



**GRAND RAPIDS  
PUBLIC UTILITIES**  
*Service is Our Nature*

# **COMMISSION POLICY**

## **Wastewater Collection and Treatment Operating Rules**

Category: <b>Wastewater</b>	Subcategory: <b>Collection</b>	Policy Number: <b>6.1.010</b>
--------------------------------	-----------------------------------	----------------------------------

**Grand Rapids  
Public Utilities Commission**

**Operating Policy Rules**

**Public Wastewater Collection  
and  
Treatment Systems**

Adopted: May 18, 2005  
Revised: January 22, 2018

## **TABLE OF CONTENTS**

- 1. PURPOSE AND OBJECTIVES**
- 2. DEFINITIONS**
- 3. USE OF PUBLIC SEWERS**
- 4. PRIVATE WASTEWATER DISPOSAL SYSTEM**
- 5. BUILDING SEWERS AND CONNECTIONS**
- 6. MAIN AND LATERAL SEWERS**
- 7. PROHIBITED WASTES**
- 8. INDUSTRIAL WASTEWATER REQUIREMENTS**
- 9. INDUSTRIAL DISCHARGE AGREEMENT**
- 10. PRETREATMENT OF INDUSTRIAL WASTEWATER**
- 11. ACCIDENTAL AND SLUG DISCHARGES**
- 12. PROTECTION FROM DAMAGE**
- 13. OWNERSHIP OF WATER AND SEWER MAINS AND SERVICE LINES**
- 14. MAINTENANCE, REPAIR AND REPLACEMENT OF SERVICE LINES**
- 15. ABANDONMENT AND REMOVAL OF SERVICE LINES**
- 16. PENALTIES**
- 17. COMPLIANCE**
- 18. VALIDITY**
- 19. OPERATING POLICY RULES IN FORCE.**

## 1. PURPOSE AND OBJECTIVES

These Operating Policy Rules (hereinafter “Operating Policy”) were developed to be used by Grand Rapids Public Utilities Commission (GRPUC) personnel and to provide notice to the public. The result of following this Operating Policy should be consistent, logical and fair treatment of GRPUC customers in regard to use of public sewers and Publicly Owned Treatment Works (POTW).

The Operating Policy covers use on public sewer and private sewage disposal, installation and connection on sewer mains and service lines, use of the public sewers, protection from damage, powers of authority of inspectors, ownership, responsibility for maintenance, repair and replacement of service lines, abandonment and removal of service lines, and requirements for compliance.

This Operating Policy sets forth uniform requirements for discharges into the GRPUC POTW and enables the GRPUC to comply with all State (Minnesota Pollution Control Agency) and Federal (U.S. Environmental Protection Agency) laws.

The objectives of this Operating Policy are as follows:

- a) Prevent the introduction of pollutants into the POTW which will interfere with the operation of the facilities or the use or disposal of the sludge;
- b) Prevent the introduction of pollutants into the POTW, which will pass through the system inadequately treated into receiving waters of the state or the atmosphere or otherwise be incompatible with the system;
- c) Improve the opportunity to recycle and reclaim wastewater and sludge from the system; and
- d) Control discharges to the public sewer and POTW.

The Operating Policy provides for the regulation of discharges into the GRPUC wastewater disposal system through the issuance of permits to certain users and through enforcement of the general requirements for all users, authorizes monitoring and enforcement activities, provides for penalty relief, requires user reporting, and provides for the setting of fees necessary to carry out the program established herein.

The Operating Policy shall apply to the City of Grand Rapids and to persons and facilities outside the City who are, by contract or agreement with the GRPUC, users of the GRPUC wastewater disposal system. Except as otherwise provided herein, the GRPUC’s General Manager shall administer, implement, and enforce the provisions of this Operating Policy.

## 2.0 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Operating Policy shall be as follows:

*Agency* means the Minnesota Pollution Control Agency.

*Authorized or Duly Authorized Representative of the User* means:

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

*Best Management Practices or BMPs* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in the prohibited discharge standards of these Operating Policy Rules. BMPs include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

*Building Drain* means that part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

*Building Official* means the Building Official of the City of Grand Rapids, Minnesota.

*Building Sewer* means the extension from the building drain to the public sewer or other place of disposal.

*Building Water* means the pipe or conduit connecting a building to the public water main or other source of water.

*Categorical Pretreatment Standard or National Categorical Pretreatment Standard* means the pretreatment standards from federal regulations that are incorporated by reference in Rule 7049.0310 of the Minnesota Rules, as amended.

*CBOD (Carbonaceous Biochemical Oxygen Demand)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C (68°F), expressed in milligrams per liter.

*City* means the City of Grand Rapids

*Customer* means any user of a utility.

*EPA* means the U.S. Environmental Protection Agency

*Flow* means the quantity of wastewater expressed in gallons or cubic feet per twenty-four (24) hours.

*General Manager* means the GRPUC General Manager or his authorized agent or representative.

*General Pretreatment Regulations* means the general pretreatment regulations for existing and new sources of pollution promulgated by the EPA under Section 307(b) and (c) of the Clean Water Act and found at 40 CFR 403.

*GRPUC* means Grand Rapids Public Utilities Commission.

*Indirect Discharge or Discharge* means the introduction of pollutants into the POTW, whether by sewer or other means.

*Industrial Wastes* means both liquid and solid wastes from industrial manufacturing processes, trade, or business as distinct from domestic sanitary sewage.

*Interference* means a discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and is, therefore, a cause of violation, including an increase in the magnitude or duration of a violation, of any permit or rule controlling, prohibiting, or limiting the release of pollutants from the POTW into the environment.

*MPCA* means the Minnesota Pollution Control Agency

*Natural Outlet* means any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

*National Pollutant Discharge Elimination System (NPDES) Permit* means any permit or requirements issued by the Minnesota Pollution Control Agency (MPCA) pursuant

to the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq); for the purpose of regulating the discharge of wastewater, industrial wastes, or other wastes under the authority of Section 402 of the Act.

*New Source* shall have the meaning set forth in Rule 7049.0120, subpart 11 of the Minnesota Rules, as amended, which presently reads as follows:

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
  - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
  - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
  - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of paragraph 1 (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
  - (a) Begun, or caused to begin, as part of a continuous onsite construction program:
    - (i) Any placement, assembly, or installation of facilities or equipment; or
    - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
  - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

*Noncontact Cooling Water* means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

*Operating Policy* means the set of rules contained herein governing the discharge of wastewater to the POTW.

*Pass Through* means a discharge which exits the POTW plant into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of violation of any requirement of any permit, rule, regulation, or ordinance controlling, prohibiting, or limiting the release of pollutants from the POTW plant into the environment, including an increase in the magnitude or duration of a violation.

*Person* means any individual, firm, company, association, society, corporation, or group.

*pH* means the logarithm of the reciprocal of the concentration of hydrogen ions in gram equivalents per liter of solution.

*POTW* means Publicly owned Treatment Works including all arrangement of devices, structures and facilities for collection, pumping, treating, and disposing of sewage.

*Pretreatment* means the process of reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the GRPUC wastewater disposal system. The reduction, elimination, or alteration may be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by this Operating Policy. See Rule 7049.0120, subpart 17, of the Minnesota Rules, as amended, for a more complete definition of this term.

*Pretreatment Standard* means any state or local law, rule, or ordinance containing pollutant discharge limits or prohibitions, applicable to a POTW. Pretreatment standard includes all standards or limits required by Minnesota Rules, Chapter 7049. Where more than one standard or limit applies, the most restrictive is controlling.

*Properly Shredded Garbage* means the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one (1) inch in any dimension.

*Public Sewer* means a sewer, which is controlled by public authority and where all owners of abutting properties have equal rights of usage.

*Sanitary Sewer* means a sewer, which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.



*Sewage* means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishment, together with such ground, surface, and storm waters as may be present.

*Sewage Works* means all facilities for collection, pumping, treating, and disposing of sewage.

*Sewer* means a pipe or conduit for carrying sewage.

*Sewer Service Line* means the extension from the building drain to the public sewer or other place of disposal. This term is synonymous with building sewer.

“*Shall*” and “*Must*” is mandatory; “*May*” is permissive.

*Significant Industrial User* shall have the meaning set forth in Rule 7049.0120, subp. 24, of the Minnesota Rules, as amended, which presently reads as follows:

- A) “Significant industrial user” means an industrial user that:
- (1) contributes a process wastewater containing five percent or more of the flow or load of any pollutant of concern to the receiving POTW;
  - (2) is designated by the agency or the receiving POTW authority as significant on the basis that it has reasonable potential to impact the receiving POTW plant, or violate required pretreatment standards; or
  - (3) discharges 25,000 gallons per day or more of process wastewater, excluding sanitary, noncontact cooling or boiler blowdown wastewater, to the receiving POTW.
- B) An industrial user that meets the criteria in item A may be designated “not significant” by the POTW authority on the basis that it has no reasonable potential to impact the POTW plant and has no reasonable potential to violate required pretreatment standards.
- C) An industrial user that is subject to a national categorical pretreatment standards shall also be considered a significant industrial user by any POTW authority that operates a federal delegated pretreatment program approved under parts 7049.0800 to 7049.1020, except as provided in item D.
- D) The POTW may determine that an industrial user subject to national categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day of total categorical wastewater, excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard, and the industrial user:
- (1) prior to the control authority’s finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
  - (2) annually submits the certification statement required in Code of Federal Regulations, title 40, section 403.12(q), together with any additional information necessary to support the certification statement; and
  - (3) never discharges any untreated concentrated wastewater.

*Significant Non-compliance* shall have the meaning set forth in Rule 7049.0120, subpart 25, of the Minnesota Rules, as amended, which presently reads as follows: “An industrial user is in significant non-compliance if its violation meets one or more of the following criteria:

- A) chronic violations of wastewater discharge limits, defined in this part as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a six month period exceed, by any magnitude, a numeric pretreatment standard or requirement, including instantaneous limits;
- B) technical review criteria (TRC) violations defined in this part as those in which 33 percent or more of all of the measurements for each pollutant parameter taken during a six month period equal or exceed the product of a numeric pretreatment standard or requirement multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
- C) any other violation of a pretreatment standard or requirement that the POTW determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of POTW personnel or the general public;
- D) any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the receiving POTW authority’s exercise of its emergency authority to halt or prevent such a discharge;
- E) failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- F) failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G) failure to accurately report non-compliance; or
- H) any other violation or group of violations, which may include a violation of best management practices, that the POTW authority determines will adversely affect the operation or implementation of the local pretreatment program.”

*Slug, Slug load or Slug discharge* means a discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any way violate the POTW’s regulations, local limits, or permit conditions.

*Solid Waste* shall have the meaning set forth in Minn. Stat. Section 116.06, subd. 22, as amended, which presently provides as follows: “ ‘Solid waste’ means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge;

solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under section 402 of the federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.”

*Storm Water* means any flow occurring during or following any form of natural precipitation and resulting therefrom.

*Storm Drain* (sometimes termed "*storm sewer*") means a drain system which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

*Total Suspended Solids (TSS)* means solids that are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

*User* means any person who discharges, causes, or permits the discharge of wastewater into the GRPUC wastewater disposal system.

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

*Waste* shall have the meaning set for in Minn. Stat. Section 115A.03, subd. 34, as amended, which presently provides as follows: “Waste’ means solid waste, sewage sludge, and hazardous waste.”

*Wastewater* means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the GRPUC wastewater disposal system.

*Wastewater Treatment Plant or Plant* means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

### **3.0 USE OF PUBLIC SEWERS**

3.1 It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.

3.2 It is unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other wastewater, except where suitable treatment has been provided in accordance with subsequent provisions of this Operating Policy.

- 3.3 Except as hereinafter provided, it shall be unlawful to construct or maintain within the City any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 3.4 The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way shall be required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within 90 days after official notice to do so, provided that the public sewer is within 150 feet of the property line.
- 3.5 It shall be unlawful for the owner or occupant of any property to fail to make such connection with the public sewer, within 90 days after written notice is given to such owner or occupant to make such connection by order of the council. The written notice shall be prepared and delivered by the city clerk.
- 3.6 Whenever any owner or occupant shall fail to comply with such written notice, the council shall by resolution direct that a connection be made with the public sewer and that the cost of the installation be paid in the first instance out of the general revenue fund, and the actual cost thereof shall be assessed against the property benefited.
- 3.7 After such installation and connection is completed by order of the council, the city clerk shall serve a written notice of the assessment upon the owner or his representative, directing him to pay the assessment to the city treasurer within ten days after the service of the notice. If such assessment is not paid within 30 days, the city clerk shall certify the amount thereof to the county auditor in the same manner as other special assessments; provided, the council may by resolution provide that the assessment be spread over a term of years as determined by the council upon request of the owner of the property or his representative.

#### **4.0 PRIVATE WASTEWATER DISPOSAL SYSTEM**

- 4.1 Where a public sanitary sewer is not available under the provisions of Section 3, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.
- 4.2 Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the Building Official. The application for such permit must be made on a form furnished by the city, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the Building Official. A permit and inspection fee shall be paid to the city at the time the application is filed.
- 4.3 A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Building Official. The Building Official shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Building Official when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Building Official.

- 4.4 The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Minnesota Pollution Control Agency. No private wastewater disposal system employing subsurface soil absorption facilities shall be constructed where the area of the lot is less than 40,000 square feet, unless the owner presents evidence to the GRPUC demonstrating that special conditions exist which assures the system will meet the minimum standards of the Minnesota Individual Sewage Disposal System Code. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- 4.5 The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City and/or the GRPUC.
- 4.6 The employees of the GRPUC may enter upon any property having a private wastewater disposal system for the purpose of inspecting such system and making such other investigations and tests as are deemed necessary. Entry shall be made during the daylight hours unless abnormal or emergency circumstances require otherwise.
- 4.7 At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 4 a direct connection shall be made to the public sewer in compliance with this Operating Policy within thirty (30) days, and the private wastewater disposal facilities shall be removed or filled with suitable material approved by the General Manager.
- 4.8 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the General Manager. The provisions of this subsection shall be in addition to any requirements established by applicable federal, state, or local laws and regulations and shall not be construed to relieve any liability or obligation imposed by such laws and regulations.

## **5.0 BUILDING SEWERS AND CONNECTIONS**

- 5.1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance without first obtaining a written Service Construction or Connection Permit from the General Manager. A customer applying for a Service Construction or Connection Permit must use the application form furnished by the GRPUC (see attached copy in Appendix A) and pay a service permit application fee of \$20.00. If the application is approved there will be an additional sewer service permit fee (see attached fee schedule in Appendix B). The sewer Service Construction or Connection Permit does not include a Utility Cut Permit. If such a permit is required under Separate GRPUC Policy Rules, the applicant must also obtain a Utility Cut Permit through the City Engineering Department.
- 5.2 All costs and expense incident to the installation and connection of the sewer service line will be the responsibility of the owner. The owner shall indemnify the GRPUC and/or the City from any loss or damage that may directly or indirectly occur during the installation of the sewer service line.

- 5.3 In no event shall a sewer service line serve more than one parcel of property. If a single parcel is developed with multiple buildings, such as in the case of an apartment complex, a single sewer service line serving more than one building may be constructed only with the written approval of the General Manager. Such approval will be granted only if the provision of separate services to each building is impractical. The fact that a single service may be less costly to construct does not necessarily make multiple service lines impractical. If an existing single parcel of property with multiple buildings that are served by a single sewer service line is subsequently subdivided, additional services shall be constructed so that each parcel is served by separate sewer service lines.
- 5.4 Old sewer service lines may be used in connection with new buildings only when they are found, upon examination and testing by the GRPUC, to meet all requirements of this Operating Policy.
- 5.5 The size, slope, alignment, materials of construction of a building sewer line, and the methods to be used on excavating, placing of the pipe, jointing, testing, and backfilling the trench, must conform to the requirements of the building and plumbing codes and other applicable rules and regulations of the City and/or the GRPUC.
- 5.6 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, such building drain shall be provided with a lifting device approved by the Building Official and discharged to the building sewer.
- 5.7 No person shall make connection of roof downspouts, foundation drains, areaway drains, or other source of surface runoff or groundwater to a sewer service line or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.
- 5.8 The connection of the sewer service line into the public sewer must conform to the requirements of the uniform building and plumbing code and other applicable rules and regulations of the City and/or the GRPUC. Any deviation from the prescribed procedures and materials needs to be approved by the GRPUC before installation.
- 5.9 The construction of the building sewer and its connection into the public sewer shall conform to the requirements of the uniform building and plumbing code, the sewer specifications included herein, or other applicable rules and regulations and the procedures set forth in appropriate specifications of the Water Pollution Control Federation Manual (ASTM). All such construction shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the GRPUC.
- 5.10 The applicant for the Service Construction or Connection Permit shall notify the General Manager when sewer service line is ready for inspection and connection to the public sewer mains. The connection shall be made under the supervision of the General Manager. No work shall be backfilled until inspected and approved by the General Manager.

- 5.11 Employees of the GRPUC shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the connection shall notify the Building Official and GRPUC Engineer when the work is ready for final inspection and no underground portions shall be covered before the final inspection is completed. The connection shall be made under the supervision of the Building Official or his representative.
- 5.12 All excavations for sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard.
- 5.13 Streets, sidewalks, parkways, and other public property disturbed in the course of the excavation and other work involved in installing or removing sewer service lines shall be restored in a manner satisfactory to the GRPUC. The customer must obtain a Utility Cost Permit from the City Engineer for all work in the Public Right-of-Way.
- 5.14 When properties are annexed to the City, it sometimes occurs that the properties have access to previously constructed sewer mains. In these cases, the newly annexed properties may be permitted to connect to the mains. However, the customer will be charged a special connection fee related to any past special assessments of these mains. The special connection fee will be all or a portion of the cost of any special assessment that would have been levied if the property had been in the City at the time of the special assessments. The fee will be calculated according to a straight-line depreciation method over an assumed useful life of 40 years.

Similarly, it may sometimes occur that property already in the City may not have been assessed for the construction of abutting and accessible sewer mains. If an applicant for a Service Construction or Connection Permit wants to connect to sewer mains and the property was not for some reason previously assessed for such services, a special connection fee relating to any past special assessments of these mains shall be charged to the applicant. The special connection fee will be all or a portion of the cost of any special assessment that would have been levied if the property had been assessed at the time of the special assessment. The special connection fee will be calculated according to a straight-line depreciation method over an assumed useful life of 40 years.
- 5.15 Sewer customers cannot resell those services. An apartment complex that has one or more master meters shall not meter individual apartments for the purpose of charging those apartments on the basis of usage.
- 5.16 If a building has a private water supply system and is connected to the public sewer, the water supply system shall be connected to a meter, which shall be the basis for the sewer billing.
- 5.17 Any new connections to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to capacity for flow, CBOD and TSS, as determined by the GRPUC. Before any new connection to the GRPUC system is permitted, the General Manager shall ascertain that no cross connection will exist when the new connection is made.

- 5.18 The GRPUC makes no warranty to its customers regarding sewer service, except as otherwise required by Federal or State law.
- 5.19 The owner of property shall be liable for sewer service provided to the owner's property, whether the owner is occupying the property or not, and any charges unpaid shall be a lien upon the property.

## **6.0 MAIN AND LATERAL SEWERS**

- 6.1 No person, unless authorized, shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the GRPUC.
- 6.2 No sanitary or storm sewer mains shall be constructed in the City (except house or building service sewers) except by the GRPUC or others subject at all times to inspection during construction by engineers and employees of the GRPUC and/or the City. No such sewers shall be considered to be a part of the public sewer system unless accepted by the GRPUC.
- 6.3 The size, slope, alignment, material of construction, methods to be used in excavation, placing of pipe, jointing, testing, backfilling and other work connected with the construction of sewers shall conform to the requirements of the GRPUC.

## **7.0 PROHIBITED WASTES**

- 7.1 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. All discharges must comply with any federal and/or state regulations associated with discharges to the GRPUC wastewater treatment facility (e.g., categorical pretreatment limits), and those prohibitions set forth in Minn. Rule 7049.0140.
- 7.2 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City Engineer. Industrial cooling water or unpolluted process waters may be discharged, on approval of the City Engineer, to a storm sewer, or a natural outlet.
- 7.3 No person shall discharge or cause to be discharged, directly or indirectly into the POTW heat in amounts which will or is likely to inhibit biological activity in the treatment plant resulting in interference or causing damage to the treatment plant but in no case heat in such quantities that the Industrial Users waste temperature is greater than 110° F (43.3° C) at its point of discharge to the sewer system.
- 7.4 No person shall discharge or cause to be discharged any of the following described fluids or solids to any public sewers.
  - 7.4.1 Any gasoline, benzene, ethyl benzene, xylene, naphtha, fuel oil, motor oil, or other volatile organic compounds, or any other flammable or explosive liquid, solid, or gas, which may create a fire or explosion hazard in the publicly



owned treatment works. Such discharge must in any case meet State and Federal requirements.

- 7.4.2 Any solids containing toxic or poisonous elements, liquids or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the POTW.
- 7.4.3 Any fluids or solids having pH lower than (5.5) or greater than (11.0), or having corrosive properties capable of causing damage or hazard to structures, equipment, and personnel of the POTW.
- 7.4.4 Any fluid or solid substances in quantities or of such size or nature capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the POTW such as, but not limited to: ashes, cinders, sand, mud, clay, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing entrails, paper dishes, eggshells, cups, milk containers, inhibitory milk products, etc., either whole or ground by garbage grinders; or any soluble substance that would create a viscosity of liquid greater than one-half inch (1/2") in any proportion of the treatment works.
- 7.5 No person shall discharge or cause to be discharged the following described substances, materials, or wastes if it appears likely in the opinion of the General Manager that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters, an adverse effect to public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the General Manager will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the POTW, degree of treatability of wastes in the POTW and other pertinent factors. Special approval from the General Manager is required for an industrial user whose discharge exceeds numerical limits specified in this Operating Policy. The substances prohibited are:
- 7.5.1 Any fluid or solid containing fats, wax, grease, or oils, whether emulsified or not, which may solidify or become viscous at temperatures between thirty-two (32) degrees F and one hundred ten (110) degrees F (0 and 43.3 degrees C), or in excess of 100 parts per million (834 pounds per million gallons) of either, or both or in combinations of free or emulsified oil and grease, if, in the opinion of the General Manager, it appears probable that such wastes:
- Can deposit grease or oil in the sewer lines in such a manner to clog the sewers.
  - Are not amenable to bacterial action and will therefore pass to the receiving waters without being affected by normal wastewater treatment processes.

- Can have deleterious effects on the treatment process.

7.5.2 Any garbage that has not been properly shredded or solid material or insoluble substance having dimensions greater than ½-inch in diameter. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower or greater shall be subject to the review and approval of the General Manager.

7.5.3 Any fluid or solid containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.

7.5.4 Any fluid or solid containing heavy metals an such as Chromium, copper, zinc, cyanide, and similar objectionable or toxic substances which exceed the limits which are established for such materials, unless more restrictive limits are established by federal or state regulatory agencies having jurisdiction. The following concentrations in parts per million shall not be exceeded on any grab sample:

<b>Pollutant</b>	<b>Monthly Average Limits (mg/L)</b>	<b>Daily Maximum Limits (mg/L)</b>
Arsenic	0.7	0.7
Cadmium	0.07	0.11
Chromium	1.71	2.77
Copper	2.07	3.38
Cyanide	0.65	1.20
Iron	5.0	5.0
Lead	0.43	0.69
Mercury	0.0002	0.0002
Nickel	2.38	3.98
Silver	0.24	0.43
Zinc	1.48	2.61

Note: Limits published by the EPA represent concentrations at which damage to activated sludge might occur. Limits were adopted by the Grand Rapids POTW as guidelines.

7.5.5 Any fluid or solid exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the General Manager for such materials.

7.5.6 Any fluid or solid containing phenols or other taste or odor producing substances, in such concentrations exceeding limits of 12.0 parts per million, or as established by the General Manager (as necessary), after treatment of the composite sewage to meet the requirements of the Federal, State, or other public agencies of jurisdiction for such discharge to the receiving waters.

- 7.5.7 Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits as established by current United States Bureau of Standards Handbooks dealing with the handling and release of radioactive materials.
- 7.5.8 Any substance, which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- 7.5.9 Any substance, which may cause the POTW's effluent or any other product of the wastewater treatment process such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the wastewater disposal system cause the system to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
- 7.5.10 Any hazardous waste, unless prior approval has been obtained from the General Manager.
- 7.5.11 Any waste generated outside the area served by the POTW without prior approval of the General Manger.
- 7.5.12 Any unpolluted water, including cooling water, rainwater, storm water or groundwater, unless there is no other prudent or feasible alternative.
- 7.5.13 Any trucked or hauled wastes or pollutants, except at discharge points designated by the POTW.
- 7.5.14 Materials, which exert or cause:
  - a) Unusual concentrations of solids or composition: as for example, in total suspended solids (TSS) of inert nature (such as, but not limited to, Fullers earth, lime slurries, and lime residues), or of total dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - b) Excessive discoloration (such as, but not limited to, dyes and vegetable tanning solutions).
  - c) Unusual biochemical oxygen demand (BOD) or an unusual immediate oxygen demand in such quantities as to constitute a significant load on the sewage treatment works.
  - d) High hydrogen sulfide content.
  - e) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

## 7.6 Septic Tank & Holding Tank Discharges

- 7.6.1 No person owning vacuum or “septic tank” pump trucks or other liquid wastewater transport trucks shall discharge directly or indirectly such wastewater into the wastewater system, unless such person shall first have applied for and received a permit from the GRPUC for each vehicle. All applicants for this permit shall complete such forms as required by the GRPUC (Appendix A), pay appropriate fees (Appendix B), and agree in writing to abide by the provisions of this section and any special conditions or regulations established by the Minnesota Pollution Control Agency (MPCA). Such permits shall be limited to the discharge of domestic wastewater containing no industrial wastewater. The GRPUC shall designate the locations and times where such trucks may be discharged and may refuse to accept any truckload of wastewater where in its absolute discretion it appears that the wastewater could cause interference with the effective operation of the wastewater system.
- 7.6.2 No person shall discharge any other holding tank wastewater into the wastewater system unless he/she have applied for and have been issued a permit by GRPUC. Unless otherwise allowed under the terms and conditions of the permit a separate permit must be secured for each location of discharge. This permit shall include the time of day the discharge is to occur, the volume of the discharge, and shall limit the wastewater constituents and characteristics of the discharge. Such user shall pay fees (Appendix B) therefore, and shall comply with the conditions of the permit issued by GRPUC. No permit, however, will be required to discharge domestic wastewater from a recreational vehicle or marine vessel holding tank providing such discharge is made into an approved facility designed to receive such wastewater.
- 7.7 If any wastewater discharged or are proposed to be discharged to the public sewers, which waters or wastes contain the substances or possess the characteristics enumerated in Section 7.4 and which in the judgment of the General Manager, may have a deleterious effect upon the POTW, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the General Manager may:
- Reject the waters or wastes,
  - Require pretreatment to an acceptable condition prior to discharge to the public sewers,
  - Require control over the quantities and rates of discharge, and
  - Require payment to cover the added cost of handling and treating the water or waste not covered by existing taxes or sewer charges.

If the General Manager permits the pretreatment or controlled discharge of water or waste flows, the design and installation of the plants and equipment shall be subject

to the review and approval of the General Manager and subject to the requirements of all applicable codes, Operating Policies, and laws.

## **8.0 INDUSTRIAL WASTEWATER REQUIREMENTS**

8.1 Review and acceptance of the GRPUC shall be obtained prior to the discharge into the public sewers of any wastewaters having one or more of the following characteristics:

- a) A five-day, 20 degrees Celsius, biochemical oxygen demand (BOD) greater than 250 ppm, and/or a chemical oxygen demand (COD) greater than 375 ppm.
- b) A total suspended solids concentration greater than 300 ppm.
- c) A volume greater than 10,000 gallons per day.

8.2 The General Manager shall have the right to reject industrial waste in whole or in part for any reason. A special agreement or contract for services may be executed when such an agreement is deemed appropriate by either the GRPUC. Such agreements shall be in accordance with all sewer use Operating Policies and rate structures.

8.3 The GRPUC reserves the right to sample any wastewaters entering the Public Sewer System.

8.4 The GRPUC reserves the right to surcharge for any wastes exceeding the characteristics enumerated in this section.

## **9.0 INDUSTRIAL DISCHARGE AGREEMENT**

9.1 Scope. Industrial Users, or other persons, discharging into the POTW shall obtain an Industrial Discharge Agreement pursuant to these rules. The criteria to be utilized by the GRPUC to determine if an Industrial Discharge Agreement will be required include whether the discharge:

- 9.1.1 Has an average flow loading greater than 25,000 gallons per operating day, or
- 9.1.2 Has a pollutant concentration of greater than 50% for one or more regulated pollutants (see Section 7.4) at the point of discharge, or
- 9.1.3 Has properties in the discharge for it to be constituted a prohibited or high strength discharge, or
- 9.1.4 Has been pretreated or passed through an equalization tank before discharge, or
- 9.1.5 Has a hydraulic or organic loading greater than 5% of the average dry weather capacity of the POTW treatment plant or
- 9.1.6 Contains an industrial process regulated by EPA categorical standards, or

- 9.1.7 Has any of the characteristics listed as prohibited discharges under Section 7, or
- 9.1.8 Others as so designated by the GRPUC as defined in 40 CFR 403.12 (a).
- 9.2 Application.
- 9.2.1 Existing Significant Industrial User. An existing Significant Industrial User or other person who is required to obtain an Industrial Discharge Agreement shall complete and file with the GRPUC an Industrial Discharge Agreement Application
- 9.2.2 New Significant Industrial Users. All new significant Industrial Users proposing to connect or to commence a new discharge to the wastewater disposal system shall submit an Industrial Discharge Application for review by the GRPUC. No discharge into the POTW can commence until an Industrial Discharge Application is reviewed and approved by the GRPUC unless:
- An Industrial Discharge Agreement is not required or
  - A discharge waiver is granted to commence discharge pending final action by the GRPUC.
- 9.3 Incomplete or Deficient Application. If the agreement application is incomplete or otherwise deficient, the General Manager will advise the applicant of such incompleteness or deficiency. An Industrial Discharge Agreement shall not be issued until an application is complete.
- 9.4 Issuance of Industrial Discharge Agreement. Within sixty (60) days after receipt of a completed application form from the industrial user, the General Manager shall, upon a determination that the applicant is capable of compliance with the Industrial Discharge conditions and these rules, issue an Industrial Discharge Agreement subject to the terms and conditions provided herein.
- 9.5 Agreement Conditions. Industrial Discharge Agreements shall be expressly subject to all provisions of this Operating Policy and all other applicable regulations, user charges, and fees established by the GRPUC. Agreements shall contain the following:
- 9.5.1 A summary of the penalties and surcharges applicable for violations of the terms of agreement;
- 9.5.2 The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;
- 9.5.3 Limits on the average and maximum wastewater constituents and characteristics, either in terms of concentrations, mass limitations, or other appropriate limits;

- 9.5.4 Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
  - 9.5.5 Requirements for installation and maintenance on inspection and sampling facilities;
  - 9.5.6 Requirements for access to the premises and records;
  - 9.5.7 Requirements for installation, operation, and maintenance of pretreatment facilities;
  - 9.5.8 Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and self-reporting schedule;
  - 9.5.9 Compliance schedules;
  - 9.5.10 Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the General Manager;
  - 9.5.11 Requirements for notification to the General Manager of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment systems;
  - 9.5.12 Requirements for notification of slug discharges as provided in Section 10 of this Operating Policy;
  - 9.5.13 Requirements for the specific location, time, and volume of discharge to the POTW for Waste Transport Haulers;
  - 9.5.14 The requirement for Industrial Discharge Agreement transfer as stated herein; and
  - 9.5.15 Other conditions as deemed appropriate by the GRPUC to ensure compliance with this Operating Policy.
- 9.6 Modification, Suspension, and Revocation. An Industrial Discharge Agreement may be modified, suspended or revoked, in whole or in part, by the GRPUC during its term for cause, including:
- 9.6.1 Violation of these rules.
  - 9.6.2 Violation of any terms or conditions of the Industrial Discharge Agreement;
  - 9.6.3 Obtaining an Industrial Discharge Agreement by misrepresentation or failure to disclose fully all relevant facts;
  - 9.6.4 Amendment of these rules;

- 9.6.5 A change in the wastewater treatment process which results in the discharge having a significantly different and negative impact on the process;
- 9.6.6 A change in the industrial waste volume or characteristics which the discharger knows or has reason to know, will or is likely to have, either singly or by interaction with other wastes, a negative impact on the treatment process; and
- 9.6.7 A determination by the General Manager that the discharge reasonably appears to present an imminent endangerment to the health or welfare of persons, present an endangerment to the environment, or threaten interference with the operation of the POTW.
- 9.7 Time Schedule for Compliance. Any modifications in the Industrial Discharge Agreement shall specify a reasonable time schedule for compliance.
- 9.8 Refund of Fee on Surrender or Revocation. A discharger may surrender an Industrial Discharge Agreement to the GRPUC prior to the agreement's scheduled termination. In the event that an agreement is surrendered or revoked, the discharger shall be refunded a pro rata portion of the agreement fee paid.
- 9.9 Agreement Duration. Agreements shall be issued for a specified time period, not to exceed five (5) years. The user shall apply for agreement reissuance a minimum of 180 days prior to the agreement's expiration date by filing with the GRPUC an agreement reissuance application. The terms and conditions of the agreement may be subject to modification by the General Manager during the term of the agreement. The user shall be informed prior to the effective date of change. Any changes or new conditions in the agreement shall include a reasonable time schedule for compliance.
- 9.10 Agreement Transfer. Industrial Discharge Agreements are issued to a specific user at a specific location, for a specific operation, except in the case of Waste Transport Haulers. An Industrial Discharge Agreement shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the General Manager. Any succeeding owner or user shall also comply with the terms and conditions of the existing agreement. In the event of a change in the entity owning the industrial discharge facilities for which there is an Industrial Discharge Agreement, the prior owner, if feasible, shall notify the GRPUC and the succeeding owner of said change in ownership and of the provisions of the Industrial Discharge Agreement and these rules. The new owner shall submit a new agreement application or shall submit to the GRPUC an executed statement agreeing to be bound by the terms and conditions of the existing Industrial Discharge Agreement for the facility, in which case, upon consent of the GRPUC, the agreement shall continue in effect until its expiration date.
- 9.11 Agreement Fees. The user shall pay for the treatment of its wastewater discharge to the Treatment Facility. Discharge Agreement fees will be calculated monthly and shall equal the sum of the following:



1. Total month's operation and maintenance cost x 0.3191 x the measured fraction of the total month's flow attributed to the user.
2. Total month's operation and maintenance cost x 0.3547 x the measured fraction of the total month's BOD attributed to the user.
3. Total month's operation and maintenance cost x 0.3262 x the measured fraction of the total month's TSS attributed to the user.

The measured fraction of flow, BOD, and TSS attributed to the user shall be calculated monthly from daily averages of quantities and concentrations as measured. The user will be liable to pay a surcharge at the option of the GRPUC if the maximum allotted capacities of flow, BOD, and TSS, as specified in the Agreement, are exceeded in any one category.

## 9.12 Enforcement.

9.12.1 The General Manager may suspend the sewer system service and/or an Industrial Discharge Agreement when such suspension is necessary, in the opinion of the General Manager, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the POTW, or would cause the GRPUC to violate any condition of its NPDES or State Disposal System Permit. Any user notified of a suspension of the sewer system service and/or the Industrial Discharge Agreement shall immediately stop the discharge. In the event of a failure of the user to comply voluntarily with the suspension order, the General Manager shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW or endangerment to any individuals. The General Manager shall reinstate the Industrial Discharge Agreement and/or the sewer system service upon proof to the General Manager's satisfaction of the elimination of the non-complying discharge.

A detailed written statement submitted by the user describing the causes of the slug or accidental discharge and the measures taken to prevent any future occurrence shall be submitted to the General Manager within five (5) working days of the date of occurrence.

If the discharge has resulted in fines or penalties assessed against the GRPUC by any state or federal agency, the industrial user whose discharge is the basis for the fine or penalty shall pay said fine or penalty or reimburse the GRPUC pursuant to any order issued by the GRPUC as authorized by 9.12.4.

9.12.2 Notification of Violation. Whenever the General Manager finds that any person has violated or is violating this Operating Policy, Industrial Discharge Agreement, or any prohibition, limitation or requirement contained in any applicable State or Federal regulations, the General Manager may serve upon such person a written notice stating the nature of the violation. Within ten (10) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the GRPUC by the user.

9.12.3 Revocation of Agreement. The General Manager may revoke the agreement of any user which fails to factually report the wastewater constituents and characteristics of its discharge; which fails to report significant changes in wastewater constituents or characteristics; which refuses reasonable access to the user's premises for the purpose of inspection or monitoring; or for violation of conditions of its agreement, this Operating Policy, or applicable State and Federal regulations.

9.12.4 Show Cause Hearing.

- Notice of Hearing. If the violation is not corrected by timely compliance, the General Manager may order any user, which causes or allows an unauthorized discharge to show cause before the GRPUC why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the GRPUC regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the GRPUC why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least fourteen (14) days before the hearing. Service may be made on any agent or officer of a corporation.
- Hearing Officials. The GRPUC may itself conduct the hearing and take the evidence, or may designate any of its members, an administrative law judge, or any officer or employee of the GRPUC to:
  1. Issue in the name of the GRPUC notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
  2. Take the evidence; and,
  3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the GRPUC for action thereon.
- Transcripts. At any hearing held pursuant to this Operating Policy, testimony taken must be under oath and recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.
- Issuance of Orders. After the GRPUC has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further

orders and directives as are necessary and appropriate may also be issued.

- 9.12.5 Legal Action. If any person discharges wastewater, industrial wastes, or other wastes into the GRPUC's wastewater disposal system contrary to the provisions of this Operating Policy, Federal or State pretreatment requirements or any order of the GRPUC, the GRPUC Attorney may commence an action for appropriate legal and/or equitable relief, including injunctive relief.

## **10.0 PRETREATMENT OF INDUSTRIAL WASTEWATER**

- 10.1 Where required, in the opinion of the General Manager, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment facilities, the owner shall provide, at his/her expense, such preliminary treatment or processing facilities as may be determined necessary to render his/her wastes acceptable for admission to the public sewer.

### **10.2 Compliance and Standards.**

- 10.2.1 Industrial Users shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations promulgated by the U.S. EPA pursuant to the Act. In addition, Industrial Users shall comply with all provisions of any permit issued under Pretreatment Standards whether more or less stringent. Industrial Users as required by their Industrial Discharge Agreement shall submit to the General Manager for review detailed plans showing the pretreatment facilities at least sixty (60) days prior to initiation of construction. The General Manager shall approve the Industrial User's pretreatment plans if it appears that the proposed pretreatment facility is capable of meeting all applicable limitations.
- 10.2.2 Where preliminary treatment or flow-equalizing facilities are provided for any wastewaters or wastes, the owner at his/her expense shall satisfactorily and continuously maintain the effective operation of the treatment system.
- 10.2.3 The General Manager's review and approval shall in no way relieve the Industrial User from the responsibility of modifying the facility as necessary to produce an effluent complying with the provisions of these rules. Any subsequent modifications in the pretreatment facilities, which will result in a substantial change in discharge shall be reported to be approved by the General Manager upon a determination that the modified facility is capable of meeting all applicable limitations of Section 7, prior to the modification.
- 10.2.4 Residual solids from a pretreatment facility shall not be disposed, directly or indirectly, into the POTW without prior written approval from the General Manager. The disposal method shall be in accordance with local, State and Federal requirements. The General Manager shall be notified in writing within

ten (10) days of any substantial changes in such residual solids disposal procedures and/or characteristics.

10.2.5 Dilution. No user shall 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 the limitations contained in any local or State requirements or Federal pretreatment standards.

10.3 Where discharge of such wastes to the sanitary sewer are not properly pretreated or otherwise modified, the General Manager may:

- b) Reject the wastes or terminate the service of sanitary sewer;
- c) Require control of the quantities and rates of discharge for such wastes; or
- d) Require the payment of a penalty to cover the excessive cost of treatment.

The amount of penalty shall be computed as twice the actual incremental costs (above normal costs for labor, power, chemicals, equipment, rental, mileage, etc.) experienced by the GRPUC as a result of handling the improperly pretreated wastewater. See method of computing normal industrial waste charges.

10.4 Grease, Oil and Sand Interceptors. Grease, Oil and Sand Interceptors shall be provided when, in the opinion of the General Manager, they are necessary for the proper handling of liquid waste containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the General Manager, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. Interceptors shall be of substantial construction, watertight and equipped with easily removable covers which, when in place, shall be gastight and watertight. All grease, oil and sand interceptors shall be maintained by the owner, at his/her expense, in continuous efficient operation at all times.

10.5 Plans & Specifications of Preliminary Treatment Systems. Plans, specifications and any other pertinent information relating to proposed preliminary treatment, interceptors, or processing facilities shall be submitted for approval by the General Manager prior to the start of its use, if the effluent from is to be discharged into the public sewer.

10.6 Inspection Chambers. When required by the General Manager, the owner of any property discharging an industrial waste mixture into the waste water works of the GRPUC, shall provide and maintain in a suitable accessible position on the premises an inspection chamber or manhole near the outlet of each sewer, which connects with any sewer or wastewater works of the GRPUC. Each inspection chamber shall be of such design and construction as to prevent infiltration by groundwater and/or surface water and to prevent the entrance of objectionable slugs of solids (greater than ½-inch in size) into the sanitary wastewater system. The inspection chamber shall be maintained by persons discharging wastes so that any authorized representative of employee of the GRPUC may readily and safely measure the rate of flow and obtain samples of the flow at all times. Plans for the construction of inspection chambers or

control manholes, including such flow measuring devices as may be required, shall be approved by the General Manager prior to the beginning of construction. Such structures or equipment, (including a valve on the effluent line), shall be installed by the owner at his/her expense.

- 10.7 Inspection & Sampling. The GRPUC may conduct such tests as are necessary to enforce this Operating Policy, and employees of the GRPUC may enter upon any property for the purpose of taking samples, obtaining information or conducting surveys or investigations relating to such enforcement. Entry shall be made during operating hours unless circumstances require otherwise. In all cases where tests are conducted by the GRPUC (for the purpose of determining whether the user is in compliance with regulations), the cost of such tests shall be charged to the user and added to the user's sewer charge. In those cases where the GRPUC determines that the nature or volume of a particular user's wastewater requires more frequent than normal testing, the GRPUC may charge such user for the tests, after giving the user ten (10) days written notice of its intention to do so, and the cost thereof shall be added to the user's sewer charge.

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

While performing the necessary work on private properties (referred to in Subd. 8 of this subsection), the authorized employees of the GRPUC shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the GRPUC employee and the GRPUC shall indemnify the company against loss or damage to its property by GRPUC employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of their inspection, observation, measurement, sampling and testing, except as such may be caused by negligence or failure of the company to maintain safe conditions as required.

- 10.8 Measurements & Testing. All measurements, tests, and analysis of the characteristics of wastewater to which reference is made in this Operating Policy shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable sample taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the sewer service line is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the POTW and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, CBOD and suspended solids analyses are

obtained from twenty-four hour composites of all outfalls whereas pH's are determined from periodic grab samples.) The testing shall be paid for by the discharger.

- 10.9 Self-Monitoring Analyses. All measurements, tests, and analyses of the characteristics of wastewater as outlined in the permit shall be determined in accordance with guidelines established in 40 CFR Part 136 and 40 CFR 403.12(g) of the General Pretreatment Regulations.

Representative samples of a permittee's industrial waste shall be collected on a normal operating day and in accordance with guidelines listed in the Industrial User's Permit. Industrial users subject to Pretreatment Standards shall sample in accordance with the Pretreatment Standards. Self-monitoring points for Industrial Users who are not subject to Pretreatment Standards shall be at a location and at a frequency as specified in the permit

- 10.10 Pretreatment Standards Notification. The General Manager shall notify all affected Industrial Users of the applicable Pretreatment Standards, their amendments, and reporting requirements in accordance with Code of Federal Regulations, Title 40, Section 403.12 of the General Pretreatment Regulations. A compliance schedule shall be developed between the POTW and the Industrial User to ensure that the Industrial User complies with local, State, and Federal limitations in a timely manner as provided by the same section of the General Pretreatment Regulations.

- 10.11 Supplementary Limitations. No person, except as authorized shall discharge or cause or allow to be discharged directly or indirectly, into the POTW any pollutants containing concentrations in excess of limits identified in Section 7.5 (Prohibited Wastes).

- 10.12 Special Agreements. No statement contained in this section, except as promulgated by the EPA shall be construed as preventing any special agreement or arrangement between the GRPUC and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the GRPUC for treatment, subject to payment therefore, by the industrial concern.

The generalized cost recovery formula to be utilized for special contractual agreements for wastewater treatment is as follows:

$$C = (C_{i1} + C_{i2} + \dots) + C_c$$

where

$$C_{ix} = v_{ix}V + b_{ix}B + s_{ix}S$$

and

$$C_c = v_cV + b_cB + s_cS$$

where

$$C = \text{Total cost}$$

$$C_{ix} = \text{Charge to special user X}$$

$$C_c = \text{Charges from established sewer use fees.}$$

$$V = \text{Costs attributed to flow}$$

$$B = \text{Costs attributed to CBOD}$$

$$S = \text{Costs attributed to Total Suspended Solids (TSS)}$$

$$v = \text{\% design volume required}$$

- b = % design CBOD required
- s = % design TSS required

The term “unusual strength” as used herein is defined as any wastewater having a CBOD value of 250 mg/L or greater and/or a TSS value of 300 mg/L or greater.

10.13 Reports. Reports specified in Code of Federal Regulations, Title 40, Section 403.12 of the General Pretreatment Regulations shall be submitted to the POTW by affected users.

10.14 The General Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the GRPUC, a list of significant industrial users that, at any time during the previous 12 months, were in significant non-compliance with applicable pretreatment standards and requirements and any industrial users that were in significant non-compliance because of violations of the criteria, in Rule 7049.0120, subpart 25, item C, D or H of the Minnesota Rules (see definition of Significant Non-compliance, supra).

## **11.0 ACCIDENTAL AND SLUG DISCHARGES**

11.1 Prevention of Accidental and Slug Discharges. All Industrial Users shall provide adequate protective procedures to prevent the accidental discharge of any waste prohibited in Section 7, any waste in excess of the limitations provided in Section 7.5, or any waste in violation of an applicable pretreatment standard.

11.2 Accidental Discharge. Accidental discharges of prohibited waste into the POTW, directly or through another disposal system, or to any place from which such waste may enter the POTW, shall be reported to the General Manager of GRPUC by the persons responsible for the discharge, or by the owner or occupant of the premises where the discharge occurred, immediately upon obtaining knowledge of the fact of such discharge. Such notification will not relieve users of liability for any expense, loss or damage to the wastewater disposal system or treatment process, or for any fines imposed on the GRPUC on account thereof under any State or Federal law. The responsible person shall take immediate action as is reasonably possible to minimize or abate the prohibited discharge.

After obtaining knowledge of the discharge and after giving immediate notice, the responsible person shall send a letter describing the prohibited discharge to the General Manager within five (5) days. The letter shall include the following information:

- The time and location of the spill;
- Description of the accidentally discharged waste, including estimate of pollutant concentrations;
- Time period and volume of wastewater discharged;
- Actions taken to correct or control the spill;
- A schedule of corrective measures to prevent further spill occurrences.

- 11.3 Slug Discharge. In the event that an Industrial User discharges a slug in such volume or strength that the Industrial User knows or has reason to know it will cause interference in the POTW, the Industrial User shall immediately report the same to the General Manager. Within five (5) days thereafter, the Industrial User shall send a letter to the General Manager describing the slug as specified under section 11.2 above and containing a plan to prevent additional slug or accidental discharges. This plan will contain the following at a minimum:
- 11.3.1 Description of discharge practices, including non-routine batch discharges;
  - 11.3.2 Description of stored chemicals;
  - 11.3.3 Procedure for promptly notifying the POTW of slug discharges as defined under Section 403.5(b) of the Code of Federal Regulations Title 40 and Section 11 of this Operating Policy, with procedures for follow-up written notification within five (5) days;
  - 11.3.4 Procedures necessary to prevent adverse impact from slug or accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, and worker training;
  - 11.3.5 Any necessary measures for building containment structures or equipment;
  - 11.3.6 Any necessary measures for controlling toxic organic pollutants (including solvents);
  - 11.3.7 Any necessary procedures and equipment for emergency response;
  - 11.3.8 Any necessary follow-up practices to limit the damage suffered by the POTW or the environment.

## **12.0 PROTECTION FROM DAMAGE**

- 12.1 No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the GRPUC sewage works.
- 12.2 Any damage done to any structure, appurtenance, or equipment, which is a part of the GRPUC sewage works will be repaired by the GRPUC with its own or hired forces. The cost of such repair shall be billed to the person or persons responsible for the damage.

**TO BE RESCINDED (IN RED)**

## **13.0 OWNERSHIP OF WATER AND SEWER MAINS AND SERVICE LINES**

- 13.1 The GRPUC and/or City own the sanitary sewer mains, manholes, cleanouts and similar appurtenances.



13.2 The property owner served by a sewer service line owns that part of the service from the main to the edge of the public right-of-way (including the tee or wye) as well as that portion of the line on private property.

#### **14.0 MAINTENANCE, REPAIR AND REPLACEMENT OF SERVICE LINES**

14.1 The GRPUC will maintain, repair and replace, at its own cost, those portions of service lines that are owned by the GRPUC and/or City. Such maintenance, repair and replacement will be done only during the useful life (as defined by the then current GRPUC policies) of the service line. If a service line is beyond its useful life, the property owner will be responsible for maintenance, repair and replacement of those portions of the service line owned by the GRPUC and/or City.

14.2 Property owners will maintain, repair and replace, at their cost, those portions of service lines that they own.

14.3 The GRPUC will maintain and repair, at its own cost, those portions of sewer mains that are owned by the GRPUC and/or City.

#### **15.0 ABANDONMENT AND REMOVAL OF SERVICE LINES**

15.1 All abandoned services shall be removed by the property owner at his/her expense.

15.2 Sewer service lines to be abandoned shall be excavated and disconnected at the sewer main.

15.3 Under extreme circumstances and at his/her sole discretion, the General Manager may temporarily waive the requirements set forth in Section 15.1 and 15.2. If such waiver is granted, the affected property owner must make a cash payment to the GRPUC in an amount equal to the cost of removal. This amount will be calculated by the GRPUC.

15.4 If removal requires work within the public right-of-way, the property owner must obtain a Utility Cut Permit from the City Engineering Department.

15.5 Abandoned services shall be removed within one year of the date of the last use of the service. If removal is not done within that year, the GRPUC will arrange for the removal of the service and the property owner will be responsible for all expenses of removal, plus an additional 25 percent to cover overhead expenses.

15.6 Whenever a new building is erected on the site of an old building and it is desired to increase or to change the sewer service, no connection with the sewer main may be made until the old services are removed.

#### **16.0 PENALTIES**

16.1 Administrative Fines. Notwithstanding any other section of this Operating Policy, any user who is found to have violated any provision of this Operating Policy, or permits and orders issued hereunder, shall be administratively fined in an amount not to

exceed \$1,000 per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation. Such assessments may be added to the user's next scheduled sewer service charge and the GRPUC shall have such other collection remedies as it has to collect other service charges. Unpaid charges, fines, and penalties shall constitute a lien against the individual user's property. Industrial Users desiring to dispute such fines must file a request for the GRPUC to reconsider the fine within 10 days of being notified of the fine. Where the GRPUC believes a request has merit, it shall convene a hearing on the matter within 30 days of receiving the request from the Industrial User.

- 16.2 Criminal Penalties. Any person violating any of the provisions of this Operating Policy shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000, or by imprisonment for not to exceed 90 days, or both.
- 16.3 Costs. In addition to the penalties provided herein, the GRPUC may recover court costs, court reporter's fees and other expenses of litigation by an appropriate action against the person found to have violated this Operating Policy or the orders, rules, regulations, and permits issued hereunder.
- 16.4 Costs of Damage. Any person violating any of the provisions of this Operating Policy shall become liable to the GRPUC for any expense, loss, or damage occasioned the GRPUC by reason of such violation. The General Manager may add to the user's charges and fees the costs assessed for any cleaning, repair, or replacement work caused by the violation or discharge. Any refusal to pay the assessed costs shall constitute a violation of this Operating Policy.
- 16.5 Falsifying Information. No person shall knowingly make false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Operating Policy, or an Industrial Discharge Agreement, nor falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this Operating Policy.

## **17.0 VALIDITY**

- 17.1 All Operating Policies or parts of Operating Policies in conflict herewith are hereby repealed.
- 17.2 The invalidity of any section, clause, sentence, or provisions of this Operating Policy shall not affect the validity of any other part of this Operating Policy, which can be given effect without such invalid part or parts.

## **18.0 OPERATING POLICY FORCE.**

This Operating Policy shall be in full force and effect from and after its passage.