's expense to install suitable toilet facilities

therein, and to connect such facilities directly with the proper public sewer in accordance with these Rules & Regulations.

**205.06 Incompatible Wastewater:** No user shall discharge, cause or permit to be discharged, any pollutant or wastewater to the District's sanitary sewer system which, in the opinion of the Sanitary Engineer, is incompatible or, in the case of a proposed discharge, is expected to be incompatible, with the County's sanitary sewer system. In cases where wastewater from any user is found to be incompatible with the sanitary sewer system, the Sanitary Engineer may require the user to cease the discharge to the sanitary sewer system. If the user fails to comply, the Sanitary Engineer may take all necessary steps to prevent such discharge from entering the sanitary sewer system, including terminating or shutting off the service connection, plugging the user's sewer, terminating wastewater service or revoking a permit, in addition to initiating any other enforcement action available under this section, such as seeking judicial remedies or assessing administrative fines and damages.

**205.07 General Prohibitions:** No user shall discharge, or cause or permit to be discharged, directly or indirectly, any pollutant or wastewater into the sanitary sewer system, that causes pass through or interference. These general prohibitions apply to all users of the sanitary sewer system, whether or not the user is subject to Categorical Pretreatment Standards or any other National, State or local Pretreatment Standards or requirements.

**205.08 Specific Prohibitions:** No user shall discharge or cause or permit to be discharged, either directly or indirectly, to the sanitary sewer system, any of the following:

- (a) Any pollutants or substances such as gasoline, benzene, naphtha or kerosene that create a flammable or explosion hazard in the sanitary sewer system, including, but not limited to, Pollutants or substances with a closed cup flash point of less than 140 degrees Fahrenheit or 60 degrees Celsius using U.S. EPA approved analytical test methods;
- (b) Any discharge having corrosive properties which causes or is capable of causing damage or creating a hazard to the sanitary sewer system or the health and safety of District workers, or that will impede the use, recycling, or disposal of sludge or residual solids (biosolids);
- (c) Any discharge having a pH lower than 5.0 S.U, at any time, or otherwise causing corrosive structural damage to the sanitary sewer system or equipment;
- (d) Solid or viscous pollutants or substances in amounts which cause or are capable of causing obstruction to the flow in sewers, or other disruption or interference with the operation of the sanitary sewer system, including, but not limited to, construction materials, rags, ashes, mud, sand, dirt, straw, grass, feathers, shavings, metal, glass, fur, plastic, glue, adhesives, wax, wood, tar cinders, or fats, oils and greases;

- (e) Any pollutant or substances, including Biological Oxygen Demand (BOD) pollutants, released at a flow rate, amount, or concentration, which causes interference in the sanitary sewer system;
- (f) Heat in amounts that will inhibit biological activity in the wastewater treatment plant resulting in interference or causing damage to the sanitary sewer system;
- (g) Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through;
- (h) Any discharge which, by itself or in conjunction with other discharges, results in toxic or noxious gases, vapor or fumes within the sanitary sewer system in a quantity that causes, or may cause acute worker health and safety problems;
- (i) Any trucked or hauled pollutants, except those pollutants that have been approved by the Sanitary Engineer for discharge to the sanitary sewer system at points designated by the Sanitary Engineer;
- (j) Any discharge which contains an objectionable color not capable of being removed or treated by the normal operation of the wastewater treatment plant, such as dyes or vegetable tanning solutions;
- (k) Any discharge containing radioactive properties, except when (1) the user is authorized to use the radioactive materials by the State Department of Health, or other governmental agency empowered to regulate and permit the use of radioactive material, (2) the material is discharged in strict compliance with applicable Ohio EPA and Nuclear Regulatory Commission standards, Rules & Regulations, (3) the user is in compliance with all of these Regulations, and (4) there is no harmful effect on the health and safety of District workers, the sanitary sewer system, or the effluent, sludge and residual solids from the sanitary sewer system;
- (l) Used oil; and
- (m) Any discharge that results in an exceedance of ten percent (10%) of the lower explosive limit in the air at any point in the sanitary sewer system.

The above list is subject to revisions as required to meet current water quality standards or NPDES Permit requirements imposed by state or federal agencies.

## **206 SEPTAGE HAULERS DISPOSAL:**

The District may provide disposal of septage and other compatible wastes as approved by the Sanitary Engineer. The District will charge a fee for dumping, cleanup, basic treatment charge, and additional surcharges for septage disposal and other compatible wastes as approved by the

Sanitary Engineer.

**206.01 Rules:**

- (a) The Sanitary Engineer shall not accept any toxic or hazardous waste nor any waste which cannot be economically treated or is detrimental to meeting NPDES requirements.
- (b) The Sanitary Engineer shall obtain samples from each load and preserve said samples until treatment compatibility is determined.
- (c) The Sanitary Engineer may require each hauler to sign an affidavit attesting that the material to be dumped is non-toxic and of non-hazardous nature to the treatment process and equipment that there are no incompatible residual industrial wastes in the load.

**207 INDUSTRIAL USER OR COMMERCIAL USER:**

**207.01** A non-domestic user that does not qualify as a Significant Industrial User as determined by the District shall be classified as an Industrial User or Commercial User. The District shall require the following for Industrial Users or Commercial Users:

- (a) The submission of detailed plans, specifications, and sufficient design information to allow proper evaluation of proposed pretreatment facilities for approval prior to construction. It remains the responsibility of the person submitting or causing the submission of the information to assure compliance with all discharge limitations.
- (b) That the design of the pretreatment device be based upon the lowering of pollutant concentrations to acceptable limits.
- (c) That such records be maintained and such tests be performed as required by the District to adequately reflect the character of the influent and effluent of the pretreatment process.
- (d) Payment of Food Service Establishment License or equivalent surcharge.

**207.02** The District may in its sole discretion order removal of the unacceptable discharge from the sanitary sewer system and assess costs at any time prior to pretreatment implementation, or during pretreatment implementation, if unsatisfactory progress or operation is evident, or if necessary to protect the sanitary sewer system from damage.

**207.03** The Sanitary Engineer may require the user, or owner or operator of any premises or facility discharging wastewater to the sanitary sewer system, or natural outlet to install at the user's, owner's or operator's cost, an Inspection Manhole, to allow accurate sampling, observation, and measurement of the user's discharge and to assure compliance with these Rules & Regulations. The Sanitary Engineer may also require the user, owner or operator to install and operate meters, flow gauges, telemetry for

pretreatment system alarms, or remote sensing equipment. Such equipment, if required, shall be maintained in proper working order and kept safe and accessible to the Sanitary Engineer at all times. Whether constructed on public or private property, any monitoring structures and equipment shall be constructed and installed in accordance with the Sanitary Engineer's requirements and all applicable state and local construction standards and specifications.

**207.04** Grease, oil, and sand interceptors shall be required when, in the opinion of the District and/or the Delaware County Health District, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, any flammable wastes, sand, and/or other harmful ingredients. All interceptors shall be of a type and capacity approved by the District and the Delaware County Health District and shall be located as to be readily and easily accessible for cleaning and inspection.

**207.05** The Delaware County Health District and District shall each inspect the installation to assure conformance with all local and state regulations.

**207.06** Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his/her expense, in continuously effective operation. All interceptors shall be maintained in accordance with Section 209.04.

**207.07** Submission of periodic operating data may be required by the District for other pretreatment devices.

**207.08** Commercial and Industrial Users shall pay a surcharge as outlined in Chapter III of these Rules & Regulations. Commercial Users with a food service license shall pay a surcharge based on the license grade. All other Commercial and Industrial Users shall pay based on the post discharge sampling process as established by the District. This includes a minimum of six (6) months of sampling to be performed by the District to establish the surcharge to be applied.

## **208 SIGNIFICANT INDUSTRIAL USERS (SIU):**

**208.01 State and Federal Requirements:** Significant Industrial Users shall comply with all applicable state and federal requirements, including, but not limited to the following:

- (a) All applicable National Categorical Pretreatment Standards, National Pretreatment Standards or Ohio Pretreatment Standards.
- (b) All applicable Ohio requirements and limitations which are more stringent than federal requirements and limitations or those in these Regulations.

**208.02 Permit Terms and Conditions:** No Significant Industrial User shall discharge, cause or permit to be discharged into the sanitary sewer system any pollutant in concentrations or amounts greater than those specifically permitted in an Industrial User Permit issued by the District. Industrial User Permits shall impose maximum discharge concentration limits or mass based limits, where appropriate. 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 a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Sanitary Engineer may impose mass limitations on users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

**208.03 Industrial User Permit Application:**

- (a) It shall be unlawful to discharge Industrial Wastewater to the sanitary sewer system without first obtaining an Industrial User Permit from the Sanitary Engineer. An application for an Industrial User Permit is required to be submitted to the Sanitary Engineer within six months of commencing discharge, on application forms developed by the Sanitary Engineer, which shall require a description and characterization of the proposed discharge, including a table listing the chemical analysis of the wastewater to be discharged and volume of such wastewater. For new dischargers or a new discharge, when actual characterization and flow data is not available, the Industrial User may submit the predicted or expected wastewater analysis and volume, and a description of the basis and assumptions used to derive the predicted or expected flows.
- (b) Each Industrial User application shall include at a minimum:
1. Name and address of applicant, including the name of the contact person, person's business phone number, cell phone, and email, if any.
  2. A list of any environmental control permits held by the facility.
  3. A description of operations, including the nature, rate of production and Standard Industrial Classification (SIC) or the North American Industry Classification System code of the operation(s). This description shall include a schematic process diagram that indicates the point(s) of discharge to the sanitary sewer system.
  4. Measured average daily and maximum flows of regulated process waste streams and other nonregulated waste streams. New sources shall give estimates.
  5. Results of sampling and analysis of the pollutants from each regulated process. For pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics a minimum of four grab samples must be analyzed. For all other pollutants, a minimum of one 24-hour flow proportional composite sample must be obtained. Samples should be taken immediately downstream of pretreatment facilities if such exist or immediately downstream of regulated processes if no pretreatment

facilities exist. The samples shall be representative of the daily operations.

6. Raw materials utilized and their amounts.
7. Type and amount of product produced. For Industrial Users subject to equivalent mass or concentration limits established by the Sanitary Engineer, this report shall include a reasonable measure of the user's long-term production rate. For Industrial Users subject to production-based categorical Pretreatment Standards, this report shall include the Industrial User's actual production during the appropriate sampling period.
8. Where additional pretreatment and/or operation and maintenance activities will be required to comply with these Regulations, the discharger shall provide a declaration of the shortest schedule by which the discharger will provide such additional pretreatment in compliance with these Regulations.
9. A certification statement must be signed by an authorized representative of the Industrial User verifying the above data is correct as specified in 40 CFR 403.6(a)(2)(i).
10. Any other information in the judgment of the Sanitary Engineer is needed to evaluate the proposed discharge and impact on the sanitary sewer system.

**208.04 Industrial User Permit Conditions:** Industrial User Permits may contain the following specific conditions:

- (a) Statement of duration including issuance and expiration dates (in no case more than five years).
- (b) Limits on average and maximum allowable levels of wastewater discharge constituents and characteristics.
- (c) Limits on average and maximum rate and time of discharge or requirements for flow regulation or equalization. The basis for limits shall be based on applicable general pretreatment standards in 40 CFR part 403, Categorical Pretreatment Standards, local limits, and state and local law.
- (d) Requirements for installation and maintenance of inspection and sampling facilities and equipment.

- (e) Specifications for self-monitoring program which may include sampling locations, frequency of sampling, number, types and standards for tests, pollutants to be monitored, and reporting requirements based on the applicable general pretreatment standards in 40 CFR part 403, Categorical Pretreatment Standards, local limits and state and local law.
- (f) Schedules for attaining compliance.
- (g) Requirements for submission of technical reports or discharge reports.
- (h) Requirements for developing and implementing Spill Prevention, Countermeasures and Control plans and Slug Control Plans.
- (i) Applicable charges and fees.
- (j) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines.
- (k) Conditions for termination of service or revocation of the permit.
- (l) Any other conditions as deemed necessary by the Sanitary Engineer to ensure compliance with these Regulations.

**208.05 Application Signatories and Certifications:**

- (a) All Industrial User Permit applications, user reports and certification statements must be signed by an authorized representative of the user.
- (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 Chapter must be submitted to the Sanitary Engineer prior to or together with any reports to be signed by an authorized representative.

**208.06 Non-Transferability of Permit:** Industrial User Permits are issued to a specific Industrial Discharger for a specific operation or operations at the site. An Industrial Discharge Permit shall not be assigned, transferred or sold to a different or new Person, owner, Industrial User or premises without written consent from the Sanitary Engineer. An Industrial Discharge Permit shall be considered void should the permit holder change the application, processes or production methods which alter the discharge from the facility.

- 208.07 Permit Revisions:** The District reserves the right to open, re-open or amend any Industrial User Permit issued hereunder in order to assure compliance by the District with applicable pretreatment standards and requirements, and any provision in the District's NPDES Permit issued by Ohio EPA. Industrial Users with an effective Industrial User Permit shall be informed of any proposed changes to the Permit at least 30 days prior to the effective date of any such changes. Any changes or new conditions in the Industrial User Permit shall include a time schedule for compliance with the changes or new conditions if needed.
- 208.08 Individual Wastewater Discharge Permit Reissuance:** A user with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application a minimum of ninety (90) days prior to the expiration of the user's existing individual wastewater discharge permit.
- 208.09 Pretreatment Required:** In cases where the nature or volume of Industrial Wastewater from any Industrial User imposes an unreasonable burden upon the sanitary sewer system and greater than that imposed by the average Industrial Wastewater entering the sanitary sewer system, the Sanitary Engineer may require (A) the Industrial User to install, employ or apply Pretreatment to the Industrial Wastewater before it may be discharged to the Wastewater Treatment System; (B) require flow control or equalization of to avoid "slug" loads or excessive batch loads that may be harmful to the sanitary sewer system; or (C) payment of a Surcharge to cover the additional costs of collecting or treating the Industrial Wastewater.
- 208.10 Slug Discharge Control Plan:** The Sanitary Engineer shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The Sanitary Engineer 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.
- 208.11 Special Agreements:** No statement contained in these Rules & Regulations shall be construed as preventing any special agreement between the District and any user where an Industrial Wastewater of unusual nature, extra strength concentration or amount, or volume may be accepted by the District for treatment. Any such agreement shall not violate any applicable national or state Categorical Standard or Pretreatment Standard.
- 208.12 Maintenance of Records:** All Industrial Users shall maintain records of production and related factors, effluent flows, and pollutant amounts as are necessary to demonstrate compliance with the requirements of these Rules & Regulations and any applicable state or federal Pretreatment Standards or requirements. Such records shall be kept for the time period as required by state and federal law and at a minimum.
- 208.13 Availability of Records:** All records required to be maintained shall be made available immediately upon request by the Sanitary Engineer.

**208.14 Installation of Monitoring Structure and Equipment May Be Required:** The Sanitary Engineer may require the user, or owner or operator of any premises or facility discharging wastewater to the sanitary sewer system, or natural outlet to install at the user's, owner's or operator's cost, an Inspection Manhole, to allow accurate sampling, observation, and measurement of the user's discharge and to assure compliance with these Regulations. The Sanitary Engineer may also require the user, owner or operator to install and operate meters, flow gauges, telemetry for pretreatment system alarms, or remote sensing equipment. Such equipment, if required, shall be maintained in proper working order and kept safe and accessible to the Sanitary Engineer at all times.

**208.15 Location of Monitoring Structure and Equipment:** The location of the Inspection Manhole, or inspection, monitoring and sampling structure and any required equipment shall be located and maintained on the user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Sanitary Engineer may allow the structure to be located and constructed in another location acceptable to the Sanitary Engineer, including inside of a building or within the public right-of-way with the approval of the public agency having jurisdiction over such right-of-way. An alternative location if approved by the Sanitary Engineer shall be located so that it will not be obstructed by public utilities, landscaping or parked vehicles, and is able to be freely accessed by the Sanitary Engineer at all times.

**208.16 Multiple Dischargers to Common Sewer:** When more than one user can discharge or is discharging into a common sewer, the Sanitary Engineer may require installation of separate monitoring locations and equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Sanitary Engineer may require that separate monitoring location and equipment be installed for each separate discharge.

**208.17 Plan Approval Required for Monitoring Structure Construction:** Whether constructed on public or private property, any monitoring structures and equipment shall be constructed and installed in accordance with the Sanitary Engineer's requirements and all applicable state and local construction standards and specifications.

**208.18 Tampering with Monitoring Equipment Prohibited:** No user or person shall tamper with, or render inaccurate, any monitoring device or method required under these Regulations, an Industrial User Permit, and any such unlawful conduct shall be a violation of these Regulations, in addition to being a violation of any other civil or criminal law.

**208.19 Compliance Determinations & Split Sample Policy:** General requirements are as follows:

- (a) Compliance determinations may be made on the basis of either instantaneous grab samples or composite samples. Composite samples may be taken over a

24-hour period, or over a longer or shorter time span, as determined necessary by the Sanitary Engineer to meet the needs of specific circumstances.

- (b) The Sanitary Engineer shall offer split samples with any user that requests a sample split. The wastewater sample will be split with the Industrial User at the user's facility in accordance with the Sanitary Engineer's sample splitting and chain-of-custody protocols. The user's sample split must be analyzed and the analytical results submitted to the Sanitary Engineer no later than close of business on the last business day of the month following the month of sample collection. Failure to do so will result in loss of sample split privileges. Analytical results from the District's laboratory or the District's subcontractor laboratory and the user's laboratory will only be compared in cases where the same approved laboratory analytical methods in 40 CFR part 136 were used by both laboratories, and appropriate Quality Assurance and Quality Controls (QA/QC) were followed. If both data are valid, results may be averaged to determine compliance. When widely divergent results occur, the data shall be investigated in a timely manner by the respective laboratories. If the District's sample result is found to be invalid, that data shall not be used and the District may require re-sampling and the sample splitting procedure followed again, or the District may accept the Industrial User's test results provided the user's test results are valid and appropriate QA/QC were followed. When data reconciliation is not possible and both results are valid, results from the District's split sample will determine compliance. The sample split policy does not apply to demand or samples that are used for purposes of determining extra-strength charges. Demand samples may be split upon request, however, the laboratory results of the split sample provided to the user will not be used in the District's determination of a user's extra-strength charges.

**208.20 Laboratory Analyses:** Laboratory analysis of wastewater samples shall be performed in accordance with US EPA approved analytical methods under 40 CFR Part 136. Analysis of those pollutants not covered by the approved methods listed in 40 CFR Part 136 shall be performed in accordance with procedures established by the Ohio Environmental Protection Agency.

**208.21 Sampling Schedule:** Sampling of wastewater for the purpose of compliance and surcharge determination shall be done at such intervals as designated by the Sanitary Engineer. Significant Industrial Users as defined in these Regulations shall be sampled at least once per year.

**208.22 Access to Premises and Monitoring Structure:**

- (a) The Sanitary Engineer and other duly authorized employees of the District bearing identification shall be permitted to enter all properties and premises for the purposes of inspection, observation, measurement, sampling, and testing

relating to a discharge or suspected discharge to the sanitary sewer system or to determine compliance with the requirements of these Regulations. This includes, but is not limited to, access to any monitoring structure, monitoring equipment, man holes, maintenance holes, pipes, sumps, catch basins, sampling ports, channels, weirs, or flumes. Any temporary or permanent obstruction to safe and easy access to the property premises or structures shall be promptly removed by the user at the written or verbal request of the Sanitary Engineer and shall not be replaced. The costs of clearing such access shall be borne by the user.

- (b) Unreasonable delays in allowing the Sanitary Engineer access to the user's premises shall be a violation of these Regulations.
- (c) If the Sanitary Engineer has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the District designed to verify compliance or any permit or order issued hereunder, or to protect the overall public health, safety, and welfare of the community, the Sanitary Engineer may seek issuance of a search warrant from the Court of Common Pleas of this County.

**208.23 Trade Secrets, Request for Confidentiality:** All information, data or records submitted to the Sanitary Engineer, an Industrial User Permit, Order, Consent Order, or Show Cause Hearing shall be a public record and available to the public upon request, unless the user makes a written request the information, data or record be kept confidential because it is a trade secret, confidential business information (CBI) or otherwise protected from public disclosure. The user must demonstrate to the satisfaction of the Sanitary Engineer that the information, data, or record qualifies as a trade secret, CBI or other protection under applicable state and federal laws. If such request is granted by the Sanitary Engineer, only that information, data or record which is protected shall be kept confidential to extent allowed by state or federal law. Any trade secret, CBI or other protected information shall be available to other governmental agencies as needed to perform their official responsibilities. Wastewater flow and its characteristics shall not be recognized as a trade secret or CBI.

**208.24 Protection Required:** Each Industrial User shall provide protection from accidental discharge or spills to the sanitary sewer system of pollutants, substances, materials or other wastes prohibited or restricted by these Regulations or not authorized by an Industrial User Permit. Such protection shall be provided and maintained by the Industrial User, at the Industrial User's own cost and expense, and may include such items as walls, dikes, separate storage, elimination of floor drains leading to the public sewer, chemical handling procedures, warning signs or waste transfer protocols. Detailed plans for construction of any such protection, including any associated

operating procedures, shall be submitted to the Sanitary Engineer for review and approval before construction may begin. Review and approval of such construction plans and operating procedures shall not relieve the Industrial User from the responsibility to modify the facility as necessary to meet the requirements of these Regulations or comply with an Industrial User Permit.

**208.25 Accidental Discharge or Spill Notification:** Any Industrial User shall immediately notify the Sanitary Engineer through an emergency spill telephone number upon discovery of an accidental discharge, spill or slug discharge to the sanitary sewer system. Any corrective action may be taken by the District to protect the sanitary sewer system with or without notice to the user. In addition, a written report addressed to the Sanitary Engineer detailing the date, time, cause, quantity and characteristics of the accidental discharge, spill or slug of the discharge, shall be filed by the Industrial User within five (5) days of the occurrence of the accidental discharge, spill or slug discharge.

**208.26** The District may impose charges and fees on Significant Industrial Users, which may include:

- (a) Charges and fees for monitoring, inspections, maintenance, and surveillance procedures; including, but not limited to, all costs associated with sampling and analyses necessary for the protection of the District sanitary sewer system.
- (b) Charges and fees for permit applications.
- (c) Charges and fees for legal costs associated with filing appeals.
- (d) Charges and fees for reviewing accidental discharge incidents and their associated investigations and analyses.
- (e) Charges and fees for reviewing plans for the construction of new or modified facilities relating to this Chapter.
- (f) Monthly service fees and surcharges for sewage or industrial wastes exceeding strengths of normal sewage as established by the Sanitary Engineer.

## **209 SIU REPORTING REQUIREMENTS:**

### **209.01 Baseline Monitoring Reports:**

- (a) Within 180 days after the effective date of a National Categorical Pretreatment Standard, or 180 days after the final administrative decision made upon a category determination submission under Ohio Administrative Code section 3745-3-09(H), whichever is later, existing Categorical Dischargers or Categorical Dischargers intending to discharge to the sanitary sewer system, shall submit to the Sanitary Engineer, a report which contains the information listed in paragraph B, below. New non-categorical dischargers, at the request of the



Sanitary Engineer, shall also submit a Baseline Monitoring Report within 180 days after commencement of discharge. New users, and existing users that subsequently become subject to a promulgated Categorical Pretreatment Standard, are required to submit Baseline Monitoring Reports at least 90 days prior to commencement of discharge.

**(b)** Users described above shall submit the information set forth below for the Baseline Monitoring Report:

1. The name and address of the facility, including the name of the operator and owner.
2. A list of any environmental control permits held by or for the facility.
3. A brief description of the nature, average rate of production, and standard industrial classifications of the operations(s) carried out at the facility. This description should include a schematic process diagram which indicates points of discharge to the wastewater treatment plant from the regulated process.
4. Information showing the measured average daily and maximum daily flow to the sanitary sewer system from regulated process streams and other streams necessary to allow use of the Combined Waste Stream Formula of 40 CFR section 430.6.
5. The results of sampling and analysis identifying the nature and concentration (or mass, where required by the standard or Sanitary Engineer) of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration (or mass where required) shall be reported. The samples shall be representative of daily operations. A minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds (VOCs). For all other pollutants, 24 hour composite samples must be obtained through flow proportioned composite sampling techniques where feasible.
6. A statement reviewed by an Authorized Representative of the Industrial User, certifying whether Categorical Pretreatment Standards are being met on a consistent basis, and if not, whether additional operation and maintenance or additional pretreatment, or both, is required to meet the Pretreatment Standards and requirements.

7. If additional pretreatment operation and maintenance, or both, will be required to meet the requirements of these Regulations, the Industrial User shall provide for the shortest schedule by which the discharger will provide such additional pretreatment and/or implementation measures.
8. The schedule required in Section 208.01, paragraph 7 above shall contain increments of progress or milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the Industrial User to comply with the requirements of these Regulations, including, but not limited to dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this ordinance. Under no circumstances shall the time increment for any single step directed toward compliance exceed nine months.
9. Not later than 14 days following each milestone date in the schedule and final date for compliance, the Industrial User shall submit a progress report to the Sanitary Engineer, including a statement as to whether or not it complied with the increment of progress represented by that milestone date and if not, the date of which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industry to return the construction to the approved schedule. In no event shall more than nine months elapse between such progress reports to the Sanitary Engineer.

**209.02 Additional Reports:** Industrial Users regulated by a National Categorical Pretreatment Standard shall comply with the following:

**(a) Report on Compliance with Categorical Pretreatment Standard Deadline**

Within 90 days following the date for final compliance with applicable Categorical Pretreatment Standards or in the case of a new source following commencement of the introduction of wastewater to the Wastewater Treatment Plant, any Industrial User subject to Categorical Pretreatment Standards shall submit to the Sanitary Engineer, a report containing the information described in Section 208.01, paragraphs 4-6. For Industrial Users subject to equivalent mass or concentration limits established by the Sanitary Engineer, this report shall contain a reasonable measure of the Industrial User's long term production rate. For all other Industrial Users subject to Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge

per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period.

**(b) Periodic Report on Continued Compliance**

1. Any Industrial User subject to a Categorical Pretreatment Standard set forth in these Regulations after the compliance date of such Categorical Pretreatment Standard, or, in the case of a new discharger, after commencement of the discharge to the District sanitary sewer system, shall submit to the Sanitary Engineer during the months of June and December, unless required more frequently by the Sanitary Engineer, a report indicating the nature and 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. All periodic compliance reports must be signed and certified by an Authorized Representative.
2. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, calibrated, 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.
3. If an Industrial User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Sanitary Engineer, at the point of compliance determination specified by the Sanitary Engineer using approved analytical methods, the results of this additional monitoring shall be included in the next periodic report.

**(c) Reports of Changed Conditions**

All Industrial Users shall notify the Sanitary Engineer at least thirty days (30) before any substantial change in the volume or character of the Industrial User's discharge. A substantial change is any change that affects the flow or chemical loading to the sanitary sewer system by more than ten percent, additional flows or loadings which cause the total regulated discharge to exceed the design capacity of the Industrial User's pretreatment system, or a change in the discharge that would contain the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification to US EPA or Ohio EPA under 40 CFR 403.12(P).

**(d) Reports of Operating Upsets or Potential Problems**

Any user which experiences an operating upset, accidental discharge, spill, discharge of a non-routine episodic nature, a non-customary batch discharge, or a slug, that may cause a problem in the sanitary sewer system, shall immediately telephone and notify the Sanitary Engineer of the incident upon discovery. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective action taken by the user.

**(d)** Notice of Violation, Repeat Sampling and Reporting

If sampling performed by an Industrial User indicates a violation, the Industrial User must notify the Sanitary Engineer within twenty-four (24) hours of becoming aware of the violation. The Industrial User shall also repeat the sampling and analysis for the parameter or pollutant that is in violation, and submit the results of the repeat analysis to the Sanitary Engineer within thirty (30) days after becoming aware of the violation. The Industrial User shall continue this process until the violation is corrected. Until such time as the user demonstrates compliance with test results, for the days the user discharges the parameter or pollutant to the sanitary sewer system, the user shall be considered out of compliance for that parameter or pollutant during the time period from the date of sampling of the first test indicating a violation and the date of sampling of the test which demonstrates compliance.

**(e)** Analytical Requirements

All measurements, tests, and analyses, required to be performed under these Regulations, an Industrial User Permit, Order, or Consent Order, shall be performed in accordance with the US EPA approved methods under 40 CFR Part 136, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical methods for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by Ohio EPA.

**(f)** Sample Collection

Unless otherwise specified in these Regulations or in an Industrial User Permit, the Industrial User must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is not feasible, the Sanitary Engineer may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the Industrial User demonstrates that this will provide a representative sample of the discharge. In addition, grab samples may be required to show compliance with instantaneous discharge limits. Samples for oil and grease, hexane extractable material,

temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

**(g)** Timing of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

**(h)** Record Keeping

Industrial Users subject to the reporting requirements of these Regulations shall retain, and make available for inspection and copying, all records created or obtained relating to any monitoring required by these Regulations or an Industrial User Permit, and all additional monitoring records created or obtained by the Industrial User independent of such requirements as required by applicable state and federal law. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the Industrial User or the District (including the time period related to a Show Cause Hearing), or when the Industrial User has been specifically notified that a longer retention period is required by the Sanitary Engineer.

**(i)** Falsifying Information

No user or person shall knowingly make a false statement, certification or representation in any application, record, report, plan, letter or other document filed or required to be submitted. Any such falsification shall be a violation of these Regulations, in addition to a violation of any civil or criminal code.

**209.03 Publication of Users in Significant Non-Compliance:** The Sanitary Engineer shall publish annually, in the largest daily newspaper published in the County where the sanitary sewer system is located, a list of the Industrial Users, which during the previous twelve (12) months, who were in Significant Noncompliance.

For purposes of this publication, the term Significant Noncompliance shall mean:

- (a)** Chronic violations of wastewater discharge limits, defined as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six

month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

- (b) Technical Review Criteria (TRC) violations, defined as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable TRC (where the TRC shall be 1.4 for CBOD, TSS, fats, oils and greases, and 1.2 for all other pollutants except pH);
- (c) Any other discharge violation that the Sanitary Engineer believes has caused, alone or in combination with other discharges, interference or pass through, or endangered the health and safety of the sanitary sewer system personnel or the general public;
- (d) Any discharge of pollutants that has caused imminent danger to human health, welfare or the environment, and has resulted in the Sanitary Engineer's exercise of emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the schedule date, of a Compliance Schedule milestone contained in an Industrial User Permit, Order or Administrative Consent Order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within thirty (30) days after the due date, any required reports, including Baseline Monitoring Reports, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring compliance reports, and reports on compliance with compliance schedules, Orders or Administrative Consent Orders;
- (g) Failure to notify the Sanitary Engineer, or to accurately report, noncompliance; or
- (h) Any other violation(s) which the Sanitary Engineer determines will adversely affect the operation or implementation of the pretreatment program.

**210 FATS, OILS, AND GREASE (FOG) CONTROL:** This section shall apply to Commercial and Industrial Users of the sewer system.

All Food Service Establishments shall provide wastewater acceptable to the District under the requirements and standards established herein before discharging to any public sewer. Any Food Service Establishment (FSE) shall be required to provide pretreatment for fats, oil, and grease and shall install, operate, and maintain an adequately sized grease interceptor necessary to maintain compliance with the objectives of these Regulations. No FSE shall discharge or

cause to be discharged into the sewer system FOG that exceeds a concentration level of 200 mg/l (Oil and Grease), or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system.

**210.01 Prohibitions:** The following prohibitions shall apply to all FSE's:

- (a) Discharge of wastes through food grinders and/or garbage disposal-type devices to sewer lines intended for grease interceptor/grease trap service is prohibited.
- (b) Discharge of wastes that do not require separation (i.e. urinals, toilets, wash basins, etc.) to sewer lines intended for grease interceptor/grease trap service is prohibited.
- (c) Introduction of any additives into an FSE's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance is prohibited, unless a specific written authorization from the Sanitary Engineer is obtained.
- (d) Disposal of waste cooking oil into drainage pipes connected to the District's sanitary sewer system is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- (e) Discharge of any waste including FOG and solid materials removed from the grease control device or solids interceptor to the sewer system is prohibited. Solids and/or grease removed from solids interceptors and grease control devices shall be disposed of according to all applicable regulations as part of the operation and maintenance requirements for grease interceptors. Disposal shall be properly documented through completion of a grease trap / grease interceptor/ solids interceptor manifest form or some other appropriate disposal manifest and submitted to the District.
- (f) Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% Rule) is prohibited.

**210.02 FOG Pretreatment Required:** New FSE's are required to install, operate and maintain an adequately-sized grease interceptor (GI) necessary to maintain compliance with the objectives of these Regulations. For new FSE's, the grease interceptor shall be adequate to separate and remove FOG contained in wastewater discharges prior to discharge to the sewer system. Fixtures, equipment, and drain lines located in the food preparation and clean-up areas of FSE's that are sources of FOG discharges shall be connected to the grease interceptor.

An existing FSE with a grease interceptor is required to operate and maintain its device as specified by these Regulations. An existing FSE without a grease interceptor may be required to install and maintain one at the discretion of the Sanitary Engineer.

If the installation of a grease interceptor is impossible due to site constraints, a new and/or existing FSE may be required to install grease trap(s) in the waste line(s) leading from drains, sinks, and other fixtures or equipment where grease may be introduced into the sewer system in quantities that can cause blockage.

Existing FSE's without a GI and which have caused or contributed to grease-related blockage(s) in the sewer system, or which have sewer laterals connected to "hot spots", may be required to install an appropriately sized grease interceptor. Existing FSE's which have been determined to contribute significant FOG to the sewer system, based on inspection or sampling, may be required to install an appropriately sized grease interceptor.

Grease interceptor sizing shall conform to the specifications of the current edition of the International Plumbing Code, Ohio version.

The grease interceptor shall be installed at a location where it shall be at all times easily accessible for inspection, cleaning, and removal of accumulated grease.

**210.03 Grease Interceptor (GI) Requirements:** All grease bearing waste streams should be routed through an appropriate grease interceptor, including: three-compartment sinks, pot/pan sinks, soup kettles, dishwashers, mop sinks and floor drains. Drains that receive "clear waste" only, such as from ice machines, condensate from coils and drink station may be plumbed to the sanitary system without passing through the grease interceptor.

All exterior grease interceptors will be equipped with a minimum of one access hole, and additional access holes at the inlet and outlet sides of the tank for ease of cleaning. All interceptors shall be vented. Concrete interceptors must meet the latest version of ASTM C1613-10, Standard Specification for Precast Concrete Grease Interceptor Tanks. High Density Polyethylene (HDPE) Interceptors must meet the latest version of ASTM F2649 (latest revision) Standard Specification for Corrugated High Density Polyethylene (HDPE) Grease Interceptor Tanks. Interceptors constructed of other materials shall meet the applicable ASTM standard. The pipe exiting the grease interceptor shall be installed six (6) to twelve (12) inches from the bottom of the tank, rather than near the top of the tank, to eliminate the risk of tee/baffle removal or breakage which would render the interceptor ineffective. The pipe shall be installed to maintain the correct water level within the tank and be equipped with clean-outs to allow for line maintenance in either direction of flow.

**210.04 Cleaning and Maintenance:** It is the responsibility of the generator (customer) to insure compliance with these discharge limitations. Grease interceptors must be operated and maintained in accordance with the manufacturer's recommendations and in accordance with these Regulations, unless specified in writing and approved by the Sanitary Engineer.



- (a) Grease interceptors shall be maintained in an efficient operating condition at all times.
- (b) Each grease interceptor when cleaned shall be fully evacuated by removing and properly disposing of all solids, wastewater, and grease. Grease shall be removed from the interceptor walls, the inlet pipe, and the outlet pipe by pressure washing, physical scraping or other acceptable means. At minimum, cleaning of FSE GI shall be done at least every 90 days.
- (c) No interceptor shall create a nuisance during operation or cleaning.
- (d) Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed 25% of the total design hydraulic depth of the grease interceptor.
- (e) All FSE's with a GI shall fully pump and clean out their grease interceptor not less than every 90 days. If a FSE wishes to clean its GI less often than the minimum specified in these Regulations (every 90 days), a waiver request is required.
- (f) If the GI, at any time, contains FOG and solids accumulation that does not meet these requirements, the FSE shall be required to have the GI serviced within five (5) business days such that all fats, oils, grease, sludge, and other materials are completely removed from the GI. If it is determined that an overflow or blockage situation exists, the interceptor shall be serviced immediately. If deemed necessary, the Sanitary Engineer may also increase the maintenance frequency of the GI from the current frequency.

Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the GI shall be properly disposed off-site by waste haulers in accordance with federal, state and/or local laws. Copies of the hauling manifests shall be submitted to the Sanitary Engineer in accordance with Section 210.07.

**210.05 Best Management Practices and Employee Training: All FSE's Shall Implement the Following:**

- (a) Best Management Practices (BMPs) shall be implemented in an effort to minimize the discharge of FOG to the sewer system and include the following.
  1. Installation of floor drain grates/screens. Approved floor drain grates/screens shall be installed in accordance with the International Plumbing Code on all drainage pipes in food preparation areas.
  2. Segregation and collection of waste cooking oil. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained

properly to ensure that they do not leak. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.

3. Disposal of food waste. All food waste shall be disposed of directly into the trash or garbage, and not in sinks.
4. Maintenance of kitchen exhaust filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filter shall be disposed properly through a grease interceptor or grease trap.
5. Kitchen signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

**(b)** Employee training. Employees of the FSE shall be trained by ownership/management at least annually, on the following subjects:

1. How to “dry wipe” pots, pans, dishware and work areas before washing to remove grease.
2. How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
3. The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
4. How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

**210.06 Inspection:** The Sanitary Engineer or their representative will inspect and may sample the FSE’s GI/trap yearly at any time. At the time of inspection, the effluent wastewater that is leaving the grease interceptor/trap and traveling to the Wastewater Treatment Plant may not contain more than 200 mg/L of oil and grease. The Sanitary Engineer will send the FSE a letter stating the results of inspection and of sampling. If the inspection/sample finds the FOG pocket is greater than 25% capacity and/or a sample result is greater than 200mg/L, the establishment has fifteen (15) days from the date they are notified of the violation by the Sanitary Engineer to get the grease interceptor/trap pumped. By the fifteenth day, the hauler’s pumping ticket must be faxed or postmarked to the Sanitary Engineer.

**210.07 Reporting:** The reporting requirements for FSE’s are as follows:

- (a)** FSE’s with a GI shall submit appropriate documentation of all GI cleaning, pumping and/or maintenance activities to the District, within five (5) business days of any such activity. Appropriate documentation includes, but is not

limited to, waste hauler manifests, District grease interceptor manifest form, receipts and invoices. Documentation may be faxed, mailed, e-mailed or hand-delivered to the Sanitary Engineer.

- (b) FSE's with a grease trap shall submit an accurate and complete inside grease trap/solids interceptor maintenance form to the District once per month. Documentation may be faxed, mailed, e-mailed or hand-delivered to the District.

**210.08 Record Keeping:** The FSE or designee shall be required to keep all manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, and disposal carrier and disposal site location for no less than three (3) years. The FSE or designee shall, upon request, make the manifests, receipts and invoices available to any District representative or inspector. These records may include:

- (a) A logbook of GI, grease trap, solids interceptor or grease control device cleaning and maintenance practices.
- (b) A record of BMP's being implemented, including employee training.
- (c) Copies of records and manifests of GI or grease trap waste hauling activities.
- (d) Records of sampling data and sludge height monitoring for FOG and solids accumulation in the GI's.
- (e) Records of any spills and/or cleaning of the lateral or sewer system.
- (f) Any other information deemed appropriate by the Industrial Services Section to ensure compliance with these Regulations.

**210.09 Right of Entry:** Persons or occupants of premises where wastewater is created or discharged shall allow the District representatives, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open and operating or any other reasonable time. No person shall interfere with, delay, resist or refuse entrance to District representatives attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the District's sewer system.

**210.10 Enforcement:** In general, the District will determine noncompliance with the provisions of this FOG Control Rule through visual inspections, records review, sampling, and/or monitoring of FSE's.

When a FSE is found to be in noncompliance with one or more of the provisions of these Regulations, the District will generally issue a written Notice of Violation (NOV) to the FSE. If the FSE fails to properly address the causes and/or sources of the noncompliance, then the District may pursue additional enforcement options.

- (a) Notice of Violation: A written Notice of Violation (NOV) may be issued by the District to a FSE for failure to:
1. Properly maintain and clean GI (failure to comply with 25% Rule), including failure to make necessary repairs.
  2. Properly maintain and clean grease trap, including failure to make necessary repairs.
  3. Implement Kitchen Best Management Practices (BMPs) for FOG control.
  4. Maintain appropriate records.
  5. Submit appropriate records to DCRSD within the specified period of time, as detailed in Section 210.08.
  6. Comply with any other provision as defined in these Regulations.
- (b) Upon receiving a Notice of Violation, the FSE shall have thirty (30) days to complete corrective action and submit evidence of compliance to the Sanitary Engineer.
- (c) If remedy is not achieved to the satisfaction of the Sanitary Engineer within thirty (30) days, a fine of \$500 shall be charged to the violator.

**210.11 Damage to Facilities or Interruption of Normal Operations:** Any person who discharges any waste which causes or contributes to any sewer blockage, SSOs, obstruction, interference, damage, or any other impairment to the District's sewer facilities or to the operation of those facilities shall be liable for all costs required to clean or repair the facilities together with expenses incurred by the District to resume normal operations.

A surcharge of forty percent (40%) of the District's costs shall be added to the costs and charges to reimburse the District for miscellaneous overhead, including administrative activity and record keeping. The total amount shall be payable within forty five (45) days of invoicing by the District.

## **211 ENFORCEMENT, HEARINGS, FINES, ASSESSMENTS AND OTHER PENALTIES:**

**211.01 Notices Of Violation (NOV):** Whenever the Sanitary Engineer finds that any person, including, but not limited to users, has violated or is violating any provision of these Regulations, the Sanitary Engineer may serve upon such person, a written Notice of Violation (NOV) stating the nature and date of the violation, and an order to correct the violation immediately. Within ten (10) days of the receipt of the NOV, the person shall provide to the Sanitary Engineer, a written explanation of the violation and an action plan for the correction and prevention of the violation in the future. Submission of this action plan in no way relieves the person of liability for any violations occurring before or after receipt of the NOV. Nothing in this section shall limit the authority of the

Sanitary Engineer to take any other enforcement actions, including emergency actions, without first issuing a NOV.

**211.02 Emergency Suspension Of Service:** The Sanitary Engineer may for good cause and without first issuing a Show Cause Order and holding a Show Cause Hearing, issue a written Emergency Suspension Order to suspend wastewater treatment service to any user when it appears to the Sanitary Engineer that an actual or threatened Discharge presents, or may present, an imminent or substantial danger or emergency to the health or welfare of persons, the environment, or to the sanitary sewer system, or that may violate any of the restrictions, requirements, prohibitions or limits established in these Regulations. Any user notified of the Order suspending treatment service shall cease all discharges to the sanitary sewer system in accordance with the terms specified in the Emergency Suspension Order. In the event the person fails to comply with the Emergency Suspension Order, the Sanitary Engineer shall take all actions necessary, including but not limited to terminating or shutting off the service connection, plugging the sewer, or initiating judicial proceedings, to compel the user's compliance with the Emergency Suspension Order. The user shall be responsible for all costs incurred by the Sanitary Engineer associated with such actions. The Sanitary Engineer shall reinstate the treatment service upon receipt of proof of the elimination of the non-complying discharge or conditions creating the actual or threatened imminent or substantial danger.

**211.03 Administrative Consent Orders:** The Sanitary Engineer may enter into an Administrative Consent Order with any user who is not in compliance with any provision of these Regulations which sets forth the specific actions to be taken by the user to correct the noncompliance within the time specified by the Administrative Consent Order, and to pay any fine as determined by the Sanitary Engineer. The Administrative Consent Order may include a compliance schedule with milestone dates for completion of certain actions, including the installation or construction of new equipment, or other means of achieving voluntary compliance, within a reasonable time period. A Consent Order shall have the same force and effect as the administrative orders issued pursuant to this Chapter and shall be judicially enforceable.

**211.04 Show Cause Order and Hearing:** The Sanitary Engineer may order any user who violates, causes or contributes to a violation of these Regulations, to appear and show cause before the Board or the Board's designee, why a proposed enforcement action should not be taken. Such enforcement action may include, but is not limited to, revocation of treatment service, termination of service connection, revocation of an Industrial User Permit, assessment of a fine, or assessment of damages. The Show Cause Order shall be served on the user with notice of the time and place of the Show Cause Hearing, the reason for such enforcement action, and directing the user to show cause before the Board why the proposed enforcement action as specified in the Show Cause Order should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) on the user at least 10 days

before the hearing. Service may be made on any statutory agent or officer of the user. A Show Cause Hearing shall not be a bar against, or prerequisite for, taking any other action against the user, including any emergency action to prevent harm to the sanitary sewer system.

**211.05 Show Cause Hearing Procedure:** The Board may itself conduct the Show Cause Hearing and take and review the evidence, or may designate one of its members, the Sanitary Engineer or any qualified employee of the Sanitary Engineer's office, to act as a Hearing Officer to preside over the Show Cause Hearing and all pre-hearing matters. If the Board appoints a Hearing Officer and the Hearing Officer is not the Sanitary Engineer, the Hearing Officer shall not be an employee of the Sanitary Engineer's Office with previous direct involvement with the matter being heard. The Show Cause Hearing shall be held within 60 days of the notice to the user to appear, and may be continued from time to time as agreed to by the parties. The Show Cause Hearing shall proceed as in a trial of a civil action with the burden of going forward with the evidence on the user to show cause why the District should not take the proposed enforcement action as specified in the Show Cause Order. The parties may be represented by counsel. Testimony taken before the Board or any Hearing Officer shall be under oath and recorded. Rules regarding admissibility of evidence shall not be strictly applied. Upon agreement of the parties, the Show Cause Hearing may be conducted based on stipulated facts and briefs of the parties. Each party shall provide the Board or Hearing Officer as the case may be, a proposed list of witnesses and exhibits to be used by that party at the Show Cause Hearing at least five (5) days prior to the Hearing unless otherwise decided by the Board or Hearing Officer. Post-hearing briefs or Memoranda may also be prepared and submitted by the parties if deemed helpful by the Hearing Officer, Board or Board Member presiding over the Hearing.

**211.06 Testimony at Hearing:** Witnesses shall be sworn in and called to testify at the Hearing and be cross examined by the opposing party. The Board or Hearing Officer shall pass on the admissibility of the evidence, but a party may at the time make an objection to the ruling and if the Board or Hearing Officer refuses to admit the evidence, the party offering the evidence may make a proffer of such evidence and such proffer and evidence shall be a part of the record of the Hearing. The Show Cause Hearing shall be recorded by stenographic means or by the use of electronic recording devices. The record, in whatever format the Board has selected, shall be considered a public record after the Board has made its deliberations and issued a final decision, and will be available to the public upon request and payment of the Board's usual charges for copying public records. If the record is maintained on a recording device (e.g., audio tape, computer disc, etc.), any person requesting a copy of the record shall pay for the copying of the record. If the record of the Show Cause Hearing has not been transcribed, the District shall not be responsible to pay for any transcription of the record.

**211.07 Decision of Board:** After the Board has reviewed the evidence and any recommendation from the Hearing Officer, if one was designated, a decision and order shall be issued by the Board within a reasonable time period.

**211.08 Violation Considered Public Nuisance:** Any discharge in violation of any provision of these Regulations or an Order of the Board that is designed to protect the environment, or health and safety of the public, shall be considered a public nuisance, and, the County Prosecutor, may in addition to using any remedies available under these Regulations, commence an action for appropriate legal and/or equitable relief in a court of competent jurisdiction of this County to abate such nuisance.

**211.09 Administrative Fines / Assessment of Damages:** Any user who violates any provision of these Regulations, Industrial User Permit, Pretreatment Standard, Consent Order, compliance schedule or Order of the Board, shall be fined an amount not to exceed \$1000.00 for each violation. Each day or portion thereof, when a violation occurs or continues shall be a separate violation. Any administrative fine assessed by the Sanitary Engineer may be added to the user's sewer bill from the District, and the Sanitary Engineer shall have authority to use any collection remedies as provided by law to collect any unpaid fines in a sewer bill similar to the collection of other service charges. In addition to the administrative fines provided herein, the District may recover reasonable attorney's fees, court costs, court reporters' fees, expert witness or engineering expenses, and other expenses of litigation, by appropriate suit at law against the user in violation. The District may also recover in a civil suit, any damage any user causes to the sanitary sewer system, including, but not limited to, costs to repair to the sanitary sewer system, increased costs to treat, dispose or manage the effluent or sludge from the wastewater treatment plant, costs to clear obstructions from the sanitary sewer system, costs to restore the biological activity in the wastewater treatment plant, costs to control odors, fines or penalties incurred by the District for violations of the District's NPDES Permit caused by the user, or costs for testing and monitoring equipment (including testing of the user's discharge).

**DELAWARE COUNTY REGIONAL SEWER DISTRICT  
RULES & REGULATIONS**

**CHAPTER III**

**CONNECTIONS, FEES AND PERMITS**

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**301 PURPOSE:** To establish the procedures, requirements, and costs for connecting to and using District sewer systems.

**302 FEES AND CHARGES:** The Board shall establish the fees and charges for the connection to and use of the District sanitary sewer systems. These fees and charges shall be listed in a schedule which shall be approved by the Board. The approved schedule in force on the date a fee or charge is required shall govern the amount of the fee or charge. (See **Fee and Charge Schedule**)

**303 CONNECTION TO THE SANITARY SEWER SYSTEMS:**

**303.01** All connections shall be made and maintained in accordance with Delaware County Regional Sewer District Construction Materials and Specifications and Standard Drawings. No person shall:

- (a) Construct or connect a service line to a District system until a permit has been issued by the District;
- (b) Connect a service line to more than one building or facility without the prior written approval of the District;
- (c) Install, cause to be installed or, with knowledge thereof, permit to exist a connection, tap pipe or other obstruction which protrudes into or otherwise obstructs a District sewer line; or
- (d) Connect any roof drains, foundation drains, and other clean water connections to the sanitary sewer system or a service line, including, but not limited to, any source of storm, surface or ground water.

**303.02** During construction, all floor drains, sink traps, stand pipes or other openings into the sanitary sewer service line which are in the basement level or, if there is no basement, on the ground floor level, shall be plugged or sealed to prevent waste, debris, storm water, surface water or ground water from entering the service line. No pumps shall be discharged into the service line.

**303.03** No permits shall be issued nor shall any such connections be made unless and until the fees herein imposed, along with all other charges and fees that pertain to that District system, have been paid. The payment of the fees and charges enumerated in these Regulations does not relieve any person from responsibilities as required in these Regulations.

**304 OWNER TO BEAR COST AND BE RESPONSIBLE FOR SERVICE LINES:**

**304.01** All costs and expenses incidental to the installation, connection, and maintenance of service lines shall be borne by the owner of the property being connected to the District's system. The owner shall indemnify the District from any loss or damage that may directly or indirectly result from the installation of any service line.

**304.02** The owner shall be responsible for all blockages in a service line and shall, at his/ her expense, construct, maintain, and keep it in good repair.

**304.03** The owner shall be responsible for connecting the service line to the District's mainline. The District is responsible for the main, and the owner shall be responsible for the service line. Any damage to the District's mainline during construction of the owner's service line shall be repaired at the owner's expense in accordance with the Sanitary Engineer's requirements.

**305 SANITARY SEWER CONNECTION FEES:**

**305.01** The owner of any lot or plot of ground who is required by law or who wishes to connect into the District's sanitary sewer system, shall first pay a capacity fee as established by the District in the **Fee and Charge Schedule**. The sanitary sewer connection fee shall be adjusted to reflect any previous property assessment, if applicable.

(a) Any owner of an existing home currently connected to an on-lot disposal system who wishes to connect into the District's sanitary sewer system, may elect to have the capacity fee pro-rated and placed upon the Real Estate Tax List and Duplicate for a period of up to ten (10) years. The owner must complete an Application for Pro-ration of Capacity Charge Form, agreeing to pay the installments agreed upon on the form and the corresponding finance charge in effect at the time of application as described in the **Fee and Charge Schedule**. The Application for Pro-ration of Capacity Charge Form must be approved by Resolution during a Delaware County Board of Commissioners session.

**305.02** In addition to the capacity fee, the owner of any lot or plot of ground connecting into a sanitary sewer system of the District shall pay such other fees and charges including inspection fees as are established by the District and described in the **Fee and Charge Schedule**.

**305.03** Any addition to an existing dwelling or business shall connect into the existing service line and shall not connect to the District's system unless approval from the Sanitary Engineer is obtained. Additional capacity fees and/or service charges shall be determined by the Sanitary Engineer.

**305.04** Non-residential connections shall have a capacity fee calculated based on a residential equivalent basis.

(a) A capacity fee may be charged whenever:

1. Connection is made to the District's sewer system;
2. At the time an existing structure is enlarged or its use changes;
3. When an existing structure is removed and a new structure built and reuse is made of an existing sanitary sewer service or new sanitary

sewer service is constructed.

- (b) The owner shall submit to the District a **Commercial Tap Fee Application Form**.
1. The form must be completed and submitted with all associated materials as required on the form. Owner shall provide additional information upon Sanitary Engineer's request.
  2. The Sanitary Engineer will determine the capacity fee and user charges based on the materials provided with the Commercial Tap Fee Application Form. Information used to determine the capacity fee and user charges includes water use records and/or unit fixture values as indicated on the form.
  3. The Sanitary Engineer will make the determination and provide a capacity fee letter notifying the owner of the capacity fee and user charges for the proposed non-residential connection.
  4. A copy of the Sanitary Engineer's capacity fee letter must accompany the owner's payment of the capacity fee.
- (c) The capacity fee must be paid prior to issuance of a permit for connection to the sanitary sewer system.

### **306 INSPECTIONS:**

- 306.01** All connections to a District system and all service line installations and modifications shall be inspected by the District.
- 306.02** The owner of any undocumented/unpaid connections to the District sewer system that are identified shall be immediately notified by the District by letter and shall be required to pay connection and service charges starting on the date of occupancy of the structure. In the event this date cannot be identified, payment will start on the date of occupancy, if known or when the connection is identified. Payment of the connection fee in accordance with Section 305.01 (a) shall be made.
- 306.03** The initial inspection fee for new construction must be paid prior to issuance of a permit for connection and includes the cost of one initial inspection. Should more than the one inspection be required due to failure of the owner, his contractor or authorized representative to install, maintain, repair, alter or perform other work as necessary to install the connection and service line in accordance with these Regulations, an additional fee as established by the District in the **Fee and Charge Schedule** shall be charged for each additional site visit by an Inspector to ensure compliance with these Regulations. Such additional fees shall be paid prior to additional inspection(s) of the service line for which the permit was issued. Inspection fees are waived for existing homes previously connected to an on-lot disposal system.
- 306.04** Inspections are scheduled on a first-come, first-served basis according to schedule and inspector availability.

- 307 REPAIR OF SERVICE LINES:** The owner of any lot or plot of ground which has a service line that has been tapped or connected to a District system, which requires maintenance, repair, alteration or other work to either eliminate the service line or to cause the service line to conform to these Regulations, shall perform or cause the performance of the necessary work. The owner of such property or his authorized representative shall notify the District prior to any such work being performed. The District will require an inspection fee (See **Fee and Charge Schedule**) at the owner's expense to be paid and an inspection scheduled prior to the repairs being completed. Any additional inspection(s) requiring an additional site visit by an Inspector will require payment of an additional inspection fee prior to the additional inspection.
- 308 USER CHARGES:** There shall be a Sanitary Sewer User Charge established by Commissioner's Resolution.
- 308.01** The owner of the property which is served by the District sanitary sewer system shall be liable for all charges for the service rendered to that property.
- 308.02** Sanitary sewer user charges will commence on the date the service line connection to the mainline has been completed and approval thereof has been given by the District. There shall be no distinction between vacant or occupied properties in regards to billing rates established in the **Fee and Charge Schedule**. Charges will continue thereafter unless the property is disconnected from the District system for which user charges have been rendered. Said disconnection must be inspected by the District and an inspection fee as established by the District in the **Fee and Charge Schedule** will apply.
- 308.03** Regardless of the method used to determine the sanitary sewer user charge, the sanitary sewer user charge shall be subject to surcharges when the sanitary sewage concentrations exceed 200 ppm CBOD<sub>5</sub> and 250 ppm SS or based on Food Service Establishment License designations. Surcharges as established by the District in the **Fee and Charge Schedule** will apply. In addition to a surcharge on CBOD<sub>5</sub>, SS, and Food Service Establishment Licenses the County shall have the right to surcharge any user for the discharge of any other pollutant into the sanitary sewer system.
- 308.04** Sanitary sewer user charges shall be abated during the time period that a sanitary sewer service line is capped for demolition of an existing dwelling or structure receiving service and reconstruction of a new dwelling or structure. Abatement of user charges requires an inspection of the property's service by the District and an inspection fee as established in the **Fee and Charge Schedule** will apply.
- 308.05** Any required pretreatment process or extra costs incurred to comply with the District's Regulations will be in addition to the fees and charges established by the District and will be the owner's responsibility.
- 308.06** It shall be at the discretion of the Sanitary Engineer to establish the user fees and capacity fees for residential properties with sewer service in multiple structures on a single property.

**309 BILL AND PAYMENT FOR SERVICES; REMEDIES FOR NON-PAYMENT:**

**309.01** All bills shall be due and payable on the date shown on the bill. When service to any premises is established, disconnected and inspected, or there is a change of ownership on a date between the billing dates the bill shall be pro-rated based on the period of service.

**309.02** Bills will be delivered to the owner of the property at the address of the premises serviced, with the following exceptions:

- (a)** The owner requests that the bill be sent to the owner at another address specified by him/her.
- (b)** The owner requests that the bills be sent to a tenant of the property.
- (c)** The District receives a National Change of Address notification from the US Postal Service.
- (d)** The District receives back non-deliverable mail and finds that an alternate billing address exists with the County Auditor.
- (e)** The changing of the address does not relieve the owner of the responsibility for all charges for services rendered to the property during ownership. The owner is responsible to notify the District of any change in mailing address within 30 days.

**309.03** The failure to receive a bill shall not relieve the owner of the obligation to pay the same when due.

**309.04** The owner shall notify the District of any errors, discrepancies, or credits of unknown origin on the billing statement prior to the date the bill is due.

- (a)** In the event that a prior owner of a property inadvertently continues to make payments to said property beyond the title transfer date, this does not relieve the new owner of the obligation to make the quarterly payment.
- (b)** In the event that another District customer inadvertently makes a payment to someone else's account number, this does not relieve the correct owner of the obligation to make the quarterly payment.

**309.05** Bills unpaid after the due date shown on the bill shall be considered past due and shall be subject to a 5% late fee on any remaining balance due, with the following exceptions:

- (a)** Late fees shall be fixed at \$0.00 for one week from the due date on the bill as a grace period to customers, provided payment in full is received in our office on or before the last day of the grace period.
- (b)** The late fee shall be fixed at \$0.00 during any billing cycle in which a change of

ownership occurs.

- (c) The late fee shall be fixed at \$0.00 any time the penalty was due to an error of the District Staff or Billing Software.
- (d) The late fee shall be fixed at \$0.00 upon customer request one time every two years, if the customer has had no other penalties fixed at \$0.00 during the previous two years. In the event that multiple penalties have been applied to a customer's account, only the first applied penalty may be fixed at \$0.00.
- (e) The late fee shall be fixed at \$0.00 if a customer mistakenly pays on an incorrect District account number, but payment on the incorrect account number was in full and prior to the due date.
- (f) The late fee shall be fixed at \$0.00 if the penalty was incurred by a prior owner of said property, pursuant to Ohio Revised Code 6117.02, Ohio Attorney General Opinion 81-030.

**309.06** Delinquent sewer fees, together with any penalties or miscellaneous charges, will be certified to the real estate property tax list and duplicate in accordance with the Ohio Revised Code Section 6117.02. Per Delaware County Resolution No. 16-720, certification will occur once an account is more than ninety days past due and the amount exceeds \$25.00.

- (a) After charges have been certified, customers may pay off the certification in full until a date as determined by the County Auditor's office during the last quarter of each calendar year. Charges paid in full prior to this date will be removed from the tax certification list. Payments less than the full amount due of the assessment will not be applied toward the assessment, but instead toward the current user charges, with the exception of an assessment involving a change in ownership.

**309.07** Returned checks shall be subject to a returned check fee equal to the amount the District is charged by the banking company and any applicable penalties will be placed on the account if charges are not paid in full by the due date.

**309.08** The owner of any property that has been certified as non-occupiable due to a house fire shall notify the District within 30 days. The occupancy status of the premises will be verified with the local building department and sewer user charges will be fixed at \$0.00 during such time that the premise is certified as non-occupiable. The owner of said property shall notify the District within 30 days of regaining occupancy status and sewer user charges shall resume as of the date occupancy was re-established by the local building department.

**309.09** District customers may choose to pay future quarterly sewer bills up to four billing cycles in advance; the District may choose to issue a refund to any customer with a credit balance greater than the equivalent of one year of sewer service for that property.

**309.10** Upon discovery of any illegal lateral connections, the District will require the owner of the lateral to pay user fees as of the date of occupancy as verified with the local Building Department. It will be at the District's discretion to determine capacity fees for payment by the owner to the District.

**310 CHANGE OF OWNERSHIP, LIABILITY OF UNPAID BILLS:** When a property which receives sewer service from the District changes ownership, both the customer vacating the property, and the customer purchasing the property shall notify the District within 30 days of a change of ownership.

**310.01** A new owner becomes liable for charges as of the date of title transfer.

**310.02** A new owner is responsible for any amount that was certified to the property prior to the title transfer date.

**310.03** A new owner is not responsible for any non-certified charges that were for service occurring prior to the title transfer date. The prior owner is liable for this amount and is subject to legal action for collection of that unpaid amount, pursuant to R.C. 6117.02 (C) (2).

**310.04** For a person to be liable for sewer charges, they must own and hold legal title to the premises being served or capable of being served. A tenant could also be liable for unpaid charges, but such liability would be joint and several with the owner. When charges are unpaid, the owner of the property is liable for the unpaid charges and an action may be initiated to recover the unpaid charges. Alternatively, the County may certify the amount of the unpaid charges to the County Auditor, which sum becomes a lien upon the property as of the date the amount is certified to the tax list and duplicate (R.C. 6117.02 (C) (1)).

**310.05** Under Federal Law, the District is not able to bill for services rendered up to and including the date an owner files for Federal Bankruptcy Protection. However, any delinquent service charges which were certified to the Delaware County Auditor prior to the Bankruptcy filing date, along with any unpaid sewer special assessments are still due and payable with the semi-annual property tax bill sent by the County Treasurer's office. The District may file a claim with the Bankruptcy Court for the amount owed to the District on the date Bankruptcy Protection was filed. The District is permitted to resume billing for services the day after the owner filed for bankruptcy.

**310.06** Refunds will be pro-rated and issued to any vacating owner who has paid beyond the title transfer date, provided the owner has notified the District of the change of ownership, presented the District with a forwarding address to send the refund to, and the transfer of ownership has been confirmed by the County Auditor's office.

**DELAWARE COUNTY REGIONAL SEWER DISTRICT  
RULES & REGULATIONS**

**CHAPTER IV**

**SANITARY SEWER DESIGN CRITERIA**

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**401 PURPOSE:** This Chapter establishes the design criteria for sewer mainlines and appurtenances.

**402 REFERENCE PUBLICATIONS:** The design of the components of the sanitary sewer systems shall conform to the provisions of the following publications or agencies, except as such provisions are modified or amended herein. When there is a conflict between the provisions of the reference publications, the one providing the highest or most stringent requirement shall govern.

**402.01** Recommended Standards for Waste Water Facilities, A Report of the Wastewater Committee of the Great Lakes – Upper Mississippi River, commonly known as Ten (10) State Standard, the most recent Edition

**402.02** Ohio Environmental Protection Agency Requirements

**402.03** Delaware County Regional Sewer District Construction and Material Specifications

**402.04** Delaware County Regional Sewer District Standard Drawings

**402.05** Delaware County Regional Sewer District General Notes

**403 DEFINITIONS:** The definitions of Chapter I shall be used in this Chapter, unless any section of this Chapter specifically indicates that definitions are not applicable.

**404 GENERAL REQUIREMENTS AND EASEMENTS:**

**404.01** All easements granted to or reserved by the District shall be at least twenty feet (20') wide and exclusive for sanitary sewer. The sewer shall be centered in the easement except where the easement is not a straight line. In such case, there shall be five feet (5') between the sewer and the closest easement boundary. Any deviation to this requirement shall be approved by the Sanitary Engineer. Sample deed and easement language is available on the District website.

**404.02** Because newly created lots increase discharges within the District and directly benefit from ensuring that sewers may be constructed or installed to collect and convey sewage from the newly created lots and adjacent properties, prior to the District approving any No Plat Approval subdivision or lot split, it is required that an easement twenty feet (20') wide be dedicated to the District, at no cost, along the property frontage, outside of new or existing roadway easements and parallel to the road on any lot splits that occur in the District.

**404.03** The sewer system design shall use materials, practices and processes that are in compliance with the District's **Construction and Materials Specifications**.

**404.04** The design of the sanitary sewer systems, and their components, shall be based on generally accepted engineering practices which are compatible with the reference publications and these Regulations. When required by the District, the owner and/or design engineer shall submit all necessary design calculations, cut sheets, pump curves, and system modeling data.

**405 PLAN AND / OR DRAWING SUBMISSION(S):**

**405.01** A preliminary plan submitted by a developer to the District shall show a plan view of

the proposed improvements. The plan shall include lot configuration, right-of-ways, easements, utilities, streets, and other pertinent development information. The submission of the preliminary plan shall include one (1) set of full size (22" x 34") drawings and CD-ROM containing a PDF file of all plan sheets. The plan review fee is not required at this submission.

**405.02** Detailed construction drawings shall be prepared in accordance with generally accepted practices for all sanitary sewer lines which are proposed to be owned or operated by the District. The drawings shall be signed and sealed by a Professional Engineer, licensed in the State of Ohio.

- (a)** All drawings shall be made on bond material, either full size (22" x 34"), with a one inch (1") border on the left and one-half ( $\frac{1}{2}$ " ) inch border around the balance of the sheet or half size (11" x 17"). The proposed work shall be shown in both plan and profile on the same sheet and in sufficient detail to clearly show all work to be done. The drawing shall show existing and proposed rights-of-way, property lines and easements, as well as the existing or other proposed improvements to, or features of, the land in the area of the improvement. In general, the horizontal scale shall be one inch equals forty feet (1" = 40') or one inch equals twenty feet (1" = 20'), and the vertical scale shall be one inch equals five feet (1" = 5') or one inch equals ten feet (1" = 10'), except when larger scales are necessary to show location maps or special work. The drawings shall contain general notes and a summary of estimated quantities. All drawings shall be made in ink and a title block, including the property owner's name, the parcel number of the property, and two (2) State Plane co-ordinates, shall be included in the lower right hand corner of each sheet except on the title sheet. Spaces shall be provided on the first sheet for the approval signatures of the District and other necessary Officials. Sanitary sewer improvements may be included on the construction drawing for other improvements, provided that the construction drawings provide the information as required herein.
- (b)** The Sanitary Sewer General Notes and Standard Details shall be in accordance with the District's approved General Notes, Standard Drawings and Construction and Material Specifications. General Notes and Standard Details can be found on the District website.
- (c)** Supplemental specifications and details may be included for non-standard improvements as part of the construction drawings.
- (d)** All sets of plans shall include a location map, a four hundred (400) scale drawing of the development, the development title, required signature spaces, a standard drawing list, and an index.
- (e)** A detailed tributary map shall be included in the plan set. Each tributary area shall include labeling indicating the size of the area in acres, the number of units, and the manhole to which the area is tributary. The boundaries of each tributary area shall be clearly shown.
- (f)** If there are offsite parcels tributary to the development, an offsite tributary map shall be included in the plan set. The offsite tributary map shall include, at minimum, two foot (2') contour topographical map, tributary area boundaries,

parcel identification, and labels. The labels shall include the size of the tributary area in acres, the estimated number of units, and the manhole number to which the area is tributary.

- (g) Plans shall contain all information required to obtain the necessary permits from Ohio EPA, ODOT, ACOE, County Engineer, etc.
- (h) A detailed construction plan review submittal shall include two (2) full size (22"x 34") sets of construction drawings and a CD-ROM containing the PDF files of the plans.

**405.03** A Grading Plan may be required for all development covered under this regulation. The Grading Plan shall show:

- (a) The development title, sheet scale, north arrow, and location map unless it is made a part of other drawings. The scale shall be no less than one inch equals fifty feet (1"= 50').
- (b) The floor elevations for first floor of proposed structures.
- (c) The proposed elevations, slopes, and grade of the site in the area of the improvements.

**405.04** Upon receipt of all approvals (District and permitting agencies), the owner shall provide the District with three (3) full size (22" x 34") sets "Issued for Construction" plans.

**405.05** Upon completion of construction, the owner shall cause the construction drawings to be corrected to conform to the "As-Built" conditions. Public sanitary sewer improvements will not be accepted by the District until reproducible "As-Built" construction drawings are delivered to the District, together with one (1) full size (22" x 34") Mylar copy, one (1) full size Bond copy, and one (1) half size (11" x 17") sets of drawings thereof and a disc in AutoCAD DWG format, PDF format, and excel spreadsheet in .xls format, using a template provided by the Sanitary engineer. The "As-Built" drawing shall show changes in the construction as shown in the contractor's records and observed in the field.

**405.06** A plat or deed of easement shall be submitted to the District for approval prior to its filing at the Delaware County Recorder's Office. One (1) copy of the plat is required for the review submittal.

**405.07** Site plans or utility plans will be required for the installation of service lines, in the event that more than one property or structure is being served by the improvements. The site or utility plan shall:

- (a) Contain the name and location of the lot or project, the parcel number, the scale, a north arrow, and a reference to the District Regulations;
- (b) Be signed and sealed by a Professional Engineer licensed in the State of Ohio; and
- (c) Show the proposed work in plan view and profile, and in sufficient detail to clearly show all work to be done. The drawing shall also show existing and proposed rights-of-way, property lines and easements, as well as the existing or other proposed improvements to, or features of, the land in the area of the

improvement. In general, the horizontal scale shall be one inch equals forty feet (1" = 40') or one inch equals twenty feet (1" = 20'), and the vertical scale shall be one inch equals five feet (1" = 5') or one inch equals ten feet (1" = 10'), except when larger scales are necessary to show details or special work.

- (d) The District does not allow shared service laterals or grinder pumps and the conveyance infrastructure from the point of service connections to the main shall be constructed in accordance with the District CMS and Standard Details and dedicated to the District upon completion.

**405.08** Sketch plans will be required for the installation of service lines to single residential dwellings that do not currently have a lateral stub off the mainline to connect. This includes any lateral that must be tapped into the mainline, manhole connection, and any structure that is currently on a septic system that desires to be connected to the District's sanitary sewer system. The sketch plan must be submitted to the District for approval prior to the lateral connection.

#### **406 SANITARY SEWER DESIGN AND SERVICE LINES:**

**406.01** Sanitary sewers shall be designed to maintain a minimum velocity of two feet (2') per second as the design flow. The minimum pipe diameter shall be eight inches (8"). The minimum cover over the sewer pipe shall be thirty-six inches (36") or as otherwise approved by the District.

**406.02** Sanitary sewer shall be designed using the area tributary to the sewer at each sewer segment. The design criteria shall be based on the following information:

1. Projected number of persons per acre, per zoning or comprehensive plan (whichever is greater).
2. Average sanitary flow of 100 gallons per person per day.
3. Each single family home or single family home equivalent shall be calculated at 2.9 people per home.
4. Planned or existing commercial and industrial area shall be designed with a minimum density of 12 persons per acre.
5. A peaking factor (see 406.03).
6. Infiltration flow of 70 gallons per person per day.

**406.03** The peaking factor for gravity sewer shall be calculated using the Giffit equation as follows:

$$PF = \frac{5.0}{(Q_{ave} [MGD] \times 10)^{1/6}}$$

The minimum peaking factor for any sewer segment shall be 2.5.

The maximum peaking factor for any sewer segment shall be 8.0.

**406.04** The data and calculations upon which the sewer line is based shall be submitted to the District at the time detail construction drawings are submitted. The information shall be type written in spreadsheet format on 8 ½" x 11" paper and shall include the following:

1. Average domestic flow in each sewer. [MGD]
2. I/I flow in each sewer. [MGD]
3. Peak flow in each sewer. [MGD]
4. The capacity of each sewer.

Example minimum requirement:

**FLOW CALCULATIONS**

<u>PIPE</u>		<u>AVE FLOW</u>	<u>PEAK</u>	<u>PEAK FLOW</u>	<u>I/I</u>	<u>FLOW</u>	<u>DIA.</u>	<u>SLOPE</u>	<u>Velocity</u>	<u>CAPACITY</u>	
<u>RUN</u>	<u>POPULATION</u>	<u>(MGD)</u>	<u>FACTOR</u>	<u>(MGD)</u>	<u>(MGD)</u>	<u>(MGD)</u>	<u>(IN.)</u>	<u>(%)</u>	<u>(fps)</u>	<u>(MGD)</u>	<u>%Full</u>
MH 8-7	15	0.0015	8	0.012	0.0012	0.0132	8	0.400	2.19	0.494	2.67%

**406.05** Wye Branches shall be installed during the construction of the collector sewers. If the sewer is located in the right-of-way, service extensions shall be installed 10 feet beyond the right-of-way line. Wye branches are not preferred to be located under the street. Where the sewer is more than twelve feet (12') deep, risers shall be included as part of the construction work. Such risers shall be brought to ten feet (10') below ground provided the property being served will not require additional depth.

**406.06** Sewer service lines shall have a minimum internal diameter of six inches (6") and be laid with a minimum fall of one fourth inch per lineal foot unless approved otherwise by the District. Service lines shall have cleanouts every 150 feet. Service lines for non-residential connections shall have a sampling pit installed as required by the Engineer.

**406.07** A sanitary sewer service line shall be designed to serve one (1) building unless otherwise approved by the District.

**406.08** All sanitary sewers shall be designed to accommodate on-site as well as off-site upstream tributary areas, as determined by the Sanitary Engineer, which may result in an increase in the size of the sanitary sewer facilities to accommodate future growth in the tributary areas.

**406.09** The District may require an on-site extension of the sanitary sewer facilities so as to eliminate an existing or proposed pump station.

**406.10** Pump station design shall be in accordance with the District Construction and Materials Specifications and Standard Details.

**406.11** Private pump stations for condominium developments are discouraged and shall only be approved on a case by case basis by the Sanitary Engineer.

#### **407 SANITARY SEWER SERVICE TO ADJACENT PROPERTIES:**

- 407.01** Because connection to centralized sanitary sewer, where available, is the public policy of the State of Ohio and deemed necessary for the promotion of public health and welfare and because any development directly causes an increase in discharges within the District and directly benefits from ensuring that sewers may be constructed or installed to collect and convey sewage from the development and adjacent properties, the Sanitary Engineer may require that sanitary sewers be constructed in such a way as to make future service available to adjacent properties.
- 407.02** Where required by the Sanitary Engineer, sewer shall be extended to the edge of the development for future sewer extensions. In special cases and only where approved by the Sanitary Engineer, stubs and plugs shall be provided for future sewer extensions. The maximum length of stubs shall be ten feet (10').
- 407.03** Where required by the Sanitary Engineer, additional manholes may be required on the mainline to accommodate future access of adjacent properties.
- 407.04** Where required by the Sanitary Engineer, sewer laterals may be provided and extended to adjacent properties within the tributary area. The lateral extension shall stop ten feet (10') short of the property line. The District shall determine the need for provision of laterals, and the cost for reimbursement. Under no circumstances shall the Contractor conduct any type of clearing activities or work on an adjacent property without the express written consent of the property owner and the District.

#### **408 SANITARY SEWER OVERSIZING AND CONSTRUCTION COST RECOUPMENT:**

- 408.01** The developer may be reimbursed for additional costs incurred to construct regional infrastructure associated with sewer mains and regional pump stations in accordance with Sections 408.02, 408.03, and 408.04 below.
- 408.02** Sewers which are oversized larger than twelve inches (12") in diameter and/or extended to serve areas outside the service area in which said sewers are being installed to serve is considered regional infrastructure.
- 408.03** The District may require upgrades to proposed pump stations such that the pump station may be a regional improvement. In general, a pump station in excess of 1000 gallons per minute would be considered a regional improvement. The upgrades as directed by the Sanitary Engineer may include larger pumps, larger wet well, deeper wet well, larger piping, etc.
- 408.04** The amount of reimbursement shall be determined by the Sanitary Engineer. The owner and/or design engineer shall submit documentation for review by the Sanitary Engineer to determine the amount of reimbursement. This credit will be granted in the form of capacity fee credits only, and not in the form of cash payment and shall be equivalent to or less than the value of capacity fee units in existence. In the event said capacity fee credits are not used at the time granted they shall be carried on the developing area for which they are granted for a period not to exceed twenty (20) years. If not used within said time period said capacity fee credits shall be forfeited. No capacity fee credits may be used for any development other than the development for which it was granted. They are not transferable to other areas of service. Capacity fee

credits are taxable items to individuals but not to commercial entities.

**DELAWARE COUNTY REGIONAL SEWER DISTRICT  
RULES & REGULATIONS**

**CHAPTER V**

**SANITARY SEWER CONSTRUCTION PROCEDURES**

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- 501 PURPOSE:** This Chapter establishes the procedures to be followed during the construction of components of sanitary systems that are or will be owned by the District.
- 502 DEFINITIONS:** The definitions of Chapter I shall be used in this Chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.
- 503 PROCEDURES:** All portions of a sanitary sewer system which are connected to a system that is or will be owned and/or operated by the District shall be designed and constructed in accordance with the requirements of the District in force on the date of the beginning of construction as such requirements are stipulated in the following:
- 503.01** Delaware County Regional Sewer District Rules & Regulations
  - 503.02** Delaware County Regional Sewer District Construction and Materials Specifications
  - 503.03** Delaware County Regional Sewer District Standard Drawings
  - 503.04** Construction Documents (Drawings and Specifications) approved by District Officials
- 504 PLAN APPROVAL:** Prior to the commencement of construction of any sewer system or system components, which said systems or system components will be owned and/or operated by the District, construction drawings shall be prepared in accordance with Chapter V of these Rules & Regulations and approved by the District. Failure to obtain said approval may result in rejection by the District of any construction performed prior to obtaining said approval. The plan approval process is as follows and in the following sequence:
- (a)** Review and approval by Delaware County Sanitary Engineer’s office
  - (b)** Submit Ohio Environmental Protection Agency (EPA) Permit-to-Install (PTI)
  - (c)** Review and approval by Delaware County Engineer’s office, if applicable
  - (d)** Owner executes Developer’s Agreement or Subdivider’s Agreement
  - (e)** Obtain Plan and Subdivider’s Agreement approval through Resolution by the Board
  - (f)** Payment of fees in accordance with Chapter V of these Rules & Regulations
  - (g)** Schedule Pre-Construction meeting as outlined in Chapter V of these Rules & Regulations
- 505 OBLIGATIONS OF OWNER, CONSTRUCTION GUARANTEES, AND VIOLATIONS OF PROVISIONS:** In consideration of the approval of the construction plans, the owner of the parcel or tract of land being developed shall sign a Subdivider’s Agreement in such form as is prescribed by the District. Furthermore, the owner will be subject to the following:

- 505.01** All public improvement construction shall be performed within one (1) year from the date of the approval of the Agreement by the Board, but extension of time may be granted if approved by the Board.
- 505.02** The owner shall indemnify and save harmless the County, Townships, Cities, and/or Villages and all of their officials, employees, and agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any action, or omissions of the owner, and any of its contractors or sub-contractors, or from any material, method, or explosive used in the sanitary sewer construction work or by or on account of any accident caused by negligence, or any other act or omission of the owner, and any of its contractors or the contractors' agents or employees in connection with the Work.
- 505.03** The owner shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading the plans and specifications and shall have authority to execute the plans and specifications and alterations required by the District. The representative shall be replaced by the owner when, in the opinion of the District, the representative's performance is deemed inadequate.
- 505.04** If, due to unforeseen circumstances during construction activities, the owner must install any of the Improvements to a different location than shown on the approved and signed construction plans, the owner shall request a revision to the construction plans and the District shall evaluate this request. If the request for a revision is approved in writing by the District, then the owner shall provide and record a revised, permanent, exclusive sanitary easement prior to the District's acceptance of the sewer. The language and dimensions of the revised, permanent, exclusive sanitary easements shall be subject to the approval of the District.
- 505.05** The owner shall, during the construction and maintenance periods, comply with all Rules & Regulations and conform to all procedures established by the District regarding submission of shop drawings, construction schedules, operation of facilities, and other matters incidental to the construction and operation of the Improvements.
- 505.06** The owner shall obtain all other necessary utility services incidental to the construction of the Improvements and for their continued operation. The owner shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the owner and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the District.
- 505.07** Should the owner elect to proceed with construction prior to recording the plat, no approved financial warranties are necessary until such time as owner elects to record the plat. At that time, the owner shall execute a surety in the form of a bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction remaining to be completed as determined by the District.

**505.08** All permits and approvals shall be obtained and all fees and deposits paid prior to the commencement of any construction by any owner.

**505.09** During construction and prior to acceptance of any Improvement, the owner shall remove or cause to be removed such dirt, debris, and foreign matter from all public rights-of-way, Improvements and/or easements as were deposited, left or resulted from the construction of Improvements of any nature to the District systems within twenty-four (24) hours after being notified by the District that such removal is required. Such removal shall be done to the satisfaction of the District.

**506 EASEMENTS:** The owner shall provide to the County all necessary easements or rights-of-way required to complete the Improvements, all of which shall be obtained at the expense of the owner. All Improvements, including, but not limited to, public sanitary sewers and appurtenances, force mains, manholes, and private laterals to offsite properties shall be located within a recorded, permanent, exclusive sanitary easement on file at the Delaware County Recorder's Office, the language of which shall be subject to approval by the District. The dimensions of all easements shall be as shown on the approved engineering drawings. If any onsite easement or necessary right of way is not to be recorded as part of a subdivision plat, such easements and rights-of-way shall be recorded and provided to the District before a preconstruction meeting will be permitted and before construction may begin on the Improvements. All offsite easements must be recorded prior to signing the plans unless otherwise permitted, in writing, by the District.

**507 INSPECTION:** The construction of all sewer systems that are or will be owned and/or operated by the District shall be inspected as described in the Delaware County Regional Sewer District Construction and Materials Specifications.

**508 PLAN REVIEW FEES, INSPECTION FEES AND DEPOSITS:** Prior to submitting construction drawings for scheduling a Pre-Construction meeting, a plan review fee shall be deposited with the District. The plan review fee shall be equal to three and one half percent (3 ½%) of the estimated construction cost of the improvements.

Prior to beginning any construction, an inspection fee shall be paid to cover the cost of the inspection described in Chapter V of these Rules & Regulations. These fees shall be made by payment to the District a non-refundable fee of eight and one half percent (8 ½%) of the estimated construction cost of the improvements to cover the costs incurred by the District for administration (including copying and other office related tasks), inspections, testing, recording the construction on District's records, video camera-ing of the sewers and appurtenances, and any and all costs incidental thereto. The District shall in its sole discretion inspect, as necessary, the improvements being installed or constructed by the owner and shall keep records of the time spent by his or her employees and agents in such inspections and in the event the hours worked for inspection at a rate of \$75.00 per hour and for the camera truck at \$150.00 per hour exceeds the eight and one half percent (8 ½%), the District may request additional funds based on the estimated effort for completion.

In addition to the charges above, the owner shall pay the cost of any third party inspection or testing services for the improvements as required by the District.

**509 PRE-CONSTRUCTION SUBMITTAL PACKAGE:** Pre-construction submittals must be received a minimum of three (3) days prior to scheduling a pre-construction meeting. Submittal will be processed upon receipt of all of the following items:

- (a) Original approved and recorded easements;
- (b) Copies of all regulatory permits (i.e. PTI, NOI, USACE Permit, Mitigation Agreements, and Other permits specific to the project);
- (c) Approved storm water pollution prevention plan (approved by the governing storm water authority);
- (d) Product material, manufacturer's submittals, and shop drawings (pipe, manhole, pump station equipment, etc. manufacturers);
- (e) Construction bond or other financial construction surety (Subdivider's Agreement will contain specific requirements and amounts);
- (f) All fees paid, including Inspection and Plan Review Fees. (Subdivider's Agreement will contain specific amounts); and
- (g) Approved (signed) plans submitted to the Sanitary Engineer or their designee for review (3 full size copies).

Upon receipt of the above items, a Pre-Construction Meeting can be scheduled with the Sanitary Engineer.

**510 NOTIFICATION OF THE DISTRICT:**

**510.01** The District shall be notified three (3) working days prior to when construction work is scheduled to begin. Throughout the duration of construction, the District shall be kept informed of the construction schedule. Any breaks in the construction work which are longer than five (5) working days shall require three (3) working days' notice.

**510.02** The contractor shall notify the District of any cancellation of construction activities.

**510.03** Upon receipt of the initial notice of when construction is to begin, the District shall determine what remains to be done before construction starts and notify the developer thereof or give permission to begin construction. No construction shall begin without the permission of the District.

**510.04** The normal construction work week is Monday through Friday and is forty (40) hours per week, four-ten (4-10) hour days or five-eight (5-8) hour days, unless a deviation in the schedule is approved by the District in advance.

**511 FINAL ACCEPTANCE:** Upon completion of construction and testing of improvements, owner shall request final inspection and approval from the District. The District shall conduct video

camera-ing and visual inspection and submit list of corrective items to owner for remedy (may include cleaning of sewers as required) upon completion of the inspections. The Board shall, upon certification in writing from the Delaware County Sanitary Engineer that all construction is complete according to the plans and specifications, by Resolution, accept the improvements and accept and assume operations and maintenance of the improvements.

The owner shall within thirty (30) days following completion of construction of the improvements, and prior to final acceptance, furnish to the District as required:

- (a) "As built" drawings of the Improvements which plans shall become the property of the County and shall remain in the office of the Delaware County Sanitary Engineer and Delaware County Engineer and/or the City of Powell. The drawings shall be on reproducible Mylar (full size), two paper copies (one full size & one 11"x17"), and a Compact Diskette with the plans in .DWG format & .PDF format.
- (b) An Excel spreadsheet, from the current template as provided by the Delaware County Sanitary Engineer's website, shall accompany the plan submittal showing the locations of the manholes in Ohio State Plane North Coordinates NAD 1983 (NAVD 1988 datum) and other miscellaneous project data.
- (c) An itemized statement showing the cost of the improvements.
- (d) An Affidavit or waiver of lien from all contractors associated with the project that all material and labor costs have been paid. The owner shall indemnify and hold harmless the County from expenses or claims for labor or materials incident to the construction of the Improvements.
- (e) Documentation showing the required sanitary easements.
- (f) Equipment, spare parts, operation & maintenance manuals, and additional warranties.

## **512 MAINTENANCE GUARANTEE FOR IMPROVEMENTS; BONDS:**

**512.01** The owner shall guarantee all improvements to the District system for a period of at least five (5) years from the date such improvements are accepted by the District in accordance with the requirements in Chapter V of these Rules & Regulations. This guarantee shall include any and all defects and deficiencies in workmanship and materials. The owner shall be responsible for the cost of all equipment, labor, materials, and other incidentals required to maintain, repair and/or replace any or all of such improvements, and to maintain them in good and proper condition, excluding ordinary wear and tear, but including filling trenches and restoring lawns, sidewalks, streets, pipelines, sewer lines, water lines, etc., during the five (5) year guarantee period. In the event the owner fails to make such maintenance, repairs or replacements within a reasonable time after notice in writing by the District or in the event of an emergency which may endanger life or property, the District may make, or cause to be made, such repairs or replacements at the expense of said owner. In order to indemnify the District for the expense of any such repairs or replacements made by or at the direction of the District, a guarantee shall be made by filing with the District evidence satisfactory to the

District's Attorney one of the following in an amount equal to ten percent (10%) of the cost of the improvements:

- (a) a maintenance bond, or
- (b) a certified check, or
- (c) an irrevocable Letter of Credit made out to the Board

**512.02** Prior to expiration of the five (5) year warranty period, the District shall video camera all sanitary sewer mainlines within the development. The District will submit a list of corrective items to the owner for completion of remedies prior to return of the maintenance guarantee (maintenance bond).

**512.03** The Maintenance Guarantee will be released upon completion of remedies for corrective action by the Contractor.

**513 WARRANTY PERIOD:** Release of the Maintenance Guarantee and completion of the Warranty Period shall be given after all video camera-ing of the sewers has been performed, the Improvements to the District Systems have been satisfactorily maintained for a period of five (5) years, all defects or deficiencies have been corrected and all expenses incurred by the District pursuant to the development have been paid in full by the Contractor.

**514 SEWER TAPPER LICENSE FOR CONNECTION OF SERVICE LATERALS:** Contractors must maintain a current sewer tapper license to perform connection of service laterals in Delaware County, by fulfilling the following requirements:

- (a) Provide proof of required bond with Delaware County Commissioners designated as the loss beneficiary. Also identify the reason/explanation for the bond as: Sewer Tapper for Delaware County Regional Sewer District office.
- (b) Provide a Certificate of Public Liability insurance and a certificate of property damage insurance in the amounts currently required by the County, all of which identify Delaware County Commissioners as the loss beneficiary.
- (c) Payment of the current licensing fee.