

**CITY OF WADSWORTH, OHIO  
GENERAL RULES AND REGULATIONS  
COVERING THE CONTROL AND USE OF CITY'S SEWERS AND TREATMENT  
FACILITIES  
AND**

**THE FIXING OF RATES AND CHARGES FOR SEWAGE TREATMENT SERVICES  
AND  
LICENSING OF SEWER BUILDERS AND ESTABLISHMENT OF CONSTRUCTION  
STANDARDS**

Issued by the Director of Public Service pursuant to Section 729.51 of the Revised Code of Ohio.

Authorized by the Council of the City of Wadsworth, Ohio per Ordinance No. 101-79 effective for all bills due and payable after 8-23-79.

Revised on September 13, 1982 and December 18, 1984 pursuant to Ordinance No. 95-84.

Revised on February 21, 1989 pursuant to Ordinance No. 18-89.

Revised on May 7, 1996

Reviewed and corrected August 25, 1997.

Revised on January 13, 2012 regarding local limits, Ord 07-105, Am. Ord. 98-113, passed 9-15-98; Am. Ord. 01-038, passed 4-17-01), (Ord. 10-123, passed 12-21-10) Am. Ord. 11-043, passed 5-17-11,(Ord. 11-044, passed 7-5-11)

Addition of Chapter 5 Section 28 – Pretreatment Enforcement Response Plan

Revised on June 10, 2020 – (Chapter 4 Section 5, FOG)

Approved: \_\_\_\_\_

  
Director of Public Service

Date: \_\_\_\_\_

2-17-21

**City of Wadsworth, Ohio**

**General Rules and Regulations  
Covering the Control and Use of City's Sewers and Treatment Facilities  
and  
The Fixing of Rates and Charges for Sewage Treatment Services  
and  
Licensing of Sewer Builders and Establishment of Construction  
Standards**

**1. GENERAL**

These General Rules and Regulations are hereby adopted by the City of Wadsworth, Ohio and shall apply as stated to any individual, firm, corporation, organization, association, political subdivision, or other entity (sometimes hereinafter referred to as User) located within and without the City's corporate limits and using City's or affecting sanitary sewer and treatment facilities.

These Rules and Regulations are intended to set forth rights and obligations of the City, its inhabitants, and its wastewater users.

It shall be the responsibility of the Director of Public Service (sometimes hereinafter referred to as Director) to administer and enforce these General Rules and Regulations. The Director shall, to the extent necessary, prepare such supplementary Administrative Rules, Forms, and/or Specifications as may be necessary to properly enforce and carry out the intent of these General Rules and Regulations.

**2. SANITARY WASTEWATER SEWER SYSTEM AND FACILITIES**

The sanitary sewer system and facilities of the City of Wadsworth consists of trunk, interceptors, and collection sewers laid in streets, alleys, and other right-of-ways and connected to City's wastewater treatment plant. The location of these facilities are shown upon plans and drawings filed in the Office of the Department of Public Service. Said system also includes all other appurtenances which are used in whole or in part in connection with the collection, treatment, and disposal of wastewater and industrial wastes, together with all extensions, additions, and improvements which may be subsequently added to the system.

**3. PURPOSE OF RULES AND REGULATIONS**

The purpose of these Rules and Regulations is to protect the health, safety, and general welfare of the inhabitants of the City of Wadsworth as same may be affected by the operation and utilization of City's sanitary wastewater sewer system and treatment facilities; also to regulate the discharge of industrial waste materials into the sewerage system in order to prevent damage to sewerage system facilities, processes, or residual products and to prevent the pass-through of pollutants into receiving waters, and to conform to the requirements of the state and federal regulatory agencies, and to establish fair and equitable rates and charges to cover the costs of furnishing such service.

To realize and implement the objectives of these Rules and Regulations, the following items are set forth.

**CITY OF WADSWORTH  
INDEX OF GENERAL RULES AND REGULATIONS**

**Chapter 1**

To establish licensing and examining procedure to determine the qualifications and competency of applicants who are to engage in the business of sewer tapping and sewer building.

**Chapter 2**

To establish a permit and inspection procedure to regulate and record sewer connections made to City's system.

**Chapter 3**

To establish sewer construction standards for building sewage service lines that are to be connected to City's system.

**Chapter 4**

To establish the regulation and use of sewers setting forth the limitations as to use, the characteristics of the wastewater that is permitted to be discharged into City's sewer system, and related matters.

**Chapter 5**

To establish regulations for the control and monitoring of the volume and characteristics of industrial wastes discharged into City's system.

**Chapter 6**

To fix sewerage system capacity and tap charges to assure that users will pay a reasonable share of the investment required by the user.

**Chapter 7**

To establish rates and charges for users of City's sewage facilities giving recognition to classes of service, characteristics, and cost to treat the sewage discharged into City's system.

The schedules establishing the rates and charges consist of separate attachments identified as Exhibit No. IV-1, Schedule No. 1 "RSR", Residential Single Family Sewage Rate, and Exhibit No. IV-2, Schedule No. 2 "GSR", General Sewage Service Rate.

**Appendix A**

Toxic Pollutant List.

**Appendix B**

This sets forth the definition of various terms that may be used elsewhere.

**Appendix C**

Wastewater Discharge Disclosure Form.

**CHAPTER 1**  
**CITY OF WADSWORTH, OHIO**  
**LICENSING OF SEWER TAPPERS AND SEWER BUILDERS**

**SECTION 1 - LICENSE REQUIRED**

It shall be unlawful for any person to engage in the business of Sewer Tapping and Sewer Building, or to open or tap any sewer in any street, alley or any public or private place in the City without first securing a License to engage in such business.

This requirement applies to all individuals now engaged or who will be in the future in the business of Sewer Tapping and Sewer Building.

**SECTION 2 - EXAMINING BOARD**

In order to determine the qualifications and competency of Applicants to engage in the business of Sewer Tapping and Sewer Building, the Director of Public Service shall appoint a Board of Examiners of Plumbers consisting of three Members. The initial appointments shall be on a staggered term basis with each respective term to expire on December 31, 1979, 1980, and 1981. Thereafter all appointments shall be for a term of 3 years and shall be made by the Director of Public Service.

**SECTION 3 - APPLICATION AND EXAMINATION**

Any person desiring to conduct, carry on, or engage in the business of sewer tapping and/or sewer building within the City shall make Application to the Board of Examiners of Plumbers to take such tests to determine his qualifications and competency to conduct, carry on and engage in the business of Sewer Tapping and Sewer Building. Said Board shall fix the time and place for such examination which may be made in whole or in part in writing.

Any Applicant who fails to pass the examination shall be ineligible to take the examination again for a period of 3 months.

If the Applicant successfully completes and passes the Examination to the satisfaction of the Board, the Board will so certify same to the City Auditor. Upon payment to the Treasurer of the Fee prescribed in Section 5 that follows, the Director of Public Service will issue to Applicant an appropriate License authorizing him to conduct, carry on, or engage in the business of Sewer Tapping and Sewer Building with all work to be in conformance to City's Standards and Specifications.

**SECTION 4 - TERM OF LICENSE AND APPLICANT'S BOND**

Every person desiring to engage in the business of Sewer Tapping and Sewer Building shall annually obtain a License therefore, and no such License shall be issued until the party applying therefore shall have given a Bond in the sum of \$1,000, with good and sufficient Surety subject to the approval of the City's Law Director.

Such Bond shall guarantee that such Licensee will pay any and all damages which may happen to any tree, pavement, sidewalk or sewer, or to any telegraph, telephone or electric light pole or wire belonging to the City or others and whether such damage or injury shall be inflicted by such Licensee or by his agents, employees, or workmen. Such Bond shall further save and indemnify and keep harmless the City against all liability, judgments, damages, costs, and expenses which may, in any case, accrue against the City in consequence of the granting of such license.

Said Bond Surety shall also guarantee the complete restoration to its original condition and to the satisfaction of the Director of Public Service, any and all streets, pavements and sewers which may be opened or disturbed by the Licensee, and will in all actions strictly comply with the conditions and provisions of the ordinances of the City relating to Sewer Tapping and Sewer Building, and with the conditions of any Permit issued pursuant thereto.

#### **SECTION 5 - LICENSE FEE**

The Fee for a yearly License to engage in Sewer Tapping and Sewer Building shall be \$25.00 and such Fees shall be credited to the general fund. Such License Fee is in addition to any Permit Fees required for each Tap or other Work.

#### **SECTION 6 - LICENSE SUSPENSION OR REVOCATION**

Any License provided for in these Rules and Regulations may be suspended by the Director of Public Service for the violation of any of the Rules or Regulations of the City relative to Sewer Tapping or Sewer Building within the City, and no Permit shall be issued thereunder until such violations are corrected to the satisfaction of the Director of Public Service.

Any License provided for herein may at any time be revoked by the Director of Public Service for incompetency, fraudulent use, or a violation of the laws of Ohio or Ordinances of the City relative to Sewer Tapping and Sewer Building, after a full and fair hearing by the Examining Board. After revocation of any License for aforesaid reasons, no subsequent License shall be issued to the Party involved until at least 6 months shall have elapsed. In all such cases of revocation a new examination shall be held as in the case of Original Application. In any case of Re-issuance of License, the same Fee shall be required to be paid by Applicant.

#### **SECTION 7 - PENALTY**

Whoever violates any of the provisions specified herein shall be deemed guilty of a misdemeanor of the first degree and fined not exceeding \$1,000 or imprisoned not more than 6 months or both.

**CHAPTER 2**  
**CITY OF WADSWORTH, OHIO**  
**PERMIT AND INSPECTION FEE FOR SEWER CONSTRUCTION WORK**

**SECTION 1 - ALL SEWER CONSTRUCTION TO BE BY LICENSED BUILDERS**

It shall be unlawful for any person, except a Sewer Builder duly Licensed by the Board of Examiners of Plumbers of the City, to make any excavation in any lot, street, avenue, alley, private way or other place, for the purpose of constructing, reconstructing, tapping, repairing, examining, or locating any sewer, drain, catch basin, manhole, flush tank, trap, or any device pertaining to such sewer or drain.

**SECTION 2 - PERMIT REQUIRED FOR EACH SEWER EXCAVATION OR CONSTRUCTION PROJECT**

It shall be unlawful for any Sewer Builder, who shall be duly Licensed as previously specified, to perform or make any such excavation or other sewer construction work without first having obtained from the Director of Public Service of the City a Permit to do or perform such work. A separate Permit shall be required for each location where excavation or other work is to be done by the Sewer Builder.

Such Permit is required and necessary to open any street, alley, avenue, private right-of-way, lot or other place for the purpose of constructing, reconstructing, repairing, locating, tapping or cleaning any sewer, house connection or building sewage service line.

**SECTION 3 - INFORMATION RENDERED FOR PERMIT**

The Sewer Builder shall set forth on the Permit the following: number of the lot, street, between what streets, subdivision and house number if available.

**SECTION 4 - LOCATION OF TAP**

Where a Sewer Tap is involved at the time the Permit is applied for, the Sewer Builder must arrange with the Director of Public Service of the City as to the exact location of the tap.

**SECTION 5 - PERMIT REFUSAL**

The Director of Public Service may refuse to issue a Permit for a New Connection to City's Sanitary Sewer System unless there is adequate available capacity in all downstream facilities, including treatment plant capacity to handle the sewage volume and treatment, including 5-day biochemical oxygen demand (BOD5), suspended solids, and phosphorous removal.

**SECTION 6 - PERMIT AND INSPECTION FEE**

To assure that the construction work and related matters conform to City's Regulations and Standards, the Sewer Builder shall pay a Permit and Inspection Fee of \$25.00 for each separate location where the Builder is to do work. Said Permit Fee shall be paid to the City and credited to miscellaneous revenues, Department of the General Fund.

**SECTION 7 - TAP FEE PAYABLE AT TIME PERMIT IS ISSUED**

Where a Sewer Tap or Connection Charge (as specified elsewhere) is applicable for the premises to be served, such Fee or Charge shall be paid at the same time the above Permit is issued and shall be in addition to the \$25 Permit Fee.

**CHAPTER 3  
CITY OF WADSWORTH, OHIO**

**SEWER CONSTRUCTION STANDARDS**

**SECTION 1 - REGULATIONS FOR SEWER BUILDERS AND PERMITS**

It shall be unlawful for any Sewer Builder, who shall be licensed as specified elsewhere, to do any work that does not conform to the provisions of this Chapter.

Before any work commences the Sewer Builder shall obtain the Permit as specified in Chapter 2.

**SECTION 2 - SEWER PIPE, ACCESSORY MATERIALS, AND APPURTENANCES**

All such material and the installation of same shall conform to the specifications and standards issued by the Department of Director of Public Service.

**SECTION 3 - SIZE OF SEWER PIPE FOR BUILDING SERVICE LINE**

The size of the Building Sewage Service Line shall be subject to the approval of the Director but in no event shall the nominal inside diameter be less than 6 inches.

**SECTION 4 - LINE AND GRADE OF SEWERS**

All sewers shall be laid as nearly straight alignment as is possible and to a uniform grade of not less than 1/4 inch per foot. Any change of direction shall be made by means of curved fittings with all joints to be made gas tight and water tight.

**SECTION 5 - "Y" CONNECTION OF SERVICE LINE AT MAN SEWER IS REQUIRED**

The breaking of the shell of the Public or Main Line Sewer to insert the Building Service Sewer is prohibited.

All connections to the Main Line Sewer shall be made by means of a "Y" branch, inserted in the Main Line Sewer. The "Y" Branch shall angle towards the direction of sewage flow in the Main Line Sewer.

All new Main Line Sewers shall, at time of construction, have "Y" branches installed for future taps to serve every building lot.

For taps where a "Y" branch does not exist, the section of pipe where the "Y" branch and tap is to be installed shall, to the extent necessary, be carefully removed without damaging the Main Line Sewer Pipe so as to permit the installation of "Y" branch in the manner specified by the Director.

If necessary, a curved fitting shall be used to connect the Building Sewer Service Line to the "Y" so as to result in a smooth curved connection to the Main Trunk Line.

The 'Y' connection at its junction with the Main Sewer shall be well and solidly supported so that the weight of the back-filling will not settle the pipe at the 'Y' connection and thereby cause the sockets to break and/or destroy the tightness of the joints.

## **SECTION 6 - OTHER BUILDING SEWER SERVICE LINE REQUIREMENTS**

A. A separate and independent Building Sewer Service Line shall be installed for every building whose property line is within 200 feet of City's Sanitary Sewer Trunk Line, except as follows:

1. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the Building Sewer from the front building may be extended to the rear building and both buildings may be served from the same Building Sewer Service Line.

2. Subject to prior approval of the Director, a common Building Sewer may be used to discharge sewage from two adjacent buildings where inadequate right-of-way is available. In such an event Separate Permits and Fees shall be required for each building.

B. Old Building Sewer Service Lines may be used to serve New Buildings only if same has been actually examined and tested by the Director and determined to be adequate as to capacity and physical condition.

C. Where a Common Building Sewer Service Line is used to serve more than one building and where Sewer Service Lines are used to serve other than single family dwelling units, the nominal inside pipe diameter shall be specified by the Director but same shall be not less than 6 inches nominal inside diameter.

D. The Building Sewer Service Line shall extend to the Building at a depth that will provide adequate protection from freezing. In order to prevent weakening of foundation walls, no Building Sewer shall be laid parallel to and within 3 feet of any load bearing wall.

E. All excavations required for the installation of a Building Sewer Service Line shall be open trench work unless otherwise approved by the Director. Pipe laying and back-fill shall be performed in accordance with ASTM and ANSI Specifications.

No back-fill shall be placed until the work has been inspected by the Director. The back-filling and its method shall be specified and inspected by the Director.

F. In all buildings in which any building drain is too low to permit gravity flow of sewage to the Trunk Line Sewer, the sanitary sewage carried by such drain shall be lifted by an approved sewage pump and then discharged to the Building Sewer Service Line.

## **SECTION 7 - SUBDRAINAGE PIPES**

Sewer builders will use care not to break the line of tile pipe sub-drainage in street foundations, and they will restore the sub-drainage pipes in good condition.

## **SECTION 8 - CONSTRUCTION WHERE PIPES PASS UNDER OTHER PIPES**

At all points where house connections or other drainage pipes pass under another sewer or drainage pipe the sewer or pipe passed under must be supported by substantial brick or concrete masonry, and extra precautions will be required in the back-filling, and tamping the trench in order to avoid any danger of a break, settlement or crack in the sewer passed under.

## **SECTION 9 - PERMIT REFUSAL**

The Director may refuse to issue a Permit for a new connection to the Sanitary Sewer System unless there is available capacity in all downstream facilities, including treatment plant capacity for BOD5, suspended solids, and phosphorous removal.

## **SECTION 10 - VIOLATOR SUBJECT TO LICENSE AND PERMIT REVOCATION**

Any violation of this chapter will subject the builder to a revocation of his license and a refusal to issue him further permits.

## **SECTION 11 - PENALTY**

Whoever violates any provision of this Chapter shall be deemed guilty of a misdemeanor of the first degree and fined not exceeding \$1,000 or imprisoned for not more than 6 months, or both.

**CHAPTER 4  
CITY OF WADSWORTH, OHIO  
REGULATION AND USE OF PUBLIC SEWERS**

**SECTION 1 - LIMITATIONS AS TO USE OF PUBLIC SEWERS**

Sanitary Sewers - Unpolluted Water Discharge Prohibited. No person shall discharge or cause to be discharged, either directly or indirectly, any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process waters to any City sanitary sewer.

Any such connections made either before or after the effective date of these Rules and Regulations shall be considered illegal and shall, upon order of the Director of Public Service of Wadsworth, be subject to immediate removal by the Owner of the premises at Owner's expense.

Sub-foundation building drains connected to sanitary sewers before the effective date of these Rules and Regulations will not be required to be removed unless it is established by the director that such connection is detrimental to the operation of City's sewage treatment facilities and that the removal of such drains would be cost-effective.

Any sub-foundation building drain connected to any City sanitary sewer after the effective date of these Rules and Regulations is prohibited and is illegal.

Should the owner of the property to which an illegal connection has been made to City's sanitary sewer system fail to remove the connection within 60 days after the date of the Director's official notice to do so, the director shall cause the connection to be removed and the cost thereof shall be billed to the Owner of the premises. If said cost is not paid within 10 days, the Director shall notify the Owner that the water supply to said premises will be shut off without further notice until the cost has been paid to the City.

Storm Sewers - Sanitary or Industrial Wastewater Prohibited. No person shall discharge or cause to be discharged to any storm sewer or natural outlet any sanitary or industrial wastewater.

Storm Sewer - Allowable Discharge of Unpolluted Water. Storm water and all other unpolluted drainage, such as from air conditioning, swimming pools, etc., shall be discharged into such sewers as are specifically designed and designated as storm sewers or to a combined sewer or a natural outlet approved by the Director.

Industrial cooling water or unpolluted wastewater may, when approved by the Director, be discharged to a storm sewer, combined sewer, or natural outlet.

If said waters are polluted with insoluble oils or grease or suspended solids, they shall be pretreated for removal of all such pollutants, so as to result in the discharge of clear unpolluted wastewater into said sewers or natural outlet.

**SECTION 2 -ACCEPTABLE AND UNACCEPTABLE SEWAGE DISCHARGE.**

The Director shall determine the acceptability or unacceptability of all questionable discharges to the sewerage system.

Such a determination shall be made on a basis of sound engineering and operational evaluations taking into consideration the nature and concentration of the discharge, its point of entry into City's sewerage system, its compatibility with other discharges in the system, its compatibility with City's sewage treatment facilities,

and all other factors pertinent to the effect of the discharge on any part of City's system or treatment process.

The Director of Public Service may issue, at any time deemed necessary, an administrative order to any user to control the user's discharge to the sewerage system and ensure compliance with any regulation established by this Rules and Regulations including but not limited to the following:

- A. The general and specific discharge prohibition.
- B. Compliance with specific local discharge limits.
- C. The applicable Federal Categorical Pretreatment Standards.
- D. Compliance with categorical standards reporting requirements.

An administrative order will be in the form of a written notice from the Director of Public Service and may be served upon any user by a duly authorized representative of the Director of Public Service or by certified mail with return receipt requested.

All industrial users shall promptly notify the Director at least thirty days in advance of any substantial changes in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under 40 CFR 402.12(p) and any changes affecting the potential for a slug discharge (See Chapter 5, Section 10).

### **SECTION 3 - UNACCEPTABLE AND PROHIBITED WASTEWATER DISCHARGES**

The following substances are hereby prohibited and specified as an unacceptable discharge into City's sewerage system.

1. Any liquid, solids, or gases which, create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test method specified in 40 CFR 261.21.
2. Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system. Such limited substances include but are not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and fleshing entrails and paper dishes, cups, milk containers, etc., irrespective of whether such substances are whole or have been ground by garbage grinders.
3. Any wastewater having a pH less than 5.0 or higher than 10 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system. (Wastewaters having a pH up to 12 may be accepted at the discretion of the Wastewater Treatment Plant Superintendent.)
4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in Section 4. A toxic pollutant shall include but not be limited to any pollutant identified in the Toxic Pollutant List set forth in Appendix A hereto.
5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.
6. Any substance which may cause the City's wastewater facilities effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process.

7. Any substance which will cause the City's wastewater facilities to violate its effluent requirements set by state and federal regulatory agencies.

8. Any substance with objectionable color not removed in the treatment process such as, but not limited to wastes and vegetable tanning solutions.

9. Any wastewater that exceeds 150 degrees Fahrenheit (°F) or wastewater having a temperature which will inhibit biological activity in the City's wastewater facilities resulting in interference; but in no case, wastewater with a temperature at the introduction into the City's wastewater facilities which exceeds 104°F.

10. Any slug-load.

11. Any wastewater which causes a hazard to human life or creates a public nuisance.

12. Any wastewater that releases toxic gases, vapors, or fumes within the City's sewerage system in a quantity that may cause acute worker health and safety problems.

13. Any wastewater containing any radioactive wastes or isotopes of such half-life applicable or concentration as exceed limits established by the Director in compliance with state or federal regulations except:

a. When the user is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials, and

b. When the waste is discharged in strict conformity with current regulations of the Ohio EPA and the Nuclear Regulatory Commission regulations and recommendations for safe disposal, and

c. When the user is in compliance with all rules and regulations of all other applicable regulatory agencies, and

d. When there is no harmful effect on personnel, sludges, or receiving stream.

14. Wastewater that contains more than 50 milligrams per liter of petroleum oil, non-biodegradable cutting oils, product of mineral oil origin, or floatable oils, fat, wax, or grease (Freon soluble).

15. Wastewaters containing oil or grease or other substances which will solidify or become discernibly viscous at temperatures between 30° and 150° F.

16. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Director.

17. Any waters or wastes containing taste or odor-producing substances exceeding limits which may be established by the Director or any local or state regulatory agencies having jurisdiction over same.

18. Any waters or wastes that contain more than 10 milligrams per liter of the following gases: hydrogen sulfide, sulfur dioxide, or nitrous-oxide.

19. Any waters or wastes containing strong acid pickling wastes or concentrated plating solutions whether neutralized or not.

20. Any wastes which cause the City to incur excessive expense in the handling or treatment thereof.

#### **SECTION 4 - LIMITATIONS ON WASTEWATER STRENGTH**

1. **National Categorical Pretreatment Standards.** National Categorical Pretreatment Standards as promulgated by the U.S. EPA pursuant to the Act shall be met by all dischargers of the regulated industrial categories. An application for modification of the National Categorical Pretreatment Standards may be considered for submittal to the regional administrator by the Director, when the Director's wastewater treatment system achieves consistent removal of the pollutants as defined by 40 CFR Part 403.7.

2. **Significant Industrial User.** Except as provided in paragraph 5 of this definition, the term Significant Industrial User means;

1. All dischargers subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR, Chapter I, Subchapter N, except as provided in Section 4, Items 3 and 4; or
2. All dischargers that discharge greater than or equal to an average of 25,000 gallons per day of process wastewater (excluding sanitary, non-contact cooling and boiler blow-down wastewater) to the POTW; or
3. All dischargers that contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic (BOD or Suspended Solids) capacity of the POTW; or
4. All dischargers that, in the opinion of the Director, have a reasonable potential to adversely affect the POTW's operations, including pass through or interference or for violating any pretreatment standard or requirement.
5. Upon a finding that an industrial user meeting the criteria in paragraphs 2-4 of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, determine that such industrial user is not a significant industrial user.

3. **Non-Significant Categorical Industrial Users.** Categorical industrial users can be reclassified by the City to Non-Significant Categorical Industrial Users if the Service Director decides such reclassification is appropriate. The requirements for qualification as a Non-Significant Categorical Industrial User follow.

- a. The industrial user does not discharge more than one hundred gallons per day of total categorical wastewater. That does not include sanitary, non-contact cooling and boiler blowdown wastewater unless it is specifically included in the categorical pretreatment standard.
- b. No untreated concentrated wastewater, which is regulated by the categorical pretreatment standards, may be discharged at any time.
- c. The following certification statement must be submitted annually to the City:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR [specify applicable national pretreatment standards part or parts], I certify that, to the best of my knowledge and belief, during the period from [specify month, day and year] to [specify month, day and year]:

- (1) “The facility described as [insert facility name] met the definition of a non-significant

categorical industrial user as described in paragraph (P) of rule 3745-3-01 of the Ohio Administrative Code;

(2) "The facility complied with all applicable pretreatment standards and requirements during this reporting period; and

(3) "The facility never discharged more than one hundred gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based upon the following information:"

Appropriate justification in support of this statement is required to be submitted with this certification statement and may include water billing records, production records, etc.

- d. If the industrial user is located upstream of a combined or sanitary sewer overflow the following additional requirements must be met for the application of this classification:
  - i. The industrial user does not discharge wastewater that is regulated by categorical pretreatment standards or,
  - ii. The industrial user must not have been in significant noncompliance at any time in the past two years
  - iii. Procedures for issues relating combined or sanitary sewer overflows must be addressed through either a long-term control plan, an approved combined sewer system operation plan implementing the nine minimum controls, or the program modification request.
- e. At least once a year the City will evaluate whether the industrial user still meets the requirements for classification as a Non-Significant Categorical Industrial User and document the evaluation.

**4. Mid-Tier Categorical Industrial Users.** Categorical industrial users can be reclassified by the City to Mid-Tier Categorical Industrial Users if the Service Director decides such reclassification is appropriate. A mid-tier user may have its reporting frequency reduced to no less than once a year unless required more often by the categorical pretreatment standard or the Director of Ohio EPA. The requirements for qualification as a Mid-Tier Categorical Industrial User follow. If the user no longer meets these criteria, than the City will immediately begin inspecting and monitoring the user as a Categorical Industrial User.

- a. The industrial user must not discharge total categorical wastewater that exceeds:
  - i. Zero point zero one (0.01) percent of the design dry weather hydraulic capacity of the receiving POTW;
  - ii. Five thousand (5,000) gallons per day of total categorical wastewater;
  - iii. Zero point zero one (0.01) percent of the design dry weather organic treatment capacity of the receiving POTW; and
  - iv. Zero point zero one (0.01) percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standards for which a local limit has been developed.
- b. The industrial user's flow must be monitored by a continuous effluent flow monitoring device unless the user discharges in batches.
- c. The industrial user must not have been in significant noncompliance in the past two years.
- d. The daily flow rates, production levels, or pollutant levels of the industrial user cannot vary so

significantly that decreasing the reporting requirement would result in data that are not representative of conditions occurring during the reporting period.

- e. If the industrial user is located upstream of a combined or sanitary sewer overflow, the issues relating the overflows must be addressed through either a long-term control plan, an approved combined sewer system operation plan implementing the nine minimum controls, or the program modification request.
- f. The industrial user will be inspected and the effluent randomly sampled at least once every two years by the City.

**5. Review and Approval of Pretreatment Facilities.** If pretreatment or equalization of waste flows is required, the design and installation of the plants and equipment shall be subject to the review and approval of the Director and state regulatory agencies and shall be further subject to the requirements of all applicable codes, ordinances, and laws. No permit will be granted until such pretreatment facilities have been placed in operation and have demonstrated their effectiveness by test. The cost of such testing, sampling, and analyzing shall be borne by the waste contributor.

The approval of proposed pretreatment facilities by the director does not guarantee that these facilities or equipment will function in the manner described by their manufacturer; nor shall it relieve a person, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

**6. State Requirements and Limitations.** State requirements and limitations on discharges to the City's wastewater facilities shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable Ordinance, Rule, or Regulation.

**7. Right of Revision.** The Director reserves the right to amend this Ordinance to provide for more stringent limitations or requirements on discharges to the City's wastewater facilities where deemed necessary to comply with the objectives set forth in these Rules and Regulations.

**8. Standards Modification.** The Director reserves the right to amend these Rules and Regulations in order to assure compliance with applicable laws and regulations.

**9. Supplementary Limitations.** No person shall discharge or cause or allow to be discharged into the system wastes which contain any pollutants unless the person is issued a wastewater discharge permit which allows the discharge of such pollutants. Specific limitations are listed in individual wastewater discharge permits and may include Best Management Practices (BMP) as a local limit or other BMP requirements. In the absence of such specific wastewater discharge permit conditions, no person shall discharge any pollutants in concentrations that exceed domestic background concentrations. Domestic background concentrations shall be calculated periodically from laboratory analyses of sanitary sewage samples from local sewers that do not include industrial discharges. If deemed appropriate by the Director, the permit will include requirements for a slug discharge control plan. At least once during the duration of the permit, or within one year of being identified as a significant industrial user, the Director will review the permittee's need for a slug control plan as described in Chapter 5, Section 10.

**10. General Control Mechanisms.** The City may choose to issue a general permit to a group of similar industrial users, rather permits to each individually. The details of the general permitting scheme follow.

- a. General permit may be issued for groups of users, including both significant and non-significant industrial users, that have the same or substantially similar types of operations, discharge the same types of wastes, require the same effluent limitations, and require the same or similar monitoring.
- b. General permits are not available to users subject to production-based categorical pretreatment standards, categorical pretreatment standards expressed as mass of pollutant discharged per day, or industrial users whose limits are based on the combined waste stream formula or net/gross calculations.
- c. To be covered by a general permit, the significant industrial user is required to file a written request to the City for coverage that identifies its contact information, production processes, the types of waste generated, the location of for monitoring all wastes to be covered by that control mechanism, any requests for a monitoring waiver for any pollutant not present, and any other information the City deems appropriate.
- d. The City will retain a copy of the general permit, documentation to support the City's determination that a specific significant industrial user meets the general permitting criteria, and a copy of the user's request for coverage at least three years after its expiration.

**11. Dilution Prohibition.** No discharger shall increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in these Rules and Regulations. The Director may impose mass limitations on dischargers which are using dilution to meet the pretreatment standards or requirement of these Rules and Regulations, or in other cases where the imposition of mass limitations is deemed appropriate.

## **SECTION 5 - GREASE AND OIL INTERCEPTOR REQUIREMENTS**

For fats, oils, grease, and inorganic material such as sand, grit, etc., interceptors/separators shall be provided when in the opinion of the Service Director (Director) or his designee, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. Such interceptors/separators shall not be required for private living quarters or dwelling units.

### Grease traps/interceptors

1. All wastewater that is discharged containing fats, oils and grease shall be discharged into a properly maintained and functioning grease trap and/or grease interceptor.
2. The Director may require any discharger that violates any of the provisions of this article or who discharges, could potentially discharge, or cause a discharge of fats, oils and grease that causes damage to or impairs the City's wastewater sanitary collection system, to do any of the following:
  - a. Install and maintain an approved grease trap/interceptor; or
  - b. Clean a grease trap/interceptor at a frequency determined by the Director; or
  - c. Replace an existing grease trap and/or grease interceptor with an approved grease interceptor.
3. If the discharger demonstrates that the installation of a grease interceptor is impractical to the satisfaction of the Director, the Director may do any of the following:

- a. Approve installation of a grease interceptor that is smaller or otherwise varies from the standard construction drawings;
- b. Approve installation of a grease trap; or
- c. Waive the requirement to install a grease interceptor.

Approval of any of the above items does not negate compliance if it is determined fats, grease, oils and organic material are not being properly handled.

4. Where fats, oils and grease are a byproduct of food preparation and/or cleanup, these materials shall be recycled or disposed of in accordance with all applicable laws.
5. None of the following agents shall be placed directly into a grease trap or grease interceptor, or into any drain that leads to the grease trap or grease interceptor:
  - a. Emulsifiers, de-emulsifiers, surface active agents, enzymes, bacteria, degreasers, or any product that will liquefy grease trap or interceptor wastes;
  - b. Any substance that may cause excessive foaming in the sewer system; or
  - c. Any substance capable of passing the solid or semi-solid contents of the grease trap or interceptor to the sewer system.
6. Influent wastewater entering grease traps and grease interceptors shall not exceed 140 degrees Fahrenheit (140°F). The temperature at the flow control device inspection port shall be considered equal to the influent temperature.
7. Toilets, urinals, and other similar fixtures shall not be plumbed to a grease trap or grease interceptor.
8. Waste shall only enter the grease trap or grease interceptor through the inlet flow control device.
9. Food waste grinders, where installed, shall be plumbed directly into the building drainage system without passing through a grease trap or grease interceptor.
10. Grease trap and grease interceptor maintenance shall satisfy the following:
  - a. All dischargers of fats, oils and grease are responsible for maintaining, at the discharger's expense, the grease traps and grease interceptors in continuous proper working condition in accordance with the manufacturer's operation and maintenance manual. All dischargers of fats, oils and grease are also responsible for inspecting, repairing, replacing, or installing apparatus and equipment as necessary to ensure proper operation and function of grease traps and grease interceptors. All dischargers of fats, oils and grease and their employees must have knowledge of any grease trap and grease interceptor's location, usage and maintenance schedule.
  - b. Oil and grease shall be stored in proper containers away from sanitary or storm drains. Waste fats, oils and grease may be valuable to a rendering company. If a rendering company is not utilized, a grease transporter or grease interceptor cleaning service shall haul away grease waste.
  - c. It shall be unlawful for a discharger of fats, oils and grease to allow fats, oils and grease waste to be removed from its premises by a transporter who does not have all applicable federal, state or local permits or registrations.
  - d. If a discharger of fats, oils and grease utilizes a grease transport/disposal company to remove the grease from the grease interceptor or grease trap, a manifest from the hauler must be kept on file at the facility from which the grease is removed.

- e. A discharger of fats, oils and grease must maintain any grease trap and/or grease interceptor maintenance records on site for three years. A discharger of fats, oils and grease shall maintain adequate documentation that the grease trap and/or grease interceptor is appropriately cleaned and inspected.
  - f. A discharger of fats, oils and grease shall clean the grease trap and/or grease interceptor as follows:
    - i. Any grease interceptor that is in active use shall be inspected and cleaned at least once every three months.
    - ii. Any grease trap that is in active use shall be inspected and cleaned at least once every week.
    - iii. The cleaning frequency may be decreased, with the approval of the Director, if the owner or operator is able to provide evidence it has been able to operate longer without impairment to the operation of the facility's sewer lateral and the public sewer system.
    - iv. The Director may specify more frequent cleaning when the cleaning frequencies are determined to be inadequate.
11. All food service operations (FSO) or retail food establishments (RFE) that produce wastewater containing fats, oil and grease (FOG) that are discharged, directly or indirectly, to the City of Wadsworth sanitary sewer system shall be required to develop a Best Management Practice (BMP).

The BMP shall meet the following minimum criteria:

- a. All FSO/RFEs shall prepare a written FOG BMP designed to minimize the amount of FOG waste discharged to the sanitary sewer. The BMP shall list grease sources, and identify handling/cleaning practices that will minimize oil and grease discharges. The BMP shall also list standard operating procedures to minimize oil and grease discharges or buildups in the sanitary sewers.
  - b. The BMP shall specify the necessary inspection, cleaning frequency, and record keeping for maintaining any grease traps or interceptors located on the site. The BMP shall include the manufacturer's recommendations or instructions for operation and maintenance of the grease traps or interceptors or both. If recommendations or instructions from the manufacturer are not available, the FSO/RFE shall develop operation and maintenance procedures based on best professional judgement.
  - c. The BMP shall be signed and dated by a responsible company official.
  - d. If requested, the FSO/RFE shall make its BMP and all relevant supporting documents available to an inspector from the City of Wadsworth or the Medina County Health Department (MCHD). If requested, the FSO/RFE shall provide copies of the BMP to the inspector.
12. The Owners of interceptors shall allow the City or MCHD to view the cleaning logs and/or to inspect the interceptor at any reasonable time. If it is found that the interceptor needs to be cleaned, the City shall so order in writing. If the interceptor is not cleaned in an approved manner within fourteen (14) calendar days, further administrative action may be pursued against the Owner.

Grease Trap Sizing and Rating Standards

As a result of PDI's testing and rating procedure, four (4) different sized grease interceptors that are acceptable to the City and MCHD are specified below. The sizes are based on certification standard flow rates and grease retention capacity ratings for grease interceptors. The following table lists the PDI size symbol for each of the standard rated grease traps.

**Plumbing and Drainage Institute Grease trap Sizing and Rating Table**

|                        |      |      |      |      |
|------------------------|------|------|------|------|
| PDI Size Symbol        | 20   | 25   | 35   | 50   |
| Flow Rate (GPM)        | 20   | 25   | 35   | 50   |
| Flow Rate (liters/s)   | 1.26 | 1.58 | 2.20 | 3.16 |
| Grease Capacity (lbs.) | 40   | 50   | 70   | 100  |
| Grease Capacity (kg.)  | 18.2 | 22.7 | 31.8 | 45.4 |

Grease Interceptor Sizing Procedure Based on Fixtures

The procedure to size grease interceptors to suit requirements of specific fixtures is provided in the following table. An example of the sizing formula is included to illustrate the steps.

**Procedure for Sizing Grease Interceptors Based on Fixtures**

| Steps | Formula  | Example  |
|-------|--|--|
| 1     | Determine the cubic content of fixture by multiplying length x width x depth.  | A sink 48" long by 24" wide by 12" deep.<br>Cubic content $48 \times 24 \times 12 = 13,824$ cubic inches |
| 2     | Determine capacity in gallons<br>$1 \text{ gallon} = 231 \text{ cubic inches}$   | Contents in gallons:<br>$13,284 / 231 = 59.8$ gallons  |
| 3     | Determine actual drainage load. The fixture is normally filled to about 75% of capacity with water. The items being washed displace about 25% of the fixture content, thus the actual drainage load = 75% of the fixture capacity. | Actual drainage load:<br><br>$.75 \times 59.8 = 44.9$ gallons  |
| 4     | Determine flow rate using a one (1) minute drainage period. Drainage period is the actual time required to completely drain the fixture.<br>Flow rate = actual drainage load / drainage period                                     | Calculate the flow rate for one-minute period:<br><br>$44.9 / 1 = 44.9$ GPM flow rate                    |
| 5     | Select interceptor. From the Sizing and Rating Table" select interceptor which corresponds to the flow rate calculated. Note: Select next larger size when flow rate falls between two sizes listed.                               | For a one-minute period:<br><br>44.9 GPM required PDI size 50"   |

- a. Dishwashers-A separate interceptor is recommended for each commercial dishwasher. The size of the interceptor is determined by the GPM discharge rate of the dishwasher as specified by the manufacturer. Select proper size interceptor of equivalent or next higher rate from "Plumbing and Drainage Institute Grease trap Sizing and Rating Table" above.
- b. Multiple Fixtures-Where multiple fixtures are served by a single interceptor, calculate the total capacity of all fixtures, establish the maximum number of fixtures that may be drained

simultaneously and apply this factor to the total capacity to determine the maximum simultaneous capacity. Then proceed with sizing and selection of interceptor using sizing formula from "Procedure for Sizing Grease Interceptors Based on Fixtures" above.

Grease Interceptor Sizing Procedure Based on Facility Operation

Where applicable, or directed by the City and/or MCHD, grease interceptor sizing shall be based upon the actual facility loading and operations. The procedure to size FSO/RFE grease interceptors to suit facility operations is provided in the following table. An example of the sizing formula application is included to illustrate the steps.

**Procedure for Sizing Grease Interceptor Based on FSO/RFE Operation**

| Steps  | Formula  | Example  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
|--|--|--|--------------------|--|-----------|------------------------|-----------|----------------------------|-----------|---|----------|---|------|------------------------|------|---|
| 1  | Calculate the number of meals per peak hour by multiplying seating capacity x meal factor based on establishment type.<br><br><table border="0"> <tr> <td><u>Establishment Type</u></td> <td><u>Meal Factor</u></td> </tr> <tr> <td>Fast Food (45 minute)</td> <td>1.33</td> </tr> <tr> <td>Restaurant (60 minute)</td> <td>1.00</td> </tr> <tr> <td>Leisure dining (90 minute)</td> <td>0.67</td> </tr> <tr> <td>Dinner club (120 minute)</td> <td>0.50</td> </tr> </table> | <u>Establishment Type</u>                      | <u>Meal Factor</u> | Fast Food (45 minute)                        | 1.33      | Restaurant (60 minute) | 1.00      | Leisure dining (90 minute) | 0.67      | Dinner club (120 minute)  | 0.50     | A fast food establishment has a seating capacity of 40 people:<br><br>40 seats x 1.33 meal factor = 53.2 meals per hour |      |                        |      |   |
| <u>Establishment Type</u>                    | <u>Meal Factor</u>   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Fast Food (45 minute)                        | 1.33   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Restaurant (60 minute)                       | 1.00   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Leisure dining (90 minute)                   | 0.67   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Dinner club (120 minute)                     | 0.50   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 2  | Determine the Waste Flow Rate:<br><br><table border="0"> <tr> <td><u>Condition</u></td> <td><u>Flow Rate</u></td> </tr> <tr> <td>With a dishwasher</td> <td>6 gallons</td> </tr> <tr> <td>Without a dishwasher</td> <td>5 gallons</td> </tr> <tr> <td>Single service kitchen</td> <td>2 gallons</td> </tr> <tr> <td>Food waste disposer only</td> <td>1 gallon</td> </tr> </table>   | <u>Condition</u>                               | <u>Flow Rate</u>   | With a dishwasher                            | 6 gallons | Without a dishwasher   | 5 gallons | Single service kitchen     | 2 gallons | Food waste disposer only  | 1 gallon | Facility has a dishwasher:<br><br>Select a flow rate of 6 gallons   |      |                        |      |   |
| <u>Condition</u>                             | <u>Flow Rate</u>   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| With a dishwasher                            | 6 gallons  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Without a dishwasher                         | 5 gallons  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Single service kitchen                       | 2 gallons  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Food waste disposer only                     | 1 gallon   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 3  | Determine the retention time:<br><br><table border="0"> <tr> <td><u>Retention time</u></td> <td></td> </tr> <tr> <td>Commercial kitchen waste dishwasher</td> <td>2.5 hours</td> </tr> <tr> <td>Single service kitchen</td> <td></td> </tr> <tr> <td>Single serving</td> <td>1.5 hours</td> </tr> </table>   | <u>Retention time</u>                          |                    | Commercial kitchen waste dishwasher          | 2.5 hours | Single service kitchen |           | Single serving             | 1.5 hours | Facility is commercial kitchen with dishwasher:<br><br>Select retention time of 2.5 hours |          |   |      |                        |      |   |
| <u>Retention time</u>                        |  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Commercial kitchen waste dishwasher          | 2.5 hours  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Single service kitchen                       |  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Single serving                               | 1.5 hours  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 4  | Determine the Storage Factor (S.F.)<br><br><table border="0"> <tr> <td><u>Condition</u></td> <td><u>S.F.</u></td> </tr> <tr> <td>Fully equipped commercial Hours of operation</td> <td></td> </tr> <tr> <td>8 hours</td> <td>1.00</td> </tr> <tr> <td>12 hours</td> <td>1.50</td> </tr> <tr> <td>16 hours</td> <td>2.00</td> </tr> <tr> <td>24 hours</td> <td>3.00</td> </tr> <tr> <td>Single service kitchen</td> <td>1.50</td> </tr> </table>                              | <u>Condition</u>                               | <u>S.F.</u>        | Fully equipped commercial Hours of operation |           | 8 hours                | 1.00      | 12 hours                   | 1.50      | 16 hours  | 2.00     | 24 hours  | 3.00 | Single service kitchen | 1.50 | Facility is in operation 16 hours per day:<br><br>Select storage factor of 2.00 |
| <u>Condition</u>                             | <u>S.F.</u>  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Fully equipped commercial Hours of operation |  |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 8 hours                                      | 1.00   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 12 hours                                     | 1.50   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 16 hours                                     | 2.00   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 24 hours                                     | 3.00   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| Single service kitchen                       | 1.50   |  |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |
| 5  | Calculate liquid capacity by multiplying number of peak meals per hour (step 1) x waste flow rate (step 2) x retention time (step 3) x storage factor (step 4)   | $53.2 \times 6 \times 2.5 \times 2.00 = 1,596$ |                    |  |           |                        |           |                            |           |   |          |   |      |                        |      |   |

|   |  |   |
|---|--|---|
| 6 | Select appropriate Grease Interceptor size using the required liquid capacity determined in step 5 as recommended by the manufacturer. | Select 2,000 gallon grease interceptor. |
|---|--|---|

Exterior Interceptor Performance Criteria

Exterior interceptors for removal of fat, oils and grease (FOG) shall meet the following minimum criteria in order to qualify for an exemption from the requirements of Chapter 6111 of the Ohio Revised Code for permit-to-install or plan approval by the Ohio EPA. The FOG exterior interceptor shall:

- Discharge to the City of Wadsworth Sanitary Sewer System;
- Be designed by a registered/licensed professional in the State of Ohio;
- Be designed to have a minimum contact time within the interceptor of twenty (20) minutes;
- Be designed to remove at least ninety-five percent (95%) of the incoming FOG;
- Incorporate an observation/monitoring well at its discharge point, prior to entering the disposal system;
- Serve only establishments that generate no more than peak flows of five hundred gallons per minute (500 gpm) of FOG laden sewage;
- Be designed to retain intercepted FOG material without permitting discharge of said material to the sanitary sewer system.

Any exterior interceptor design that does not satisfy the minimum criteria as outlined above, shall not be exempt and shall require a permit-to-install or plan approval by the Ohio EPA.

FOG interceptors used for industrial or other wastewater as defined by Chapter 6111 of the Ohio Revised Code are not exempted from the requirements of obtaining a permit-to install or plan approval by the Ohio EPA.

Oil Separators

Oil separators are required at repair garages, oil change and lubrication facilities, car washing facilities with engine or undercarriage cleaning capability and at factories where oily and grease bearing liquid wastes are produced.

Oil Separator Design Requirements

Oil separators shall have a depth of not less than two (2) feet below the invert of the discharge drain. The outlet opening of the separator shall not have less than an 18-inch water seal. Where automobiles are serviced, greased, repaired or washed or where gasoline is dispensed, oil separators shall have a minimum capacity of 6 cubic feet for the first 100 square feet of area to be drained, plus one (1) cubic foot for each additional 100 square feet of area to be drained into the separator, or a minimum of 500 gallons, whichever is more stringent.

### Approval of Plans/Drawings

The design of any required interceptor, trap or separator shall be conducted and stamped by a registered/licensed professional in the State of Ohio and submitted for review and comments to The City of Wadsworth Engineering Department and Medina County Health Department.

All drawings and plans must conform to OAC 4101:3-7 Board of Building Standards: Ohio Plumbing Code: Sanitary Drainage Systems.

### Liability for Damages

If a blockage occurs in the sewer collection system downstream from properties that discharge grease laden wastewater, the City shall investigate all potential sources. If upon inspection of the interceptor(s) it is found that the interceptor needs to be cleaned, then the Owner or Owners of such interceptors will be instructed to have the interceptor cleaned immediately. If the City can determine, based on sanitary sewer inspection, grease interceptor condition and/or cleaning records that a specific business or businesses have caused or contribute to the blockage, the owner(s) shall be held liable for any damages resulting from such blockages.

## **SECTION 6 - OPERATION OF PRETREATMENT FACILITIES**

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense, and shall be subject to periodic inspection by the Director. The Owner shall maintain operating records and shall submit to the Director a quarterly summary report of the character of the influent and effluent to show the performance of the treatment facilities.

## **SECTION 7 - SPECIAL CONDITIONS**

No statement contained in these Rules and Regulations shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby normal waste constituents such as BOD, Suspended Solids, phosphate, and/or COD which are of unusual strength or character and not regulated by federal pretreatment standards or these Rules and Regulations may be accepted by the City for treatment subject to possible payment by the industrial concern for proper and subsequent treatment. Any industrial concern may appeal to the Court of Common Pleas any determination made by the Director in the enforcement of these Rules and Regulations. Any contract with an industry shall be governed by all sewer rates and regulations as established in these Rules and Regulations and applicable Ordinances.

## **SECTION 8 - SEPTIC TANK AND SCAVENGER WASTE HAULERS REQUIREMENTS**

No private septic system owner or other waste hauler shall be permitted to dump or discharge waste into the city sewage system.

(Ord. 07-105, passed 10-16-07)

## **SECTION 9 - PENALTY**

### Civil Penalties

- a. Any industrial user who has violated or continues to violate these rules and regulations or any order or permit issued hereunder, shall be liable to the Superintendent for a civil penalty of not

more than \$3,000.00 plus actual damages incurred by the POTW per violation per day for as long as the violation continues. In addition to the above described penalty and damages, the Superintendent may recover reasonable attorney's fees, court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses.

- b. The Superintendent shall petition the Court to impose, assess, and recover such sums. In determining amount of liability, the Court shall take into account all relevant circumstances, including but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the industrial user's violation, corrective actions by the industrial user, the compliance history of the user, and any other factor as justice requires.

#### Criminal Prosecution

- a. Any industrial user who willfully or negligently violates any provision of these rules and regulations or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed \$1,000.00 per violation per day or imprisoned for not more than one year or both.
- b. In the event of a second conviction, the user shall be punishable by a fine not to exceed \$3,000.00 per violation per day or imprisoned for not more than 3 years or both.

**CHAPTER 5**  
**CITY OF WADSWORTH**  
**CONTROL AND MONITORING OF INDUSTRIAL WASTES**

**SECTION 1 - REPORTING REQUIREMENTS**

1. Disclosure Forms. Within 60 days after issuance of these Rules and Regulations, each existing industrial discharger or any discharger so required by the Director shall complete and file with the Director a disclosure form furnished by the Director. New source industrial dischargers shall complete and file with the Director said disclosure form at least 90 days prior to commencement of discharge to the POTW. Such information shall include, but not be limited to, descriptions of plant processes, rates of flow, wastewater characteristics, and the point at which such wastewater is or will be discharged into City's sewerage system or natural outlet. New sources shall be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. The disclosure to be made by the discharger shall be on forms furnished by the director and shall include:
  - a. Disclosure of name, address, and location of the discharger;
  - b. Disclosure of Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
  - c. Disclosure of wastewater constituents and characteristics including, but not limited to, those mentioned in these Rules and Regulations, including Appendices A, B, and C, as appropriate, as determined by bonafide chemical and biological analyses. Sampling and analysis, including appropriate preservation, shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, Part 136, as amended. Grab samples are required for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. Multiple grab samples collected during a twenty-four hour period for hexavalent chromium, cyanide, total phenols, and sulfides may be composited in the laboratory or in the field. Multiple grab samples collected during a twenty-four hour period for volatile organics and oil and grease may be composited in the laboratory. All other pollutants are to be measured by flow proportioned samples unless justification for an alternate sampling type, representative of the discharge, is documented by the industrial user;
  - d. Disclosure of time and duration of discharges;
  - e. Disclosure of average daily and instantaneous peak (optional) wastewater flow rates, in gallons per day, including daily, monthly, and seasonal variations, if any (optional). All flows shall be measured unless other verifiable techniques are approved by the Director due to cost or nonfeasibility;
  - f. Disclosure of site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, inspection manholes, sampling chambers, and appurtenances by size, location, and elevation;
  - g. Description of activities, facilities, and plant processes on the premises including all materials which are or may be discharged to the sewers or works of the Authority and any Best Management Practices (BMPs) that the industrial user employs to limit the amount of pollutants that enter the sewer system;

- h. Disclosure of the nature and concentration of any pollutants or materials prohibited by these Rules and Regulations in the discharge, together with a statement regarding whether or not compliance is being achieved with these Rules and Regulations on a consistent basis, and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the discharger to comply with these Rules and Regulations;
- i. Where additional pretreatment and/or operation and maintenance activities will be required to comply with these Rules and Regulations, the existing discharger shall provide information on pretreatment methods they intend to use and a declaration of the shortest compliance schedule by which the discharger will provide such additional pretreatment and/or implementation of additional operation and maintenance activities.

New sources shall install and have in operating condition and shall “start up” all pollution control equipment required to meet applicable pretreatment standards before beginning to discharge. Within the shortest feasible time (not to exceed 90 days) new sources must meet all applicable pretreatment standards.

- i. The schedule shall contain milestone dates for commencement and completion of major events leading to the construction and operation of additional pretreatment required for the discharger to comply with the requirements of these Rules and 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 these Rules and Regulations.
  - ii. Under no circumstance shall the Director permit a time increment for any single step directed toward compliance which exceeds 9 months.
  - iii. Not later than 14 days following each milestone date in the schedule and the final date for compliance, the discharger shall submit a progress report to the Director, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date, and if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the discharger to return the construction to the approved schedule. In no event shall more than 9 months elapse between such progress reports to the Director.
- j. Disclosure of each product produced by type, amount, process or processes, and rate of production;
  - k. Disclosure of the type and amount of raw materials utilized (average and maximum per day).
2. Compliance Date Reports. Within 90 days following the date for final compliance by the discharger with applicable categorical pretreatment standards, or 90 days following commencement of the introduction of wastewater into the POTW by a new source, any discharger subject to this Ordinance shall submit to the Director a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the discharger into compliance with the applicable pretreatment standards or requirements.

All sampling and analysis of this report, including appropriate preservation, shall be in accordance with 40 CFR 136 methodology. Grab samples are required for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. Multiple grab samples collected during a twenty-four hour period for hexavalent chromium, cyanide, total phenols, and sulfides may be composited in the laboratory or in the field. Multiple grab samples collected during a twenty-four hour period for volatile organics and oil and grease may be composited in the laboratory. All other pollutants are to be measured by flow proportioned samples unless justification for an alternate sampling type, representative of the discharge, is documented by the industrial user.

3. Periodic Compliance Reports. Any discharger subject to categorical pretreatment standards with sampling requirements or otherwise required to submit periodic compliance reports (for example, BMP compliance reports) by the Ohio EPA and/or the City shall submit to the Director during the months of June and December, unless required more frequently by the Director a report indicating the nature and concentration of discharged substances regulated or prohibited by this Ordinance.

All sampling and analysis for this report, including appropriate preservation, shall be in accordance with 40 CFR 136 methodology. Grab samples are required for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. Multiple grab samples collected during a twenty-four hour period for hexavalent chromium, cyanide, total phenols, and sulfides may be composited in the laboratory or in the field. Multiple grab samples collected during a twenty-four hour period for volatile organics and oil and grease may be composited in the laboratory. All other pollutants are to be measured by flow proportioned samples unless justification for an alternate sampling type, representative of the discharge, is documented by the industrial user. If there are BMP requirements, the report should contain documentation indicating compliance with the BMP.

Industrial users subject to production-based standards must include production data for the period in the compliance report. Industrial users with equivalent limits calculated by the Director must include long-term production data on their compliance report. Categorical industrial users regulated by concentration-based limits may now have those limits converted to equivalent mass-based limits in accordance with 40 CFR 403.6(c)(5). Facilities regulated by the Categorical Pretreatment Standards for Organic Chemicals, Plastics, and Synthetic Fibers (40 CFR 414), Petroleum Refining (40 CFR 419), and Pesticide Chemicals (40 CFR 455) that have mass-based limits may now have those limits converted to equivalent concentration-based limits in accordance with 40 CFR 403.6(c)(6).

If an industrial user's sampling data indicates a violation, the industrial user must notify the Director with 24 hours of becoming aware of the violation. The industrial user must then report the sampling and analysis and submit the results to the Director within 30 days, unless the POTW samples the industrial users discharge. The results of additional monitoring beyond the minimum required shall also be included on the next periodic compliance report submitted by the industrial user.

4. Slug Discharge Control Plan. If an industrial user is required to submit a slug control plan, the specific requirements will be listed in their discharge permit. See Section 10 of this chapter for more information.
5. Best Management Practices (BMPs). If an industrial user is required to follow Best Management Practices (BMPs) or has a BMP as a discharge limit, the specific requirements, including the submission of any compliance reports, will be listed in their discharge permit.

6. All industrial users shall notify the Director at least thirty days in advance of substantial changes in volume or character of discharges, including changes affecting the potential for a slug discharge.
7. The reports and compliance schedules required by paragraphs (1), (2), and (3), of this section must be signed by a responsible corporate officer of the discharger or an authorized representative of the individual. A responsible corporate officer may be:
  - a. President, Vice-president, Secretary or Treasurer, if the industrial user is a corporation;
  - b. A general partner or proprietor if the industrial user is a partnership or sole proprietorship, respectively.
  - c. A duly authorized representative of the responsible corporate officer must be an individual in the position of having overall responsibility for environmental of matters for the company. To be eligible, the duly authorized representative must be able 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 of initiating and directing other comprehensive measures, to assure long-term environmental compliance with environmental laws and regulations. The representative must also be responsible for ensuring that the necessary systems are established or that the necessary actions are taken to gather complete and accurate information for control mechanism requirements and must be assigned or delegated the authority to sign documents in accordance with corporate procedures.
8. The Director will evaluate the disclosure forms submitted in accordance with Item 1 of this Chapter and within 30 days of acceptance of the data furnished, the Director shall notify the discharger of acceptance or required modifications thereto.
9. Monitoring Waiver. At the discretion of the Service Director and with the exception of Centralized Waste Treatment facilities regulated by and defined in 40 CFR 437, the City may allow industrial users subject to categorical pretreatment standards to forgo sampling of a regulated pollutant. The following conditions apply.
  - a. Monitoring waivers do not apply to pollutants where there are certification processes and requirements established by the City or by categorical pretreatment standards (e.g. TOMP (Toxic Organic Management Plan) and certification in lieu of total toxic organics monitoring) unless allowed for by the applicable standard.
  - b. If a waived pollutant is found to be present or is expected to be present based on changes that occur in the industrial user's operations, the user is required to immediately notify the City in writing and start monitoring that pollutant at the specified frequency.
  - c. The monitoring waiver only applies to an industrial user's self-monitoring. The City will still sample a user as is necessary.
  - d. In making a request for a pollutant monitoring exemption, the industrial user must demonstrate through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water without increase in the pollutant due to activities of the user. In making a demonstration that a pollutant is not present, the user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of wastewater from all processes. Non-detectable sample results may only be used as a demonstration that a pollutant is not

present if the USEPA approved analytical method from 40 CFR 136 with the lowest method detection limit for that pollutant was used.

- e. Waivers are valid only for the duration of the effective period of the industrial user's permit but in no case longer than five years. The user must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.
- f. The request for a monitoring waiver shall be signed by an authorized representative of the industrial user in accordance with paragraph (F) of rule 3745-3-06 of the Administrative Code, and it must include the certification statement in 40 CFR 403.6(a)(2)(ii). This is the standard "I certify under penalty of law" statement.
- g. If a monitoring waiver has been granted for a pollutant or pollutants, the details of the waiver and its justification will be included in the industrial user's permit. The supporting reason(s) for the waiver and the information submitted by the user in its request for the waiver will be maintained in the City's user file for at least three years after its expiration.
- h. Upon approval of the monitoring waiver and revision of the industrial user's permit, the user shall certify on each self-monitoring report with the following statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with pretreatment standards under 40 CFR [specify applicable national pretreatment standard part or parts], I certify that, to the best of my knowledge and belief, there has been no increase in the level of [list pollutant or pollutants] in the wastewaters due to the activities at the facility since submittal of the last periodic report under paragraph (E) of rule 3745-3-06 of the Administrative Code."

## **SECTION 2 - BYPASS**

1. Allowable Bypass. A Discharger may allow any bypass to occur which does not cause Pretreatment Standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs 2 and 3 of this section.
2. Notification
  - a. If a discharger knows in advance of the need for a bypass, it shall submit prior notice to the City, if possible, at least 10 days before the date of the bypass.
  - b. A discharger shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the City within 24 hours from the time the Discharger becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the discharger becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The City may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
3. Prohibited Bypass.
  - a. The City may take enforcement action against a discharger for a bypass, unless;
    1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    2. There were no feasible alternatives to the bypass, such as the use of auxiliary

treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

3. The Discharger submitted notices as required under paragraph 2 of this section.

### **SECTION 3 - MONITORING FACILITIES**

In the event the Director determines that any user is a probable contributor of a significant discharge (either as to volume or characteristics), the Director shall require such user to install a suitable monitoring facility situated on the discharger's premises so that the inspection, observation, sampling, testing, and flow measuring of the sewage discharge can be made by the City.

Plans for said monitoring facility shall be submitted for approval by the Director within 30 days from the date that the Director orders the monitoring facility to be installed and shall be in operation within 60 days after approval of the plans by the Director.

The monitoring facility shall conform to City's specifications and shall be installed, owned, and maintained in a safe and proper operating condition at property owner's expense. The Director may require suitable flow measuring equipment to be installed by the property owner and which shall be of a type acceptable to the Director.

In the event no monitoring facility has been required by the Director, on-site samples may be taken and tests made by the Director or his authorized representative. The Owner shall provide convenient access to all sampling points deemed necessary by the Director such that independent sampling can be carried out by the Director or his authorized representative.

### **SECTION 4 - WASTEWATER FLOW AND VOLUME DETERMINATION**

The volume of flow used for computing industrial waste charges shall be the metered water consumption of the person as shown in the records of water meter readings maintained by the City, except as herein provided in this section.

If all or part of the wastewater discharged into City's sewer includes water from sources other than the City water system, the property owner shall install and maintain at his expense such water meters as are specified by the Director that will enable the volume of water obtained from such other sources to be determined.

As an alternate, the user discharging wastewater into the public sewers may elect to install and maintain, at his expense, such metering devices as will determine the volume of waste being discharged to the public sewer from which the wastewater charges would be computed. Such measuring devices shall be of a type acceptable to the Director and shall not be removed without the consent of the Director.

### **SECTION 5 - SAMPLING AND MONITORING WASTEWATER**

Wastewater discharged into the public sewers shall be subject to periodic inspection to determine the characteristics and concentration of the wastes and wastewater. The determination shall be made as often as may be deemed necessary by the Director. The owner shall be responsible for the collection and testing of the aforementioned samples.

Samples shall be collected in such a manner as to be representative of the composition of the wastes. The

sampling shall be accomplished by the use of automatic sampling equipment capable of collecting composite samples, or by other means specified and approved by the Director. All sampling shall also conform to the requirements of Section 1, Items 1, 2 and 3, in this chapter.

Access to sampling locations shall be granted to the Director or his authorized representative at all times. Care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

#### **SECTION 6 - ANALYSES FOR BILLING CHARGES**

Laboratory procedures used in the examination of wastewater shall be those set forth in the latest edition of "Standard Methods" or "EPA Methods." Reference is made to EPA "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR 136). Sampling methods, location, times, duration, and frequencies are to be determined on an individual basis subject to approval by the superintendent.

The samples collected will be analyzed by the Director or his designate and the waste treatment charges will be based on such analysis.

A copy of the analysis shall be furnished to the owner as soon as possible after the analysis has been prepared.

If the owner disagrees with the analysis upon which the sewage treatment charges are based, the owner may request in writing an additional sampling and analysis which shall be conducted in a manner acceptable to the Director. The cost of such additional sampling and analysis shall be borne in full by the owner unless previous determinations are shown to be erroneous.

The Owner may make his own analysis of the sample, and submit his analysis to the Director for his consideration. In case the analyses performed by the user and the City result in substantially different values, an effort shall be made by the industry to collect samples at the same time the City collects its own samples. The results of the analyses on the samples collected by the City and the industry shall be compared using the same testing procedures as outlined in the latest edition of "Standard Methods" and the differences shall be reconciled and adjusted accordingly.

#### **SECTION 7 - MALICIOUS MISCHIEF**

No person shall maliciously, willfully, or negligently break, damage, destroy, deface, cover, or tamper with any wastewater treatment works which is a part of City's wastewater treatment system. Any person violating this provision shall be subject to prosecution as provided for under the laws of the State of Ohio for disrupting public services, vandalism, or criminal damaging or endangering, as the facts and evidence may indicate.

#### **SECTION 8 - ACCESS TO PREMISES BY CITY**

The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties of the user for the purpose of inspection, observation, measurement, sampling, and testing or proper activities in accordance with the terms of the Rules and Regulations, or any regulations promulgated thereunder. The powers and authority herein granted shall be in addition to the powers of inspection otherwise granted by law to the Director of Public Service.

All information in the possession of the owner bearing on user's industrial, commercial, or other process which, in the judgment of the Director, affects City's sewage works or system, shall be made available to the

Director or his authorized representative.

It is further required that all records made available to the Director or his authorized representative may be reviewed and copied as is deemed necessary by the Director or his authorized representative.

#### **SECTION 9 - TRADE SECRETS**

All information and data on an industrial user obtained from reports, questionnaires, permit applications, permits, monitoring programs, and inspections shall be available to the public or any other governmental agency without restriction unless the user requests confidentiality and is able to demonstrate to the satisfaction of the Director that the release of such information would divulge information, processes, or methods which would be detrimental to the user's competitive position. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the director as confidential shall not be transmitted to any governmental agency or to the general public by the Director until and unless prior and adequate notification is given to the user. Confidential information shall be retained in locked files.

#### **SECTION 10 - PROTECTION FROM ACCIDENTAL DISCHARGE/SLUG DISCHARGE**

Each user shall provide protection from accidental discharge to the sewerage system of wastes prohibited or restricted by these Rules and Regulations.

Such required protection may include walls or dikes, separate storage, removal of drain lines from locations where significant quantities of prohibited materials are maintained, or other appropriate procedures to assure the prevention of discharge into City's sewerage system.

Plans for installation of such control facilities or operating procedures shall be submitted to the Director for approval prior to construction or at the time such control facilities are found to be necessary by either the user or the Director. The review and approval of such plans and operating procedures shall not relieve the user of responsibility for preventing the discharge of unacceptable materials to City's sewerage system.

Users shall notify City's Sewage Treatment Department immediately upon accidental discharge of any slug loadings, prohibited materials, or materials unacceptable for discharge so as to enable City to take countermeasures in order to minimize damage to City's wastewater treatment system and its receiving wastewater and effluent discharge.

Such notification will not relieve users of liability for any consequential expense, loss, or damage to the City's wastewater treatment system or for any fines and/or penalties imposed on the City that may result from the volatile discharge.

Any direct or indirect connection or entry point for persistent or deleterious wastes to City's sewerage system shall be eliminated. Where such action is impractical, the user shall place appropriate notices at entry points to warn against discharge of such wastes in violation of these Rules and Regulations.

#### **SECTION 11 - EMERGENCY SUSPENSION OF SERVICE**

The Director may, for good cause shown, suspend the wastewater treatment service to a discharger when it appears to the Director that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of people, substantial danger to the environment, interfere with the operation of the City's wastewater facilities, or violate any pretreatment limits imposed by these Rules

and Regulations. Any discharger notified of the suspension of the Director's wastewater treatment service shall, within a reasonable period of time as determined by the Director, cease all discharges. In the event of failure of the discharger to comply voluntarily with the suspension order within the specified time, the Director shall commence judicial proceedings immediately thereafter to compel the discharger's compliance with such order.

#### **SECTION 12 - REVOCATION OF TREATMENT SERVICES**

The Director may seek to terminate the wastewater treatment services to any discharger which fails to:

- (1) factually report the wastewater constituents and characteristics of its discharge;
- (2) report significant changes in wastewater constituents or characteristics;
- (3) refuses reasonable access to the discharger's premises by representatives of the Director for the purpose of inspection or monitoring; or
- (4) violates the conditions of these Rules and Regulations, or any final judicial order entered with respect thereto.

#### **SECTION 13 - ALTERNATE PROCEDURE FOR UNACCEPTABLE DISCHARGE**

Where the Director determines that an existing or proposed wastewater discharge to City's sewage system does not conform to and is in violation of these regulations and is, therefore, unacceptable, the Director may adopt or require one or more of the following procedures or requirements.

1. **For a Proposed User.** Refuse wastewater treatment service.
2. **For an Existing User.** Give written notice to the user that the discharge is unacceptable and that the user has the following options to correct same:
  - a. Cease and eliminate the violation.
  - b. User shall install at User's expense such pretreatment facilities as will assure the Director that User's wastewater will be in compliance with these regulations.
  - c. In order to meet acceptability of sewage discharge, User shall, as directed by and under the continuous control of the Director, restrict the quantities and rates of sewage discharge into City's system.
  - d. User shall pay to City the added costs of handling and treating the wastewater under the provisions set forth elsewhere.

#### **SECTION 14 - NOTIFICATION OF VIOLATION - ADMINISTRATIVE ADJUSTMENT**

Whenever the Director finds that any discharger has engaged in conduct which justifies termination of wastewater treatment services, the Director shall serve or cause to be served upon such discharger a written notice either personally or by certified or registered mail, return receipt requested, stating the nature of the alleged violation. Within 30 days of the date of receipt of the notice, the discharger shall respond to the Director advising of its position with respect to the allegations. Thereafter, the parties shall meet to ascertain the veracity of the allegations and, where necessary, establish a plan for the satisfactory correction thereof.

#### **SECTION 15 - SHOW CAUSE HEARING**

Where the violation of Section 12 hereof is not corrected by timely compliance by means of administration

adjustment, the Director may order any discharger which causes or allows conduct prohibited by Section 12 hereof to show cause before the Director or its duly authorized representative why the proposed service termination action should not be taken. A written notice shall be served on the discharger by personal service, certified or registered, return receipt requested, specifying the time and place of a hearing to be held by the Director or its designee regarding the violation, the reasons why the enforcement action is to be taken, the proposed enforcement action, and directing the discharger to show cause before the Director or its designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served no less than 10 days before the hearing. Service may be made on any agent, officer, or authorized representative of a discharger. The proceedings at the hearing shall be considered by the Director which shall then enter appropriate orders with respect to the alleged improper activities of the discharger. Appeal of such orders may be taken by the discharger in accordance with applicable local or state law.

#### **SECTION 16 - JUDICIAL PROCEEDINGS**

Following the entry of any order by the Director with respect to the conduct of a discharger contrary to the provisions of Section 12 hereof, the attorney for the Director may, following the authorization of such action by the Director, commence an action for appropriate legal and/or equitable relief in the appropriate local court.

#### **SECTION 17 - ENFORCEMENT ACTIONS - ANNUAL PUBLICATION**

At least annually, the Director shall publish a list of all industrial users which at any time during the previous twelve months were in significant noncompliance with applicable pretreatment requirements. The list will be published by the Director in a newspaper of general circulation in the municipality in which the City's wastewater facilities are located.

#### **SECTION 18 - RIGHT OF APPEAL**

Any discharger or any interested party shall have the right to request in writing an interpretation or ruling by the Director on any matter covered by these Rules and Regulations and shall be entitled to a prompt written reply. In the event that such inquiry is by a discharger and deals with matters of performance or compliance with these Rules and Regulations for which enforcement activity relating to an alleged violation is the subject, receipt of a discharger's request, shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to these Rules and Regulations may be taken in accordance with local and state law.

#### **SECTION 19 - OPERATING UPSETS**

Any discharger which experiences an upset in operations which places the discharger in a temporary state of noncompliance with these Rules and Regulations shall inform the Director thereof within 24 hours of first awareness of the commencement of the upset. Where such information is given orally, a written follow-up report thereof shall be filed by the discharger with the Director within 5 days. The report shall specify:

1. Description of the upset, the cause thereof, and the upset's impact on a discharger's compliance status.
2. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.
3. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset or other conditions of noncompliance.

A documented and verified bonafide operating upset shall be an affirmative defense to any enforcement action brought by the Director against a discharger for any noncompliance with these Rules and Regulations which arises out of violations alleged to have occurred during the period of the upset.

#### **SECTION 20 - RECOVERY OF COSTS INCURRED BY THE CITY**

Any discharger violating any of the provisions of these Rules and Regulations, or who discharges or causes a discharge producing a deposit or obstruction, or causes damage to or impairs the City's wastewater facilities shall be liable to the City for any expense, loss, or damage caused by such violation or discharge. The director shall bill the discharger for the costs incurred by the City for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of these Rules and Regulations.

#### **SECTION 21 - FALSIFYING INFORMATION**

Any industrial user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to these rules and regulations, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these rules and regulations shall, upon conviction, be punished by a fine of not more than \$1,000.00 per violation per day or imprisoned for not more than one year or both. In the event of a second conviction, the user shall be punishable by a fine not to exceed \$3,000.00 per violation per day or imprisoned for not more than 3 years or both.

#### **SECTION 22 - FEES**

The City shall adopt charges and fees which may include:

1. Fees for monitoring, inspections, and surveillance procedures.
2. Fees for filing appeals.
3. Fees for reviewing accidental discharge procedures and construction.

These fees shall compensate the City for the cost of administration of the pretreatment program established herein.

#### **SECTION 23 - RECORDS RETENTION**

All dischargers subject to these Rules and Regulations shall retain and preserve for no less than 3 years any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof relating to monitoring, sampling, and chemical analyses made by or in behalf of a discharger in connection with its discharge. All records which pertain to matters which are the subject of administrative adjustment or any other enforcement or litigation activities brought by the Director pursuant hereto shall be retained and preserved by the discharger until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

#### **SECTION 24 - SEVERABILITY**

If any provision, paragraph, word, section, or chapter of these Rules and Regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not

be affected and shall continue in full force and effect.

## **SECTION 25 - CONFLICT**

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of these Rules and Regulations are hereby repealed to the extent of such inconsistency or conflict.

## **SECTION 26 - ADMINISTRATIVE ENFORCEMENT**

1. **Wastewater Dischargers.** It shall be unlawful to discharge sewage, industrial wastes, or other wastes to any sewer within the jurisdiction of the City of Wadsworth (the Authority), and/or to the Publicly Owned Treatment Works (POTW) as defined in the Code of Federal Regulations without having first complied with the terms of these Rules and Regulations.

### **2. Wastewater Discharge Data Disclosure**

- a. **General Disclosure.** All industrial dischargers proposing to connect to or to discharge sewage, industrial wastes, and other wastes to the POTW shall comply with all terms of these Rules and Regulations within 90 days after the effective date of these Rules and Regulations.

### **3. Administrative Penalties**

- a. **Continuous Dischargers.** The City may assess penalties ranging in the amount of \$100 to \$1,000 per violation per day upon sewer users who normally have a continuous discharge who fail to comply with numerical values or administrative orders issued by the City or other regulatory agencies. Such administrative penalties shall be determined by the City based on the severity of the violation and the enforcement category assigned to the violator. If the violation is an "average" violation, the penalty shall be applied times the number of days; (i.e. \$100 x 30 = \$3,000). If a discharger has both monthly average maximum and 1-day maximum violations for the same parameter, the monthly violation takes precedent. If the monthly average maximum and 1-day maximum violations are for different parameters, they will be assessed penalties as separate violations.
- b. **Batch Dischargers.** The City may assess administrative penalties ranging in the amount of \$500 to \$3,000 per violation upon sewer users who batch discharge and fail to comply with numerical values or administrative orders issued by the City or other regulatory agencies. Such administrative penalties shall be determined by the City based on the volume of the discharge, the severity of the violation, and the enforcement category assigned to the violator. If the violations are for different parameters, they will be assessed penalties as separate violations.

NOTE: In addition to administrative penalties stated in Section 26.3b., "surcharges" may be imposed upon violating dischargers. Such surcharges are intended to recover the additional costs associated with treating "extra strength" discharges and are not penalties.

4. **Compliance Schedules.** The City may issue Compliance Schedules to dischargers who fail to achieve compliance with Administrative Orders issued by the City, or numerical limitations of the City or other regulatory agencies.

5. **Litigation.** Whoever violates an Order of the City or fails to comply with any provisions of this Ordinance shall be guilty of a misdemeanor and shall be penalized in the manner set forth in Chapter 4, Section 9, (a). Discharges which interfere with the proper operation of or cause damage to the municipal wastewater system may be liable to State and/or Federal Law which provides for penalties up to \$100,000 per day and six (6) years in jail for a repeat knowing criminal violation.

## **SECTION 27 - NOTIFICATION**

All industrial users shall notify the Director at least 30 in advance of any substantial changes in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial User has submitted initial notification under 40 CFR 403.12(p) and any change affecting the potential for a slug discharge.

## **SECTION 28-PRETREATMENT ENFORCEMENT RESPONSE PLAN**

### **1. Enforcement**

Instances of industrial user violations of pretreatment program orders, requirements, limitations, and standards as identified in the City of Wadsworth, Ohio, General Rules and Regulations or applicable Federal and State regulations, shall be responded to in a timely manner and by a range of escalating enforcement actions appropriate to the nature, type, and seriousness of the infraction. Response will be implemented in accordance with the actions listed herein, and by the personnel responsible for the action level to be used.

### **2. Investigating Noncompliance**

Identification of industry violations will be made from sampling results of user wastewater discharges as determined through POTW and industry self-monitoring events, whether conducted for compliance with local or categorical standards; through disclosure form or baseline monitoring reports; 90 day compliance reports upon completion of pretreatment facility installation; industry plant-site inspections for new and existing industrial users; and investigations initiated to determine cause of treatment plant interference or pass-through violations.

Maintenance of compliance tracking records will be a major source for identifying the type and frequency of discharge standard violations, as well as for violations of industry due dates for required submission of self-monitoring reports, BMRs, compliance schedule progress reports, and responses required by notice of violations or administrative orders.

Implementation of the plan will proceed according to the enforcement action and responding personnel identified herein. The wastewater treatment plant Superintendent, who is responsible for data management and compliance tracking records, upon determination of an industrial user violation, will respond with enforcement actions within the level of his/her authority. Where violations are determined to require more stringent enforcement, the Superintendent will make recommendations to the next higher level of authority for response, who will in turn, refer actions to the next higher authority, as necessary, until the appropriate authority level is reached to take the enforcement action.

Alternative enforcement options are available for each type or pattern of noncompliance. Factors to be considered in determining an appropriate response from these options are as follows:

- a. Good faith of the user.
- b. Compliance history of the user.
- c. Previous success of enforcement actions taken against the user.

- d. Violation effect on the receiving waters.
- e. Violation effect on the POTW.

**3. Industrial User (IU) Violation Categories**

- TYPE "A" IU HAS DONE LITTLE OR NOTHING TOWARD COMPLIANCE.
- TYPE "B" IU HAS PRETREATMENT FACILITIES ONLINE, BUT NOT MEETING STANDARDS BECAUSE OF MALFUNCTIONING EQUIPMENT.
- TYPE "C" IU IS NORMALLY IN COMPLIANCE, BUT HAS OPPORTUNITY TO VIOLATE UNKNOWINGLY.
- TYPE "D" IU HAS SHOWN "GOOD FAITH" EFFORT BY INSTALLING PRETREATMENT FACILITIES BUT FAILS TO MEET STANDARDS AFTER DEBUGGING PERIOD.
- TYPE "E" IU IS NORMALLY IN COMPLIANCE BUT HAS GONE INTO VIOLATION FOR NO OBVIOUS REASON (greater than 20 percent over the limit).
- TYPE "F" IU IS IN VIOLATION BY A MINUTE AMOUNT (less than 20 percent over the limit).
- TYPE "G" IU IS IN NONCOMPLIANCE, BUT IS MEETING ADMINISTRATIVE ORDERS TO GAIN COMPLIANCE.
- TYPE "H" IU HAS NOT SUBMITTED REQUIRED COMPLIANCE REPORTS.

**4. Pretreatment Enforcement Responses**

**a. Type "A" Violation**

An industrial user who has done little or nothing toward achieving compliance, failed to meet compliance schedules without justifiable cause, or refused or failed to take actions stated in written requirements to bring his discharge into compliance, or has been determined to be in significant noncompliance, or whose discharge has caused a significant public nuisance, personal injury, interference to the municipal treatment processes or damage to the sewerage system. Also industrial users who have been placed in Category "A" by enforcement escalation from other Categories (B, D, E, F, G or H).

| <u>Enforcement Action</u>                  | <u>Responding Personnel</u> |
|--|-----------------------------|
| 1. Fines                                   | Director of Public Service  |
| 2. Issue administrative enforcement orders | Director of Public Service  |
| 3. Litigate                                | Director of Public Service  |
| 4. Curtail water supply                    | Director of Public Service  |
| 5. Disconnect sewer                        | Director of Public Service  |

**b. Type "B" Violation**

An industrial user with pretreatment facilities on line which are normally capable of achieving compliance, but the pretreatment facilities are not operational or not adequately treating because of malfunctioning equipment and/or processes.

Enforcement Action

Responding Personnel

If the facility is being operated with an unknown malfunction, then:

- |  |                            |
|--|----------------------------|
| 1. First offense – issue notice of violation; follow-up for verification of action taken | WWTP Superintendent        |
| 2. Second offense - Fines  | Director of Public Service |

If the system is shut down or bypassed without justifiable cause or the City is not properly notified of the bypass condition:

- |  |                            |
|--|----------------------------|
| 1. First offense - Fines   | Director of Public Service |
| 2. Second offense - IU would be classified under Category "A" with actions as follows: |                            |
| a. Issue administrative enforcement orders   | Director of Public Service |
| b. Litigate  | Director of Public Service |
| c. Curtail water supply  | Director of Public Service |
| d. Disconnect sewer  | Director of Public Service |

In all cases of pretreatment system malfunction or bypass where the discharge contains an imminent danger to life or limb; (e.g., high cyanide concentration), the discharge will be immediately shut down, by verbal order, until the discharge is properly controlled or treated.

**c. Type "C" Violation**

An industrial user apparently in compliance based upon pretreatment inspections and monitoring results. However, because of sporadic discharges, unpredictable hours of operation, etc. and the lack of an adequate monitoring point, the IU has the opportunity to discharge wastewaters in violation without being detected. Enforcement actions will be taken for this Category when:

The IU has wastes which if discharged would cause a violation, and when the City has reason(s) to believe that such discharges are taking place; (e.g., not enough treatment chemicals being purchased to adequately treat the waste; not enough sludge being generated from the pretreatment system based on production records; high concentrations of violating wastes found in floor drains or sump pits; etc.).

| <u>Enforcement Action</u>  | <u>Responding Personnel</u> |
|--|-----------------------------|
| 1. Fines   | Director of Public Service  |
| 2. Require the installation of a sampling manhole  | WWTP Superintendent         |
| 3. Require the installation of a metering and sampling station   | WWTP Superintendent         |
| 4. Require invoice copies be submitted for chemical usage, sludge removal, or other documentation necessary to substantiate operation of the pretreatment system | WWTP Superintendent         |
| 5. Refer file to Ohio Environmental Protection Agency (OEPA) RCRA/Hazardous Waste Unit   | Director of Public Service  |

**d. Type "D" Violation**

An industrial user who has shown a "Good Faith" effort via installation and/or use of soundly designed and engineered equipment or facilities and/or practices which are theoretically capable of meeting compliance, but said equipment, facilities and/or practices fail to achieve compliance after an appropriate debugging or shakedown period.

| <u>Enforcement Action</u>   | <u>Responding Personnel</u> |
|---|-----------------------------|
| 1. Monitoring to define noncompliance   | WWTP Superintendent         |
| 2. Issue notice of violation  | WWTP Superintendent         |
| 3. Hold meetings to discuss reasons for noncompliance, establish remedies and, ultimately | WWTP Superintendent         |
| 4. Place in Category A or G   | WWTP Superintendent         |

**e. Type "E" Violation**

An industrial user who is normally in compliance but has exceeded their limitation by greater than 20% for no immediately apparent reason.

| <u>Enforcement Action</u>  | <u>Responding Personnel</u> |
|--|-----------------------------|
| 1. Issue notice of violation: IU to respond within (1) week describing what remedial measures are being taken to discover and correct problem. | WWTP Superintendent         |
| 2. Resample to determine if corrective action gained compliance.   | WWTP Superintendent         |

- |  |                     |
|--|---------------------|
| 3. If such occurrences become frequent with an IU or the remediation period is inappropriately long, enforcement will escalate; (i.e., the IU will be placed in Category A, B, or D. | WWTP Superintendent |
|--|---------------------|

**f. Type "F" Violation**

An industrial user who is in violation only by a minute amount (exceeds limitation by less than 20 percent).

| <u>Enforcement Action</u>  | <u>Responding Personnel</u> |
|--|-----------------------------|
| 1. IU will be notified in written form of the violation(s), indicating the degree of the violation(s), and requesting remedy be sought.                                      | WWTP Superintendent         |
| 2. Resample to determine if corrective action gained compliance.   | WWTP Superintendent         |
| 3. If continue to be in noncompliance, a notice of violation will be issued.   |                             |
| 3. Chronic violators who are deemed to be in significant noncompliance, even though by minute amounts, will be placed in Category "A" for appropriate enforcement action(s). | WWTP Superintendent         |

**g. Type "G" Violation**

An industrial user who is not in compliance, but is meeting administrative orders to gain compliance or is in a reasonable period for debugging, optimizing and going through the start-up shakedown of the pretreatment system.

| <u>Enforcement Action</u>   | <u>Responding Personnel</u> |
|---|-----------------------------|
| 1. Issue notice of violation informing IU that continued violations will be cause for enforcement action as documented in Category "A." | WWTP Superintendent         |

**h. Type "H" Violation**

An industrial user who does not submit required compliance reports within 15 days of deadline as outlined in their Industrial User Permit.

| <u>Enforcement Action</u> | <u>Responding Personnel</u> |
|---------------------------|-----------------------------|
|                           |                             |

1. Issue notice of violation informing IU that continued violations will be cause for enforcement action as documented in Category "A."

WWTP Superintendent

## 5. Time Frames for Enforcement Responses

- a. All violations will be identified and documented within five days of receiving compliance information.
- b. Initial enforcement responses involving contact with the industrial user and requesting information on corrective or preventative action(s) will occur within 15 days of violation detection.
- c. Follow up actions for continuing or reoccurring violations will be taken within 60 days of the initial enforcement response. For all continuing violations the response will include a compliance schedule.
- d. Violations which threaten health, property or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or terminating service.
- e. All violations meeting the criteria for significant noncompliance will be addressed with an administrative order within 30 days of the identification of significant noncompliance.

## 6. Administrative Penalties

Penalties may be assessed in accordance with the City of Wadsworth, Ohio, Rules and Regulations, Chapter 5, Section 26, Item number 3.

### CHAPTER 6 CITY OF WADSWORTH, OHIO SEWERAGE SYSTEM CAPACITY AND DISTRIBUTION LINE TAP CHARGES

#### SECTION 1 - SEWERAGE SYSTEM CAPACITY CHARGE APPLICABLE FOR NEW USERS

In order to provide revenue to partially pay for the construction cost of the additions to City's Sewer System and Sewage Treatment Facilities that are caused and are ultimately required to serve each User added to City's Sewage System and to more equitably distribute such costs in proportion to the investment and capacity required for such Facilities to serve each User, a Sewerage System Capacity Charge shall be effective as provided by Ordinance.

#### SECTION 2 - SCHEDULE OF SEWERAGE SYSTEM CAPACITY CHARGES

##### (A) Benefit fee charge.

(1) **Applicability.** This benefit fee, hereinafter referred to as the trunk line and treatment plant capacity benefit fee, is to partially compensate the city for the investment required to provide the

necessary sanitary sewer facilities required to transmit sewage discharged from sanitary sewer service line connections to the city's sewage collector system and treatment plant facilities sufficient to treat same.

(a) The trunk line facilities include, but are not limited to, main trunk and interceptor sanitary sewer lines, lift station pumping facilities and related appurtenances, but exclude local sanitary sewer distribution lines into which sewage is normally discharged direct from service lines.

(b) Treatment plant capacity facilities shall include all buildings, grounds, equipment and appurtenances necessary for the adequate treatment of sewage as required by the Environmental Protection Agency.

(c) The trunk line and treatment plant capacity benefit fee is, in addition to any other benefit fee or assessment that may have been paid or is applicable for local sanitary sewer distribution line facilities, as determined by the Director of Public Service as not being part of the aforesaid main trunk line facilities or treatment plant facilities.

(d) In the event that the Director of Public Service determines that the land involved has been previously assessed or a benefit fee has been paid for the same trunk line facilities, the applicable trunk line and treatment plant capacity benefit fee as determined in division (2) hereof shall be reduced by the amount of such previous payment. Such reduction shall not exceed the benefit fee that would otherwise be payable as specified elsewhere.

(e) This trunk line and treatment plant capacity benefit fee shall apply to all land, lots, premises or buildings located inside or outside the city's corporate limits, that are connected to the city sanitary sewer system after the effective date of this section. Such benefit fee shall be paid in advance before any tap or connection is made to the city's sanitary sewer system or at the time a building permit is issued.

(f) All sanitary sewer connections shall conform to the city's standards and regulations relating to same as specified by the Director of Public Service.

(2) **Determination of trunk line and treatment plant capacity benefit fee.** The trunk line and treatment plant capacity benefit fee that is payable shall be determined by the Director in the following manner: by applying a unit charge of \$1,800 per unit for the direct or indirect connection of any building, structure or other facility with a sanitary sewer which is or will become a part of the sanitary sewerage system of the city in order for the property or portion thereof on which such building, structure or other facility is situated to bear its proportionate share of the cost of construction of trunk sewers and treatment plant facilities. A unit shall be determined as follows:

(a) Single-family building is one unit.

(b) Two-family building is two units.

(c) Multiple-family, commercial and industrial buildings, the number of units allocated to such a building will be based on a comparison of the estimated average daily sewage flow and/or strength for such a building as compared to a single-family building. The estimated average daily sewage flow and strength chart used in this determination, which chart may be amended from time to time by the Director, as conditions and circumstances warrant, shall be maintained in the office of the Director for examination by the applicant.

(3) **Connection for which no special assessment is levied.** All applications for installation of sanitary sewer service must be made at the office of the Building and Zoning Department and shall be made by the property owner or his or her authorized agent. In addition to the payments required by divisions (A)(1) and (2) and (B), a charge shall be made for connection to any sanitary sewer main or distribution line for which no special assessment has been levied upon the premises to be served for any part of the cost of such construction or installation. Such additional charge shall be in the amount of \$38 per front foot of the premises to be served by such connection unless City Council previously has enacted legislation setting a charge specific to the actual cost of the abutting improvement. On January 30, 2009 and January 30 of each year thereafter, the Director of Public Service shall adjust the additional \$38 charge based on the change in the cost of constructing or installing comparable sanitary sewer mains or distribution pipes during the preceding calendar year. The additional charge provided for in this division (A)(3) shall not apply to a connection to serve a parcel of land within a subdivision for which the developer of the subdivision paid for the installation of the sanitary sewer main or distribution line.

('65 Code, § 935.01) (Ord. 18-89, passed 2-21-89; Am. Ord. 98-113, passed 9-15-98; Am. Ord. 01-038, passed 4-17-01)

(B) **Connection permit required.** No premises shall be connected into the sanitary sewer system of the city until the trunk line and treatment plant capacity benefit fee is paid in full and written permission is granted by the Director of Public Service to connect into the sanitary sewer. Such fee shall be paid prior to the issuance of any building permit.

('65 Code, § 935.03)

(C) **Use of funds.** All funds collected from such trunk line and treatment plant capacity benefit fee shall be deposited with the City Treasurer and shall be kept in a fund called Sanitary Sewer Tap Fund. The Fund shall be used for the cost of the construction of trunk lines, over and above the cost of minimum service distribution lines, for treatment plant facilities necessary to the city sanitary sewerage system, and for appurtenant equipment and pumping stations that may be required.

('65 Code, § 935.05)

(D) **Deferred payments.** The Director of Public Service may defer payment of 80% of the trunk line and treatment plant capacity benefit fee and 80% of the connection charge (including any deferred tap in fee in an assessment ordinance) for any owner of residential property that must be connected to the sanitary sewer due to a defective septic system. The amount of payment deferred shall be billed monthly for a period not to exceed 48 months until paid in full. The amount to be deferred shall be secured by a promissory note and by a mortgage on the property to be served by the connection. If an ordinance provides for the tap-in charge to be paid to a third party who paid for the construction of the sanitary sewer, the Director of Public Service shall pay the third party the amount due at the time of the connection out of funds appropriated for that purpose.

(Ord. 69-77, passed 6-21-77; Am. Ord. 08-047, passed 6-18-08; Am. Ord. 11-043, passed 5-17-11; Am. Ord. 11-044, passed 7-5-11)

### **SECTION 3 - SEWERAGE SYSTEM CAPACITY REVENUES**

The revenues received from Sewerage Capacity Charges shall be deposited with the City Treasurer who shall credit same to a Special Fund to be known as the Sewerage System Capacity Fund.

This is a restricted fund from which City Council may make appropriations for the payment of the cost to construct new additions or enlargements and or to replace City's Sanitary Sewer and Treatment Facilities, including the payment of principal and interest on any debt incurred for the construction of such facilities.

#### **SECTION 4 - PAYMENT OF SEWERAGE SYSTEM CAPACITY CHARGE**

The applicable charge (whether due to new construction or enlargement) shall be payable in full at the time when either the Construction or Connector Permit is issued - whichever Permit is issued first.

The System Capacity Charge is independent of and is in no way affected by any applicable Sewer Connection Tap Charge or Special Assessment against the Property involved.

#### **SECTION 5 - DISTRIBUTION LINE TAP CHARGE WHERE PROPERTY IS NOT ASSESSED**

Where an Existing Sanitary Sewer built or owned by the City is installed and if the abutting Property has never been assessed to cover the cost of same, the Property Owner shall pay, at the time the Tap Permit is issued, a Fee of \$38.00 per front foot of lot width.

Where the Property involved has been fully assessed for said sewer, the Tap Charge is not applicable. However, the Tap Permit Fee still applies.

**CHAPTER 7  
CITY OF WADSWORTH, OHIO  
RATES AND CHARGES FOR WASTEWATER TREATMENT**

**SECTION 1 - RATE CLASSIFICATIONS**

The Rate Classifications for users of City's Sanitary Sewage System are as follows:

- A. **Residential Sewage Rate (RSR)** - This applies only to single family dwelling units or dwelling quarters whose sewage discharges into the building sewage service line used exclusively for strictly home use by only a single family.

Where more than one dwelling unit is connected to the same building sewage service line, the General Sewage Rate (GSR) shall apply.

**Purpose of RSR** - The purpose of this rate is to enable the typical residential user to avoid the penalty of having to pay the sewage treatment charge for water used for lawn sprinkling and which is not discharged into or enters City's sanitary sewer system.

- B. **General Sewage Rate** - This covers service for all nonresidential users. It includes multiple dwelling units, apartments, mobile homes, etc., when connected to a single sewer service line. Such service also includes retail and wholesale businesses, industrial manufacturing or processing establishments, hotels, motels, mobile home courts, trailer camps, stores, restaurants, auto service stations, professional offices, theaters, amusement parks, schools, churches, clubs, lodges, public buildings, etc.

**Purpose of GSR** - The purpose of this Rate is to assess fair and equitable charges to cover the investment and operating costs to transport, and deliver polluted wastewater to City's wastewater treatment facilities and to subsequently treat same to approved standards.

**SECTION 2 - RATE SCHEDULES**

The rates and charges to apply to Users are fixed by Ordinance by City Council under Schedules RSR and GSR. Under Ohio Law, these Schedules and the Rates, charges and related matters are fixed by City Council and are therefore set forth as separate attachments Exhibit Nos. IV-1 and IV-2.

The schedules establishing the rates and charges consist of separate attachments identified as Exhibit No. IV-1, Schedule No. 1 "RSR," Residential Single Family Sewage Rate, and Exhibit No. IV-2, Schedule No. 2 "GSR," General Sewage Service Rate.

**Exhibit Nos. IV-1 and IV-2.**

**RATES; BYLAWS AND REGULATIONS**

**53.35 SCHEDULE OF RATES.**

(A) *Single-family residential sewage rates:*

(1) *Applicability.*

(a) This section applies to all individually metered and/or billed single family dwelling units or dwelling units or dwelling quarters. Where more than one dwelling unit is connected to the same service line, the general sewage rates provided for in division (B) of this section shall apply.

(b) The furnishing and utilization of sewage service, including system extensions or enlargements and the financing of same, shall conform to the city's application form and bylaws and regulations which are and may in the future be established by the Director of Public Service pursuant to R.C. § 729.51.

(2) *Net rate per month or part thereof.* The billing for sewage is based on the metered quantity of water used. The net billing shall be the sum of charges (A) + (B) + (C) set forth below. The city may elect to read meters monthly or bi-monthly. If read bi-monthly, the customer charge and rate blocks shall be multiplied by two.

(a) Monthly customer charge.

|               | <i>Effective bills payable after 7/1/2011</i> | Effective bills payable after 1/1/2012 |
|---------------|---|--|
| OM&R          | \$5.61  | \$6.06                                 |
| Local Capital | \$2.49  | \$2.69                                 |
| Total         | \$8.10  | \$8.75                                 |

(b) Monthly commodity charge.  
Rate per 1,000 gallons:

|               | <i>Effective bills payable after 7/1/2011</i> | Effective bills payable after 1/1/2012 |
|---------------|---|--|
| OM&R          | \$3.15  | \$3.40                                 |
| Local Capital | \$0.30  | \$0.32                                 |
| Total         | \$3.45  | \$3.72                                 |

(c) Monthly system capacity charge:

| <b>Effective bills payable after July 1, 2011</b>    |        |               |         |
|--|--------|---------------|---------|
| <i>Size of Service **</i>                            | OM&R   | Local Capital | Total   |
| 0.75"  | -0-    | -0-           | -0-     |
| 1.00"  | \$1.34 | \$2.55        | \$3.89  |
| 1.50"  | \$5.36 | \$10.19       | \$15.55 |
| <b>Effective bills payable after January 1, 2012</b> |        |               |         |
| <i>Size of Service **</i>                            | OM&R   | Local Capital | Total   |
| 0.75"  | -0-    | -0-           | -0-     |
| 1.00"  | \$1.45 | \$2.75        | \$4.20  |
| 1.50"  | \$5.78 | \$11.00       | \$16.78 |

\*\* Size of service shall be the nominal diameter rating of the water meter supplying customer. When the water meter size is

larger than 1.5", the general sewage rate set forth in Division (B) of this section applies.

(3) *Minimum charge per month or part thereof.* The total billing per month or part thereof shall hereafter be the sum of the foregoing charges, but not less than the following:

(a) *Monthly minimum charge where water is metered.*

|       |         |         |          |
|-------|---------|---------|----------|
| 0.75" | \$14.50 | \$22.50 | \$37.00* |
| 1.00" | \$20.00 | \$28.00 | \$48.00* |
| 1.50" | \$43.50 | \$51.50 | \$95.00* |

\*Subject to increase as determined by city's estimate of sewage discharge. City reserves the right to require user to install, operate and maintain at his or her expense a suitable water meter to meter user's water requirements.

| <b>Effective bills payable after July 1, 2011</b>    |         |         |         |
|--|---------|---------|---------|
| <i>Water Meter Size</i>                              | OM&R    | Capital | Total   |
| 0.75"  | \$5.62  | \$2.48  | \$8.10  |
| 1.00"  | \$13.95 | \$5.05  | \$19.00 |
| 1.50"  | \$18.94 | \$6.32  | \$25.26 |
| <b>Effective bills payable after January 1, 2012</b> |         |         |         |
| <i>Water Meter Size</i>                              | OM&R    | Capital | Total   |
| 0.75"  | \$6.07  | \$2.68  | \$8.75  |
| 1.00"  | \$15.06 | \$5.45  | \$20.51 |
| 1.50"  | \$20.45 | \$6.83  | \$27.28 |

(b) *Monthly minimum charge where water is unmetered.*

| <b>Effective bills payable after July 1, 2011</b>    |         |               |          |
|--|---------|---------------|----------|
| <i>Est. Water Meter Size</i>                         | OM&R    | Local Capital | Total    |
| 0.75"  | \$13.25 | \$20.75       | \$34.00* |
| 1.00"  | \$18.50 | \$25.50       | \$44.00* |
| 1.50"  | \$40.00 | \$48.00       | \$88.00* |
| <b>Effective bills payable after January 1, 2012</b> |         |               |          |
| <i>Est. Water Meter Size</i>                         | OM&R    | Local Capital | Total    |

(4) *Annual review of rates.*

(a) The Director of Public Service shall at the end of each year review the financial operations of the city's sanitary sewage treatment facilities and related matters and thereby determine if the revenues produced by the foregoing rates and charges are proportionate and adequate to cover all sewage costs including capital improvement financing.

(b) In the event it is determined that said rates and charges are either not adequate or not proportionate the Director of Public Service shall submit to City Council for its approval, a schedule of revised rate and charges as will enable said system to be self supporting on an annual basis at all times.

(5) *Deposit and responsibility for payment of bills.*

(a) For all services furnished, the current property owner of record of the land involved is responsible for all bills for sewage service irrespective of who incurred such unpaid bills or when such bills were incurred or who owned or occupied the property at the time such bills were incurred.

(b) Failure to pay any sewage bill will cause the water service to be turned off.

(c) Unpaid sewage service bills may be assessed as a tax lien against the property involved.

(d) Without relieving the property owner of his responsibility for payment of all sewage bills for service furnished, the city reserves the right to require a suitable deposit to secure payments of sewage bills.

(6) *Terms of payment.* The foregoing rates and charges are net and if all accounts are not paid on or before the date specified on bill, the gross rates which are 10% higher shall apply.

(7) *System capacity and tap charges.* The initial establishment of sewage service to any property is subject to payment by the property owner of city's applicable sewerage system, capacity charge and distribution line tap charge as specified in this section.

(8) *Sewage service line installation standards.* The sewage service line installation standards shall be as provided in the bylaws and regulations established by the Director of Public Service pursuant to R.C. § 729.51.

(9) *Sewer line extensions.* Where an extension or enlargement of city's sewer line is required, same shall be paid for by the consumers involved and in accordance with the provisions set forth in this code and the bylaws and regulations established by the Director of Public Service.

(10) *Other conditions.*

(a) Where sewage is discharged into city's sewer system and water is obtained from a source other than from the city, the city reserves the right to require property owner to install at his own expense suitable, frost free, water or sewage metering equipment (to be approved by the city), in order to determine the amount of sewage being discharged into the city's sewer system and to properly apply the foregoing rates and charges.

(b) Where consumer's water supply is from a source from other than the city and proper would otherwise be made for a residence of comparable size and sewage discharge. Such estimated charge shall be not less than the applicable minimum charge set forth in this section.

(c) Where sewage service is furnished outside the corporate limits of city and it becomes necessary to renew or replace sewage treatment facilities, including pumps and other appurtenances, the rates and charges set forth herein are subject to increase to the extent necessary in order to pay for such additional costs.

(B) *General sewage service rates.*

(1) *Applicability.*

(a) This section applies to all non-residential users of the city's treatment facilities and to residential users not covered by the rates established in division (A) of this section.

(b) The rates and charges set forth herein are based on water usage and/or the sewage discharged into city's sanitary sewer system.

(c) The furnishing and utilization of sewage service, including

system extensions or enlargements and the financing of same shall conform to the bylaws and regulations adopted by the Director of Public Service pursuant to R.C. § 729.51.

(2) *Net rate per month or part thereof per service.* The net billing shall be the sum of the charges set forth under (a), (b) and (c) below. The city may elect to read meters monthly or bi-monthly. If read bi-monthly, the applicable charges set forth in (a) and (c) below shall be multiplied by two.

(a) *Monthly customer charge.*

|               | <i>Effective bills payable after 7/1/2011</i> | Effective bills payable after 1/1/2012 |
|---------------|---|--|
| OM&R          | \$5.61  | \$6.06                                 |
| Local Capital | \$2.49  | \$2.69                                 |
| Total         | \$8.10  | \$8.75                                 |

(b) *Commodity charge.* Based on water usage or sewage volume discharged into city's sewer system per 1,000 gallons.

|               | <i>Effective bills payable after 7/1/2011</i> | Effective bills payable after 1/1/2012 |
|---------------|---|--|
| OM&R          | \$3.15  | \$3.40                                 |
| Local Capital | \$0.30  | \$0.32                                 |
| Total         | \$3.45  | \$3.72                                 |

Plus surcharges for excessive sewage strength \*

| <i>All OM&amp;R</i> | <i>Effective bills payable after</i> | Effective bills payable |
|---------------------|--------------------------------------|-------------------------|
|                     |                                      |                         |

|                                 | <i>7/1/2011</i>  | after 1/1/2012   |
|---------------------------------|------------------|------------------|
| Biochemical Oxygen Demand (BOD) | \$0.28 per pound | \$0.30 per pound |
| Suspended Solids (SS)           | \$0.24 per pound | \$0.26 per pound |
| Total Phosphorus (P)            | \$1.03 per pound | \$1.11 per pound |

\* When applicable for major contributing industry or activity. For determination of excessive sewage strength surcharges, see division (11) of this division.

(c) *Monthly system capacity charge:*

**AMOUNT OF CHARGE**

| <b>Effective bills payable after July 1, 2011</b> |         |               |          |
|---|---------|---------------|----------|
| <i>Capacity of Service*</i>                       | OM&R    | Local Capital | Total    |
| 0.75" or less                                     | -0-     | -0-           | -0-      |
| 1.00"   | \$8.33  | \$2.57        | \$10.90  |
| 1.50"   | \$10.73 | \$6.32        | \$17.05  |
| 2.00"   | \$13.12 | \$10.21       | \$3.33   |
| 3.00"   | \$21.58 | \$20.43       | \$42.01  |
| 4.00"   | \$28.77 | \$31.82       | \$60.59  |
| 6.00"   | \$51.32 | \$63.80       | \$115.12 |
| 8.00"   | \$78.39 | \$101.97      | \$180.36 |

| <b>Effective bills payable after January 1, 2012</b> |        |               |         |
|--|--------|---------------|---------|
| <i>Capacity of Service*</i>                          | OM&R   | Local Capital | Total   |
| 0.75" or less  | -0-    | -0-           | -0-     |
| 1.00"  | \$9.00 | \$2.77        | \$11.77 |

|       |         |          |          |
|-------|---------|----------|----------|
| 1.50" | \$11.58 | \$6.82   | \$18.40  |
| 2.00" | \$14.17 | \$11.02  | \$25.19  |
| 3.00" | \$23.30 | \$22.06  | \$45.36  |
| 4.00" | \$31.07 | \$34.37  | \$65.44  |
| 6.00" | \$55.43 | \$68.90  | \$124.33 |
| 8.00" | \$84.66 | \$110.13 | \$194.79 |

\*Capacity of service shall be determined by the city and shall normally be equal to the nominal inside diameter in inches of the water service line installed by the property owner, extending from the water tap on city's main to consumer's meter.

1. At city's option the capacity of service charge may be based on meter size for 1.00" service lines.

2. The billing as determined above, shall be subject to the applicable minimum charge. Where more than one establishment discharges sewage into the same sewage service line connection, see "Billing Multiple Establishments" in division (4) of this section.

(3) *Billing and meter readings.* Each metered water use shall be separately billed and no meter readings shall be combined for billing purposes. The rate and minimum charges shall be applied as written, with no proration of same for a fractional billing period.

(4) *Minimum charge per month or part thereof.* After sewage service has been established, the total billing for each month or part thereof shall thereafter be the sum of the foregoing charges (a), (b) and (c), but not less than the following:

**METERED SERVICE:**

| <b>Effective bills payable after July 1, 2011</b> |         |               |          |
|---|---------|---------------|----------|
| <i>Size of Service</i>                            | OM&R    | Local Capital | Total    |
| 0.75"   | \$5.62  | \$2.49        | \$8.10   |
| 1.00"   | \$13.95 | \$5.05        | \$19.00  |
| 1.50"   | \$18.94 | \$6.32        | \$25.26  |
| 2.00"   | \$21.33 | \$10.21       | \$31.54  |
| 3.00"   | \$29.68 | \$20.43       | \$50.11  |
| 4.00"   | \$36.98 | \$31.82       | \$68.80  |
| 6.00"   | \$59.42 | \$63.80       | \$123.22 |
| 8.00"   | \$86.59 | \$101.97      | \$188.56 |

| <b>Effective bills payable after January 1, 2012</b> |         |               |          |
|--|---------|---------------|----------|
| <i>Size of Service</i>                               | OM&R    | Local Capital | Total    |
| 0.75"  | \$6.06  | \$2.69        | \$8.75   |
| 1.00"  | \$15.06 | \$5.45        | \$20.51  |
| 1.50"  | \$20.45 | \$6.82        | \$27.27  |
| 2.00"  | \$23.03 | \$11.02       | \$34.05  |
| 3.00"  | \$32.05 | \$22.06       | \$54.11  |
| 4.00"  | \$39.93 | \$34.37       | \$74.30  |
| 6.00"  | \$64.17 | \$68.91       | \$133.08 |
| 8.00"  | \$93.51 | \$110.13      | \$203.64 |

**MONTHLY MINIMUM CHARGE  
WHERE WATER IS UNMETERED**

| <b>Effective bills payable after July 1, 2011</b> |         |               |        |
|---|---------|---------------|--------|
| <i>Est. Water Meter Size</i>                      | OM&R    | Local Capital | Total  |
| 0.75"   | \$13.25 | \$20.75       | 34.00* |
| 1.00"   | \$18.50 | \$25.50       | 44.00* |
| 1.50"   | \$40.00 | \$48.00       | 88.00* |

| <b>Effective bills payable after January 1, 2012</b> |         |               |          |
|--|---------|---------------|----------|
| <i>Est. Water Meter Size</i>                         | OM&R    | Local Capital | Total    |
| 0.75"  | \$14.50 | \$22.50       | \$37.00* |
| 1.00"  | \$20.00 | \$28.00       | \$48.00* |
| 1.50"  | \$43.50 | \$51.50       | \$95.00* |

\*As determined under "Capacity of Service."

For non-profit public activities such as fairs, athletic fields, swimming pools, and the like, the minimum charge shall be applicable during the months that service is turned on, but not less than three consecutive months. The minimum charge shall apply every month that a bill is rendered for water service and/or consumer's sewage plumbing is connected to city's sewer system.

(5) *System capacity and tap charge.* The initial establishment of sewage service to any property is subject to payment by the property owner of city's applicable sewerage system capacity charge and distribution line tap charge as specified in this section.

(6) *Optional special metering for sewage billing purposes.* For water use that results in a clean wastewater discharge that does not enter city's sanitary sewer system (lawn sprinkling, irrigation, air conditioning, and the like) such water will not be subject to city's sewage charge providing the following conditions have been complied with:

(a) That the Director of Public Service has determined that such wastewater will consist substantially 100% of unpolluted or "clean wastewater," free from objectionable odor and will have no harmful

or objectionable polluting affect either directly or indirectly upon any streams, underground water supply or other body of water into which such "clean wastewater" will ultimately be discharged.

(b) That it can be demonstrated to the satisfaction of the Director of Public Service that it will be impossible for the water usage in question to discharge into city's sanitary sewer system. To meet this requirement, such unpolluted water must be discharged into city's storm sewer system or into the ground or into the street gutter or natural outlet. Furthermore, such water shall not be discharged into any combination storm and sanitary sewer.

(c) That the property owner shall separate his plumbing so that the water input that is ultimately discharged as "clean wastewater" will be separately metered in order to determine the volume involved. The entire plumbing and meter installation shall meet city's specifications and approval and shall be installed, owned and maintained at property owner's expense. The meter installation and location shall be specified by the city.

(7) *Billing where the city does not furnish water service.*

(a) *Metered sewage service.*

1. At property owner's expense, the city may require or property owner may, at his option, elect to install a separately metered and plumbed water system, to be approved by city that will accurately measure the water input and resultant sewage discharge into the city's sanitary sewer system.

2. In the event that said separately metered water input method is

impractical or not equitable, as an alternate plan, a suitable sewage flow meter (to be specified by the city and installed at property owner's expense) may be installed which will meter the actual quantity of sewage discharged into city's system.

3. Under this plan, the foregoing rates and charges shall apply, and the companion water service line size used to determine the "capacity of Service" charge.

(b) *Unmetered sewage service billing based on number of employees.*

1. Entirely at city's option, in place of method (a) above, and if the city determines that substantially all of user's sewage discharged into city's system consists of normal sanitary sewage with no industrial waste, the city may elect to base the billing for sewage on the number of employees on user's payroll. User's records as to number of employees shall be subjected to inspection by the city for verification purposes.

2. User shall furnish the city, on or before the fifteenth of each month, the number of employees on user's payroll as of the end of the previous month, which shall be used for the following month's billing. The billing shall be calculated as follows:

**MONTHLY CHARGE PER EMPLOYEE**

| <b>Effective bills payable after July 1, 2011</b>  |         |               |         |
|--|---------|---------------|---------|
| <i>Number of Employees (end of previous month)</i> | OM&R    | Local Capital | Total   |
| First 25 or less                                   | \$36.60 | \$34.40       | \$71.00 |

|  |         |               | (min.)                |
|--|---------|---------------|-----------------------|
| Over 25 employees                                    | \$2.12  | \$0.26        | \$2.38/<br>employee   |
| <b>Effective bills payable after January 1, 2012</b> |         |               |                       |
| <i>Number of Employees (end of previous month)</i>   | OM&R    | Local Capital | Total                 |
| First 25 or less                                     | \$39.53 | \$37.15       | \$76.68<br><br>(min.) |
| Over 25 employees                                    | \$2.29  | \$0.28        | \$2.57/<br>employee   |

3. The resultant sewage charge by this method (b) shall be in no event less than that derived under Plan (c) below. This method will be unavailable for any service established after January, 1980.

(c) *Unmetered sewage service - based on equivalent water service capacity.*

1. Entirely at the city's option, in place of methods (a) and (b) above, and if the city determines that substantially all of consumer's sewage discharged into the city's system consists of normal sanitary sewage with no industrial waste, the city can elect to determine the sewage service billing on the size of the water service line that would otherwise be normally installed and resultant water use estimated by the city discharged into the city's sanitary sewage system. Such estimated monthly sewage charge shall be no less than the applicable minimum charges set forth in division (4) of this division.

2. The resultant bill under plan (c) shall in no event be less than that obtained under plan (b).

3. Under this plan, the foregoing rates and charges apply plus the companion water service line size used to determine the capacity of service charge.

(8) *Terms of payment.* The foregoing rates and charges are net and already reflect the discount applicable from the gross rates if all accounts are paid on or before the date specified on bill. If all accounts are not so paid, the gross rates and charges, which are 10% higher than the foregoing net rates and charges shall apply.

(9) *Deposit and responsibility for payment of bills.*

(a) For all service furnished within corporate limits of the city, the current property owner of record of the land involved is responsible for all bills for sewage service. This liability for bill payment applies irrespective of who incurred such unpaid bills or when such bills were incurred or who owned or occupied the property at the time such bills were incurred. Unpaid service bills may also be assessed as a tax lien against the property involved. Failure to pay any sewage bill shall subject the water service to be turned off or restricted to a flow of one gallon per hour. Without relieving the property owner of his responsibility for payment of all sewage bills for service furnished within the corporate limits and in all cases where service is furnished outside the corporate limits, the city reserves the right to require a suitable deposit to secure payment of sewage bills.

(10) *Restrictions as to acceptability of sewage waste into city's sewer system.*

Wastes discharged into the city's sewer system that are deleterious to the normal operation of the city's sewage treatment plant are prohibited. The Director of Public Service shall determine by analysis the tests whether or not wastes or rate of flow of same are deleterious or objectionable to the operation of the city's sewer system, based upon the kind of waste and its volume, rate of flow and frequency of discharge into the city's sewer system, plus other factors.

(11) *Excessive sewage strength, surcharge determination.* When the Director of Public Service determines an industry or other activity is "major contributing" the surcharges to be added to the commodity charge set forth under (B)(2)(b) of this section shall be determined as follows:

(a) The formula for applying wastewater quality charges for excessive biochemical oxygen demand (BOD) loadings is as follows:

$$B_s = V \times B_e \times F \times B_c$$

Where:

$B_s$  = wastewater quality surcharge for excessive strength biochemical oxygen demand (BOD)

$V$  = volume of wastewater in gallons

$B_e$  = waste concentrations for BOD as sampled in excess of 200 parts per million (PPM), (Excess PPM x 10-)

$F$  = factor to convert PPM to pounds per gallon (8.345)

$B_c$  = unit charge per pound of excess BOD

The formula for applying wastewater quality charges for excessive suspended solids (SS) loading is as follows:

$$S_x = V \times S_e \times F \times S_c$$

Where:

S<sub>s</sub> = wastewater quality surcharge for excessive suspended solids (SS) loadings

V = volume of wastewater in gallons

S<sub>e</sub> = wastewater concentrations for SS as sampled in excess of 240 parts per million (PPM), (excess PPM x 10<sup>-</sup>)

F = factor to convert PPM to pounds per gallon (8.345)

S<sub>c</sub> = unit charge per pound of excess SS

(12) *Sewage service line installation standards.* Sewage service line installation standards shall be as established by the Director of Public Service in his bylaws and regulations.

(13) *Sewer line extensions.* Where an extension or enlargement of the city's sewer line is required, same shall be financed in conformance to the codified ordinances of the city and the bylaws and regulations established by the Director of Public Service pursuant to R.C. § 729.51.

(14) *Other provisions and conditions.* The installation, operation and all other matters pertaining to sewers shall be subject to all of the regulations, requirements and provisions set forth in the bylaws and regulations adopted by the Director of Public Service pursuant to R.C. § 729.51.

(15) *Annual review of rates.*

(a) The Director of Public Service shall at the end of each year review the financial operations of the city's sanitary sewage treatment facilities and related matters and thereby determine if the revenues produced by the foregoing rates and charges are proportionate and adequate to cover all sewage costs including capital improvement financing.

(b) In the event it is determined that said rates and charges are either not adequate or not proportionate, the Director of Public Service shall submit to City Council for its approval a schedule of revised rates and charges as will enable said system to be self supporting on an annual basis at all times.

(C) *Medina County Sewage District No. 2 sanitary sewer rates:*

(1) *Applicability.*

(a) This schedule is applicable for treating the sanitary sewage of the Medina County Sewer District No. 2 that is discharged into the Interceptor Sewer Collection Line of the city, at the location set forth on Exhibit "C" of the city-county agreement dated December 15, 1975.

(b) The sewage discharge from said Sewer District No. 2 shall be subject to and conform to the bylaws and regulations established by the Director of Public Service relating to the discharge of sewage into the city's sanitary sewer system and treatment and disposal of same by the city.

(c) The rates and charges that follow shall be substituted and supersede those referred to in subsection (D), Exhibit "D" of said agreement.

(2) *Net rate per month.* The net billing shall be the sum of the charges set forth under (a) and (b) that follow:

(a) Monthly capacity and customer charge.

|               | <i>Effective bills payable after July 1, 2011</i> | Effective bills payable after January 1, 2012 |
|---------------|---|---|
| OM&R          | \$1,084.72  | \$1,171.50                                    |
| Local capital | \$3,645.65  | \$3,937.30                                    |
| Total         | \$4,730.37  | \$5,107.80                                    |

(b) Commodity or volume charge per 1,000 gallons.

|               | <i>Effective bills payable after July 1, 2011</i> | Effective bills payable after January 1, 2012 |
|---------------|---|---|
| OM&R          | \$3.15  | \$3.40  |
| Local capital | \$0.30  | \$0.32  |
| Total         | \$3.45  | \$3.72  |

Plus surcharges for excessive sewage strength\*

| <b>All OM&amp;R</b>             | <i>Effective bills payable after July 1, 2011</i> | Effective bills payable after January 1, 2012 |
|---------------------------------|---|---|
| Biochemical Oxygen Demand (BOD) | \$0.28 per pound                                  | \$0.30 per pound                              |
| Suspended Solids (SS)           | \$0.24 per pound                                  | \$0.26 per pound                              |
| Total                           | \$1.03 per  | \$1.11 per                                    |

|                |       |       |
|----------------|-------|-------|
| Phosphorus (P) | pound | pound |
|----------------|-------|-------|

\*For determination of excessive sewage strength, see division (B)(11) of this section.

(3) *Annual review of rates as to adequacy.*

(a) The above rates and charges were determined by a detailed independent study of the projected costs to operate and maintain city's sanitary sewage treatment facilities that are necessary to accept and treat the sanitary sewage discharges from Medina Sewer District No. 2.

(b) In order to determine the adequacy of the revenues produced by the foregoing rates and charges to cover the costs involved, the Director of Public Service shall at the end of each calendar year review said costs for the year just ended. In developing the new costs, the cost allocations shall be made in a manner similar to that approved by the EPA and derived in said July 1979 Study of Costs, Exhibits No. III-1,2,3, & 4 as revised May 18, 1979. Said projected new costs shall be adjusted to reflect known increases or variations in expenses actually experienced during the year ended.

(4) *Metering and sewage sampling.* As set forth in the city-county agreement of December 15, 1975, Medina County shall at the specified location, install, own, operate, and maintain at its expense adequate sewage flow metering equipment and sewage sampling facilities and the installation of same shall conform to city's specifications.

(5) *Terms of payment.* The foregoing rates and charges are net and if not paid on or before the date specified on bill, the gross amount shall be payable

which is 10% greater than the net rates and charges.

(Ord. 07-053, passed 5-15-07; Am. Ord. 08-091, passed 11-18-08; Am. Ord. 11-049, passed 7-19-11) Penalty, see § 10.99

### **53.36 BYLAWS AND REGULATIONS.**

As provided in R.C. § 729.51 the Director of Public Service may make such bylaws and regulations as are necessary for the safe, economical and efficient management and protection of the sewerage system and sewage pumping, treatment and disposal works of the city and of the construction and use of house sewers and their connections to the sewerage system. Such bylaws and regulations shall have the same effect as ordinances when not repugnant thereto or to the Constitution or laws of the state.

('65 Code, § 933.04) (Ord. 37-82, passed 5-18-82)

### **53.37 ADDITIONAL RATES FOR GREAT OAKS LIFT STATION.**

(A) The owner of each unit using the Great Oaks Lift Station in City of Wadsworth Sanitary Sewerage District Number One shall in addition to all other applicable rates pay \$5.73 for each month that said lift station is operated and maintained by the city.

(B) For purposes of this section, the word "unit" shall mean each separate condominium included in the Villas of Sterling Oaks Condominium Association or its successor and each rented room or suite for one person or family in the Assisted Living Residence of Wadsworth or its successor as well as each other residence

located within City of Wadsworth Sanitary Sewerage District Number One.

(Ord. 07-023, passed 3-6-07)

### **53.38 ADDITIONAL RATES FOR WEATHERSTONE LIFT STATION.**

(A) The owner of each unit using the Weatherstone Lift Station in City of Wadsworth Sanitary Sewerage District Number Two shall in addition to all other applicable rates pay \$5.27 for each month that said lift station is operated and maintained by the City of Wadsworth for the period January 2011 until and including December, 2011. Thereafter the owner of each unit using the Weatherstone Lift Station in City of Wadsworth Sanitary Sewerage District Number Two shall in addition to all other applicable rates pay \$4.22 for each month that said lift station is operated and maintained by the City of Wadsworth.

(B) For purposes of this section, the word "unit" shall mean each separate condominium as well as each other residence located within City of Wadsworth Sanitary Sewerage District Number Two.

(Ord. 10-123, passed 12-21-10)

## APPENDIX A: EPA'S PRIORITY TOXIC POLLUTANTS

1. Acenaphthene
2. Acrolein
3. Acrylonitrile
4. Benzene
5. Benzidine
6. Carbon tetrachloride
7. Chlorobenzene
8. 1,2,4-trichlorobenzene
9. Hexachlorobenzene
10. 1,2-dichloroethane
11. 1,1,1-trichloroethane
12. Hexachloroethane
13. 1,1-dichloroethane
14. 1,1,2-trichloroethane
15. 1,1,2,2-tetrachloroethane
16. Chloroethane
17. REMOVED
18. Bis(2-chloroethyl) ether
19. 2-chloroethyl vinyl ethers
20. 2-chloronaphthalene
21. 2,4,6-trichlorophenol
22. Parachlorometa cresol
23. Chloroform
24. 2-chlorophenol
25. 1,2-dichlorobenzene
26. 1,3-dichlorobenzene
27. 1,4-dichlorobenzene
28. 3,3-dichlorobenzidine
29. 1,1-dichloroethylene
30. 1,2-trans-dichloroethylene
31. 2,4-dichlorophenol
32. 1,2-dichloropropane
33. 1,2-dichloropropylene
34. 2,4-dimethylphenol
35. 2,4-dinitrotoluene
36. 2,6-dinitrotoluene
37. 1,2-diphenylhydrazine
38. Ethylbenzene
39. Fluoranthene
40. 4-chlorophenyl phenyl ether
41. 4-bromophenyl phenyl ether
42. Bis(2-chloroisopropyl) ether
43. Bis(2-chloroethoxy) methane
44. Methylene chloride
45. Methyl chloride
46. Methyl bromide
47. Bromoform
48. Dichlorobromomethane
49. REMOVED
50. REMOVED
51. Chlorodibromomethane
52. Hexachlorobutadiene
53. Hexachlorocyclopentadiene
54. Isophorone
55. Naphthalene
56. Nitrobenzene
57. 2-nitrophenol
58. 4-nitrophenol
59. 2,4-dinitrophenol
60. 4,6-dinitro-o-cresol
61. N-nitrosodimethylamine
62. N-nitrosodiphenylamine
63. N-nitrosodi-n-propylamine
64. Pentachlorophenol
65. Phenol
66. Bis(2-ethylhexyl) phthalate
67. Butyl benzyl phthalate
68. Di-N-Butyl Phthalate
69. Di-n-octyl phthalate
70. Diethyl Phthalate
71. Dimethyl phthalate
72. benzo(a) anthracene
73. Benzo(a)pyrene
74. Benzo(b) fluoranthene
75. Benzo(b) fluoranthene
76. Chrysene
77. Acenaphthylene
78. Anthracene
79. Benzo(ghi) perylene
80. Fluorene
81. Phenanthrene
82. Dibenzo(h) anthracene
83. Indeno (1,2,3-cd) pyrene
84. Pyrene
85. Tetrachloroethylene
86. Toluene
87. Trichloroethylene
88. Vinyl chloride
89. Aldrin
90. Dieldrin
91. Chlordane
92. 4,4-DDT
93. 4,4-DDE
94. 4,4-DDD
95. Alpha-endosulfan
96. Beta-endosulfan
97. Endosulfan sulfate
98. Endrin

- |                               |                     |
|-------------------------------|---------------------|
| 99. Endrin aldehyde           | 115. Arsenic        |
| 100. Heptachlor               | 116. Asbestos       |
| 101. Heptachlor epoxide       | 117. Beryllium      |
| 102. Alpha-BHC                | 118. Cadmium        |
| 103. Beta-BHC                 | 119. Chromium       |
| 104. Gamma-BHC                | 120. Copper         |
| 105. Delta-BHC                | 121. Cyanide, Total |
| 106. PCB-1242 (Arochlor 1242) | 122. Lead           |
| 107. PCB-1254 (Arochlor 1254) | 123. Mercury        |
| 108. PCB-1221 (Arochlor 1221) | 124. Nickel         |
| 109. PCB-1232 (Arochlor 1232) | 125. Selenium       |
| 110. PCB-1248 (Arochlor 1248) | 126. Silver         |
| 111. PCB-1260 (Arochlor 1260) | 127. Thallium       |
| 112. PCB-1016 (Arochlor 1016) | 128. Zinc           |
| 113. Toxaphene                | 129. 2,3,7,8-TCDD   |
| 114. Antimony                 |                     |

**APPENDIX B**  
**DEFINITIONS**

## APPENDIX B

### DEFINITIONS OF VARIOUS TERMS SET FORTH IN CITY OF WADSWORTH GENERAL RULES AND REGULATIONS RELATING TO SEWAGE TREATMENT

**Act** shall mean the Clean Water Act (33 U.S.C. 1251 et seq) as amended.

**Approved Laboratory Procedures** means the measurements, tests, and analyses of the characteristics of water and wastes in accordance with the analytical procedures determined acceptable by Federal Guidelines as established in Title 40, Code of Federal Regulations, Part 136, or as approved by the regional administrator, U.S. EPA.

**Best Management Practices or BMPs** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in OAC 3745-3-04. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

**Biochemical Oxygen Demand (BOD<sub>5</sub>)** shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20° C, expressed in milligrams per liter (mg/l).

**Biodegradable** means that the material shall be easily amenable to breakdown to acceptable levels by biologic processes present in the City's sewerage system. The Director shall determine whether a material is biodegradable if such determination is required.

**Building Drain** shall mean that part of the lowest horizontal piping of a drainage system located within the building carrying wastewater and other drainage originating within the walls of the building and conveys it to the building sewer service line. Said sewer service line connection to the building sewer shall be made as close as practical and immediately outside the building foundation wall.

**Building Sewage Service Line** shall be the extension from the building drain to the public sewer; also called "House Connection."

**Bypass** means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility.

**Categorical Pretreatment Standards** shall mean the National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a publicly owned treatment works (POTW) by specific industrial dischargers.

**City's Wastewater Facilities** are the sewage treatment works and the sewers and conveyance appurtenances discharging thereto, owned and operated by the Director.

**Chemical Oxygen Demand (COD)** shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures expressed in milligrams per liter.

**City** means the City of Wadsworth, Ohio.

**Clean Wastewater** shall be water of a quality equal to or better than the effluent criteria established by the Ohio EPA or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

**Combination Sewer** is a sewer that carries sanitary and/or industrial wastewaters plus storm water.

**Compatible Pollutant** shall mean BOD5, suspended solids, phi, and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the POTW was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree. See Chapter 4, "Regulation and Use of Public Sewers."

**Cooling Water** shall mean the clean wastewater discharged from any system of condensation, air conditioning, cooling, or refrigeration. It shall be free from odor and oil and shall contain no polluting substances.

**Director** is the Director of Public Service of the City of Wadsworth who shall be responsible for the operation and management of City's Water and Sewer Departments, including sewage treatment facilities.

**Discharge** means the discharge of wastewaters from any premise at its point of entry into the sewerage system.

**Discharger-Industrial Discharger** shall be any nonresidential user who discharges an effluent into a POTW by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, intercepting ditches, and all constructed devices and appliances appurtenant thereto.

**EPA Methods** shall mean "Methods for Chemical Analysis of Water and Wastes," 1971, EPA, Analytical Quality Control Laboratory, Cincinnati, Ohio.

**Floatable Oil** is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

**Garbage** shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

**Incompatible** means that the waste material is harmful or interferes with wastewater treatment processes, or is not susceptible to treatment by biologically based wastewater treatment processes, or that the presence of the material adversely affects the quality of the wastewater treatment plant effluent.

**Indirect Discharge** means the discharge or the introduction of non-domestic pollutants from a source regulated under Section 307(b) or (c) of the Act into a POTW.

**Industrial Cost Recovery** means that system for recovery of the industrial portion of U.S. EPA project grant funds as required by CFR Title 40 Chapter 1, Subpart B. Parts 35.928 and 35.935-13, or subsequent revisions.

**Industrial Plant** shall mean any facility which discharges industrial wastewater. Associated service industries shall also be considered as industrial plants. For example, electric power plants, commercial laundries, restaurants, hotels, filling stations, waterworks, and other establishments having industrial wastewater discharge.

**Industrial Waste** is any solid, liquid, or gaseous waste resulting from any industrial, manufacturing, trade, or business process or from the development, recovery, or processing of natural resources.

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

1. Inhibits or disrupts the POTW, its treatment process or operations, or its sludge processes, use or disposal; and
2. Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or Local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection, Research and Sanctuaries Act.

**Local Capital** costs are existing debt service to be paid from service charges.

**mg/L** means milligrams per liter.

**Mid-Tier Categorical Industrial User** is a subcategory of categorical industrial users that meet the requirements listed in Chapter 4, Section 4.4.

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

**New Source** means 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 which will be applicable to such source if such standards are thereafter promulgated in accordance with that section. Construction by an industrial user will be classified as a new source if: (1) the construction is carried out at a site at which no other source is located. (2) the construction totally replaces the process or production equipment that causes the discharge of pollutants at an existing source, or (3) the production or wastewater generating processes of the constructed facility are substantially independent of an existing source at the same site. Construction is deemed to commence when the following are begun as part of a continuous on-site construction program: (1) installation or assembly of facilities or equipment, or (2) significant site preparation work necessary for such installation or assembly. Construction is also deemed to commence when the owner or operator of the facility has 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.

**Nonsignificant categorical industrial user** is a subcategory of categorical industrial users that meet the requirements listed in Chapter 4, Section 4.3.

**"Normal Strength" Wastewater**, as defined for the purpose of determining surcharges, shall mean wastewater having an average daily suspended solids concentration of not more than 240 mg/l, an average daily BOD concentration of not more than 200 mg/l, and containing not more than 100 mg/l of freon soluble matter (grease and oil).

**NPDES** means the National Pollutant Discharge Elimination System permit program as administered by the

U.S. EPA or state.

**Oils and Greases** mean those materials extractable from an acidified sample by freon or other acceptable solvent in accordance with approved laboratory procedures.

**"Operation, Maintenance, and Replacement"** (OM&R) costs are those costs incurred in the normal operating and maintaining of the sewer system. Replacement expenditures are for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

**Organic** means any compound containing carbon.

**Other Wastes** are decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals, and all other substances except sewage and industrial wastes.

**Owner or Property Owner** shall mean any person having title or interest in any real property located in any sanitary sewer district now existing or subsequently created by the City Council of the City of Wadsworth, Ohio.

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

**Pathogenic Bacteria** means bacteria which may cause disease in host organisms by their parasitic growth.

**pH** shall mean the logarithm (base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution. (Low values indicate the presence of acids or acid forming salts. High values indicate the presence of alkaline material. A pH of 7.0 is considered neutral.)

**Pollutant** is any substance which, upon exposure to or assimilation into any organism, will cause adverse effects such as cancer, genetic mutations, or physiological manifestations as defined in standards issued pursuant to Section 307(a) of the Act.

**Pretreatment** is the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

**Private Sanitary Sewer** is a sanitary sewer system installed, owned, and operated by private individuals.

**Properly Shredded Garbage** is the waste resulting from the preparation, cooking, and dispensing of food. Such garbage shall have been shredded to particles no greater than 1/2 inch in any dimension so that all particles will be carried freely under the water flow conditions normally prevailing in City's sewers.

**Public Sewer** means any sewer owned by the City, including storm, sanitary, or combined sewers.

**Radioactivity** means the spontaneous decay of disintegration of an unstable atomic nucleus, accompanied by the emission of radiation.

**Sanitary Sewage** means sewage containing water-carried wastes contributed from premises by reason of human occupancy.

**Sanitary Sewer** shall mean a sewer which carries wastewater to which storm, surface, and groundwaters are not intentionally admitted.

**Severe Property Damage** means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which cannot reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

**Sewage Works** shall mean all facilities for collecting, pumping, treating, and disposing of wastewater, including industrial wastewater.

**Sewage** is water-carried human wastes or a combination of water-carried wastes from residence, business buildings, institutions and industrial establishments, together with such ground, surface, storm, or other waters as may be present.

**Sewer** shall mean any pipe, conduit, ditch, or other device used to collect and transport sewage or storm water from the generating source.

**Sewer District** shall mean all existing sanitary sewer district and subsequent additions or extensions thereto and/or any drainage area or areas now existing or subsequently created by the Council of the City of Wadsworth, involving sanitary sewage treatment service to the area under consideration.

**Sewer Service Charge** means the total of all charges to a sewerage system user.

**Sewerage System** means all of the facilities required to transport sewage from the premises of the source to a sewage treatment facility and shall include the treatment and disposal facility. All such facilities of the City of Wadsworth shall be considered one such sewerage system.

**Shall** means mandatory.

**Significant Industrial User** is a subcategory of categorical industrial users that meet the requirements listed in Chapter 4, Section 4.2.

**Significant noncompliance** - An industrial user shall be determined to be in significant noncompliance if (Note: Items 1 and 2 below apply only to significant industrial users and are applicable to each of a significant industrial user's monitoring locations. Items 3 through 8 apply to all industrial users):

1. Sixty-six percent or more of all of the measurements taken during a six month period exceed the daily maximum limit, the average limit, or the instantaneous limit for the same pollutant parameter.
2. Thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily average maximum limit, the average limit, or the instantaneous limit times the applicable Technical Review Criteria (TRC) (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH); or
3. Any violation of a pretreatment effluent limit, instantaneous limit or narrative standard, that the Director determines has caused, alone or in combination with other discharges, interference or pass-through at the POTW or endangered the health of the treatment plant personnel or public; or
4. Any discharge that caused imminent endangerment to human health/welfare or to the environment and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge; or
5. Violation of compliance schedule milestones, contained in an administrative order for starting

- construction, completing construction, and attaining final compliance by 90 days or more; or
6. Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (disclosure forms, compliance data reports, periodic compliance reports, etc.) within 45 days from due date; or
  7. Failure to accurately report noncompliance; or
  8. Any other violation or group of violations, including violations of best management practices (BMPs), that the Director determines will adversely affect the operation or implementation of the pretreatment program.

**Slug Load** means 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 the POTW.

**Standard Methods** shall mean the laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association, and Water Pollution Control Federation.

**Storm Sewer or Storm Drain** is a sewer which carries storm, surface, and drainage waters but does not carry sanitary and industrial wastewater unless same is unpolluted clean wastewater or cooling water as defined elsewhere.

**Suspended Solids** shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standards Methods" and referred to as "Nonfilterable Residue."

**Total Solids or Total Residue** shall mean the sum of suspended and dissolved solids.

**Toxic Pollutant** means those substances or combinations of substances including disease causing agents which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organisms, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the Director, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions in reproduction), or physical deformations of such organisms or their offspring.

**Unpolluted Water** means water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable for disposal to storm sewers or natural drainage or directly to surface waters.

**Upset** shall mean an exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the standards set forth in the Ordinance hereto due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

**User or Person** shall mean any individual, firm, company, association, society, corporation, or group that causes or permits the discharge of wastewater into a public sewer.

**Volatile Organic Matter** shall mean the material in the wastewater solids transformed to gases or vapors when heated at 550°C for 15 to 20 minutes.

**Wastewater** shall mean industrial waste or sewage or any other waste including that which may be

combined with any groundwater, surface water, or storm water that may be discharged to the POTW.

**Waterworks** shall mean all facilities for water supply, filtration plant, pumping plant, storage reservoirs, water lines and services, and booster stations for obtaining, treating, and distributing potable water.

**APPENDIX C**  
**WASTEWATER DISCHARGE**  
**DISCLOSURE FORM**

**CITY OF WADSWORTH, OHIO  
WASTEWATER DISCHARGE DISCLOSURE FORM**

Complete all the information requested on this form and submit to the City of Wadsworth Service Director, at least 90 days prior to connecting to the sewer system or before January 31 of each calendar year.

**A. General Information**

1. Company Name: \_\_\_\_\_

2. Mailing Address

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

3. Facility Address:

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

4. Contact Official

Name \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**B. Product Information**

1. Standard Industrial Classification (SIC) Number(s) \_\_\_\_\_

2. Major Products and Amounts Purchased Per Month

| <u>Product</u> | <u>Amount</u> |
|----------------|---------------|
| _____          | _____         |
| _____          | _____         |
| _____          | _____         |
| _____          | _____         |
| _____          | _____         |

3. If a product is not manufactured, give a brief description of the services provided.

---

---

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4. If your industry is a manufacturing industry, list the products manufactured, approximate amount of production, raw materials used, and the process involved in operation.

a. Products and Amount Produced

| <u>Product</u> | <u>Approximate Amount Produced</u> |
|----------------|------------------------------------|
| 1. _____       | _____                              |
| 2. _____       | _____                              |
| 3. _____       | _____                              |
| 4. _____       | _____                              |
| 5. _____       | _____                              |
| 6. _____       | _____                              |

b. Raw Materials Used (attach additional list if necessary)

| <u>Material</u> | <u>Amount used Per Month</u> |
|-----------------|------------------------------|
| 1. _____        | _____                        |
| 2. _____        | _____                        |
| 3. _____        | _____                        |
| 4. _____        | _____                        |
| 5. _____        | _____                        |
| 6. _____        | _____                        |

c. Plant Processes

|          | <u>Does This Process Produce Wastewater</u> |           |
|----------|---|-----------|
|          | <u>Yes</u>                                  | <u>No</u> |
| 1. _____ | _____                                       | _____     |
| 2. _____ | _____                                       | _____     |
| 3. _____ | _____                                       | _____     |
| 4. _____ | _____                                       | _____     |
| 5. _____ | _____                                       | _____     |
| 6. _____ | _____                                       | _____     |

5. Major Industrial Processes Utilized

Wastewater Generated Process

| <u>Pertinent Process</u> | <u>Duration/ Characteristics</u> | <u>Discharge Average-Day Time of day</u> | <u>Amount Max.-Day. (gpd)</u> |
|--------------------------|----------------------------------|--|-------------------------------|
| _____                    | _____                            | _____                                    | _____                         |
| _____                    | _____                            | _____                                    | _____                         |
| _____                    | _____                            | _____                                    | _____                         |
| _____                    | _____                            | _____                                    | _____                         |
| _____                    | _____                            | _____                                    | _____                         |

**C. Wastewater or Sewage Discharge**

1. Indicate, in the appropriate box, where your wastewaters are discharged. Indicate the approximate amounts of each with the proper units.

|                          |                       |   |                       |                         |
|--------------------------|-----------------------|---|-----------------------|-------------------------|
| Directly<br>to           | Directly<br>to        | To On-site Treatment Facility<br>Followed by Discharge to |                       |                         |
| Sanitary<br><u>Sewer</u> | Storm<br><u>Sewer</u> | Sanitary<br><u>Sewer</u>                                  | Storm<br><u>Sewer</u> | Surface<br><u>Water</u> |
| <u>Recycle</u>           | <u>Other</u>          |   |                       |                         |

Sanitary  
Wastewater

---

Process  
Wastewater

---

Cleaning or  
Rinse Water

---

Cooling Water

---

Cooling Tower

---

Other

---

Comments on Wastewater Discharge:

---



---

2. Are there any major batch discharges from your operation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, give number per month: \_\_\_\_\_

3. The following substances have been identified as being harmful or toxic and are regulated by the Sewer Rules and Regulations. Indicate which substances are present in the proposed waste discharge and in what concentrations. Sampling and analysis shall be in accordance with procedures established by the U.S. EPA and should be certified by a qualified chemist.

| <u>Substance</u>           | <u>Average Daily Concentration (mg/l)</u> | <u>Average Daily Loading (Pounds/day)</u> | <u>Maximum Daily Concentration (mg/l)</u> |
|----------------------------|---|---|---|
| Arsenic                    | _____                                     | _____                                     | _____                                     |
| Barium                     | _____                                     | _____                                     | _____                                     |
| Cadmium                    | _____                                     | _____                                     | _____                                     |
| Chromium (Total)           | _____                                     | _____                                     | _____                                     |
| Chromium+6                 | _____                                     | _____                                     | _____                                     |
| Copper                     | _____                                     | _____                                     | _____                                     |
| Iron                       | _____                                     | _____                                     | _____                                     |
| Lead                       | _____                                     | _____                                     | _____                                     |
| Mercury                    | _____                                     | _____                                     | _____                                     |
| Nickel                     | _____                                     | _____                                     | _____                                     |
| Phenols                    | _____                                     | _____                                     | _____                                     |
| Selenium                   | _____                                     | _____                                     | _____                                     |
| Silver                     | _____                                     | _____                                     | _____                                     |
| Chloride                   | _____                                     | _____                                     | _____                                     |
| Other Priority Pollutants* | _____                                     | _____                                     | _____                                     |
|                            | _____                                     | _____                                     | _____                                     |
|                            | _____                                     | _____                                     | _____                                     |
|                            | _____                                     | _____                                     | _____                                     |
|                            | _____                                     | _____                                     | _____                                     |

\*Refer to Appendix A and list priority pollutants discharged and their concentrations and loadings.

4. The following substances may be compatible with the treatment process. The wastewater discharge must be sampled for these parameters. A representative 24-hour composite sample shall be the standard.

| <u>Daily</u>                    | <u>Average Daily Concentration (mg/l)</u> | <u>Average Daily Loading (Pounds/Day)</u> | <u>Maximum Concentration (mg/l)</u> |
|---------------------------------|---|---|-------------------------------------|
| BOD (biochemical oxygen demand) | _____                                     | _____                                     | _____                               |
| SS (suspended solids)           | _____                                     | _____                                     | _____                               |
| P (phosphorus)                  | _____                                     | _____                                     | _____                               |
| NH3 (ammonia nitrogen)          | _____                                     | _____                                     | _____                               |
| Oil and grease                  | _____                                     | _____                                     | _____                               |
| COD (chemical oxygen demand)    | _____                                     | _____                                     | _____                               |
| ph                              | _____                                     | _____                                     | _____                               |

Dissolved Oxygen \_\_\_\_\_

5. Is compliance with these Rules and Regulations being achieved for all substances listed in Sections 3 and 4?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If no, will additional operation and maintenance and/or pretreatment be required to comply?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, provide a compliance schedule in accordance with Chapter 5, Section 1 of the Sewer Use Rules and Regulations.

**D. Residuals**

Residuals include any material-liquid, sludge, slurry, ash, solid-which must be disposed of after use in or removal from an industrial activity, but not discharged to the municipality's sewer system.

- cleaning solvents which are recycled but periodically changed to provide fresh material
- machining coolants which are required but periodically changed to provide fresh material
- sludges which result from wastewater pretreatment
- unusual product
- metal shavings from a grinding operation

Describe any liquid sludge, or solid waste generated from plant operations, including pretreatment of wastewaters which are not discharged to the sanitary sewer.

|    | <u>Residual</u> | <u>Means of Disposal</u> |
|----|-----------------|--------------------------|
| 1. | _____           | _____                    |
| 2. | _____           | _____                    |
| 3. | _____           | _____                    |
| 4. | _____           | _____                    |
| 5. | _____           | _____                    |

**E. Plans**

Include with this disclosure form a copy of the general site plans. All sewers, sewer connections, inspection manholes and sampling facilities, including appurtenances by size, location, and elevation must be shown.

**F. Certification**

The information contained in this questionnaire is familiar to me and to the best of my knowledge and belief such information is true, complete and accurate.

\_\_\_\_\_  
Signature of Officer or Owner

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Qualified Engineer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date