

SEWER USE REGULATIONS

OF

THE UTILITIES BOARD
OF
THE CITY OF SYLACAUGA



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SEWER USE REGULATIONS
OF
The Utilities Board
OF
The City of Sylacauga, ALABAMA

Regulations to provide for the operation, maintenance and management of the sewerage system (wastewater collection and treatment system) (POTW) of the Utilities Board of the City of Sylacauga, Talladega county, Alabama and to regulate and control discharge of wastewaters into the sewerage system of the Utilities Board of the City of Sylacauga, Alabama.

The Utilities Board of the City of Sylacauga, Alabama does hereby adopt the following sewer use regulations.

SECTION 1 GENERAL PROVISIONS

Section 1.01

These Regulations are adopted for the purposes of regulating and controlling the discharge of wastewaters into the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama to set forth uniform requirements for Users of the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama and to enable the Utilities Board Of The City of Sylacauga, Alabama to comply with all applicable State and Federal laws required by the Clean Water Act of 1977(P.L. 95—217) as amended, the General Pretreatment Regulations (40 'CFR Part 403) and the Alabama Water Pollution Control Act (Code of Alabama 1975, Section 22-22-1 et seq.). These Regulations provide for the regulation of Users of the Sewerage System through the execution of contracts with certain non-domestic Users and through enforcement of general requirements for all Users, authorize monitoring and enforcement activities, require User reporting, assure that existing customers' capacities will not be preempted and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein. These Regulations shall apply to all persons who are Users of the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama. Except as otherwise provided herein, the Utilities Board of the City of Sylacauga, Alabama shall administer, implement and enforce the provisions of these Regulations. The objectives of these Regulations are:

1.01.01

To prevent the introduction of pollutants into the Sewerage System which will interfere with the operation of the Sewerage System or contaminate the resulting sludge.

1.01.02

To prevent the introduction of pollutants into the Sewerage System which will pass through the Sewerage System, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the operation of the Sewerage System.

1.01.03

To improve the opportunity to recycle and reclaim waste-waters and sludges from the Wastewater Treatment Plants.

1.01.04

To provide for equitable distribution of the costs attributable to the construction, operation and maintenance of the Sewerage System.

1.01.05

To define areas of responsibility and procedures for joint management of the Alabama Industrial Wastewater Pretreatment Program as it applies to the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama by the Alabama Department of Environmental Management and the Utilities Board of the City of Sylacauga, Alabama.

Section 1.02

The following abbreviations shall have the designated meanings:

1.02.01	ADEM	Alabama Dept of Environmental Management
1.02.02	BOD	Biochemical Oxygen Demand
1.02.03	CFR	Code Of Federal Regulations
1.02.04	COD-	Chemical Oxygen Demand
1.02.05	EPA-	U.S. Environmental Protection Agency
1.02.06	L-	Liter
1.02.07	mg-	Milligrams
1.02.08	mg/l-.....	Milligrams per Liter
1.02.09	NPDES	National Pollutant Discharge Elimination System
1.02.10	O&M	Operation and Maintenance
1.02.11	OSHA	Occupational Safety and Health Administration
1.02.12	P.L	Public Law
1.02.13	POTW.....	Publicly Owned Treatment Works
1.02.14	SWDA.....	(The) Solid Waste Disposal Act
1.02.15	SIU.....	Significant Industrial User
1.02.16	SID Permit	State Indirect Discharge Permit
1.02.17	SS	Suspended Solids
1.02.18	USC.....	United States Code

Section 1.03

The following words, terms and phrases, wherever used in these Regulations, shall have the meanings respectively ascribed to them in this Section unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended.

1.03.01

Accidental Discharge Any release, of wastewater which, for any reason, fails to comply with any prohibition or limitation in these Regulations.

1.03.02

Act or "the Act" The Federal Water Pollution Control Act, (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L.95-217) and as further amended, including, without limitation, any amendment enacted after the date of adoption of these Regulations (33 USC Paragraph 1251 et.seq.).

1.03.03

Approval Authority The Director of the Alabama Department of Environmental Management (ADEM).

1.03.04

Authorized Representative of Industrial User An authorized representative of an Industrial User shall be:

1.03.04.01

A principal executive officer of at least the level of vice-president if the Industrial User is a corporation.

1.03.04.02

A general partner, manager, or proprietor if the Industrial User is a partnership limited liability company, or proprietorship, respectively.

1.03.04.03

A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

1.03.05

Biochemical Oxygen Demand or BOD The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20° C (68° F) expressed in terms of weight and volume (milligrams per liter).

1.03.06

Board - The Utilities Board of the City of Sylacauga, Alabama.

1.03.07

Building Sewer or House Connection - The connecting pipe from a building to the sanitary sewer.

1.03.08

Categorical Standard National - Categorical Pretreatment Standard or Pretreatment Standard.

1.03.09

City - The City of Sylacauga, Alabama.

1.03.10

Color - Considered to be the true color of the light transmitted by a waste solution after removing suspended material including pseudocolloidal particles.

1.03.11

Combined Sewer - A sewer receiving both surface runoff and wastewater. Combined sewers are not permitted by ADEM policy.

1.03.12

Constituents -The specific compounds and components, which comprise the wastewater.

1.03.13

Control Authority - The approval authority defined hereinabove. The term Control Authority shall also apply to the Utilities Board of the City of Sylacauga, Alabama as defined hereinafter as per Memorandum of Agreement between the Alabama Department of Environmental Management and the Utilities Board of the City of Sylacauga, Alabama.

1.03.14

Cooling Water -The water discharged from any use such as air conditioning, cooling or

refrigeration, or to which the only pollutant added is heat.

1.03.15

Direct Discharge - The discharge of treated or untreated wastewater directly to the waters of the State of Alabama.

1.03.16

Domestic Wastewater - All liquid and waterborne pollutants, exclusive of unpolluted water as defined in Section 1.03.60, or wastewater or wastes from processes or operations of Industrial Users as defined in Section 1.03.22.

1.03.17

Environmental Protection Agency or EPA - The U. S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said Agency.

1.03.18

Flammable - Shall be as defined in Section 5.03.01.

1.03.19

Grab Sample - A sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

1.03.20

Holding Tank Waste - Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, vacuum-pump tank trucks and septic tank haulers.

1.03.21

Indirect Discharge - The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act into the Sewerage System (including holding tank waste discharged into the Sewerage System).

1.03.22

Industrial User - Any User of the Sewerage System who is a source of Indirect Discharge, which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act. (A user who discharges Industrial Waste into the Sewerage System.)

1.03.23

Industrial Waste - The liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of natural resources.

1.03.24

Infiltration - The water entering sewers and building sewer connections from the soil through defective joints, broken or cracked pipe, improper connections, manhole walls, etc. infiltration does not include, and is distinguished from inflow.

1.03.25

Inflow - The water discharged into sewer lines from such sources as roof leaders, cellar and yard area drains, foundation drains, commercial and industrial discharges of Unpolluted Wastewater as defined in Section 1.03:60, drains from springs and swampy areas, etc. It does not include and is distinguished from infiltration.

1.03.26

Interference - The inhibition or disruption of the wastewater treatment processes or

operations, or acts or discharges which may cause damage to any portion of the Sewerage System and/or which contribute to a violation of any requirement of the Sylacauga NPDES Permits. The term includes interference with sewage sludge use or disposal in accordance with Section 405 of the Act or any criteria, guidelines or regulations developed pursuant to the SWDA (P.L. 89-272 as Amended), the Clean Air Act, (P.L. 91-604 as Amended) or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of the SWDA) applicable to the method of disposal or use employed by the Sewerage System.

1.03.27

Manager - The chief administrative officer of the Utilities Board of the City of Sylacauga, Alabama who is charged with administrative control of all operations of the Board and is responsible directly to the Board. As used herein, it may also include any other Board employee delegated to act for the Board by the Manager or by the Board.

1.03.28

National Categorical Pretreatment Standard, Categorical Pre-treatment Standard or Pretreatment Standard - Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act which apply to a specific category of Industrial Users.

1.03.29

National Pollutant Discharge Elimination System or NPDES Permit - A permit to discharge wastewater issued pursuant to Section 402 of the Act.

1.03.30

New Source - Any source, the construction of which is commenced after the adoption of these Regulations or the publication of proposed regulations prescribing a Section 307(c) Categorical Pretreatment Standard which will be applicable to such source, if such Standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the Standard is promulgated later than 120 days after proposal, a New Source means any source, the construction, of which is commenced after the date of promulgation of the Standard.

1.03.31

Normal Waste - A waste having average concentrations of 300 milligrams per liter of BOD, or less, and 300 milligrams per liter of suspended solids, or less, as determined by samples taken before entering the Sewerage System.

1.03.32

Person - Any individual, firm company, association, corporation, governmental agency, board, commission or municipal corporation other than the Utilities' Board of the City of Sylacauga, Alabama.

1.03.33

pH - The logarithm of the reciprocal of the concentration of hydrogen ions in moles per liter of solution. Stabilized pH is that determined after a sample of waste has been subjected to natural aeration.

1.03.34

Pollution - The man-made or man-induced alteration of the chemical, physical, biological and/or radiological integrity of water.

1.03.35

Pollutant - Any solid waste, chemical waste, biological material, radioactive material,

thermal waste or industrial, municipal or agricultural waste discharged into water.

1.03.36

Pretreatment - The reduction of the amounts of pollutants, the elimination of pollutants, the alteration of the nature of pollutants, the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharging or otherwise introducing such pollutants into the Sewerage System. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 CFR Section 403.6(d).

1.03.37

Pretreatment Requirement - Any substantive or procedural requirement related to pretreatment, other than a National Categorical Pretreatment Standard, imposed on an Industrial User.

1.03.38

Private Wastewater Disposal System - Any facilities for wastewater treatment and disposal not maintained and operated by the Utilities Board of the City of Sylacauga, Alabama.

1.03.39

Properly Shredded Garbage - The organic wastes resulting from the preparation, cooking and dispensing of foods that have been shredded to such degree that all particles will be carried freely under flow conditions normally prevailing in public sewers with no particle being greater than ½ inch in any dimension.

1.03.40

Public Sewer - A sewer in which all owners of abutting properties shall have equal rights and which is controlled by a governmental agency or public utility.

1.03.41

Publicly Owned Treatment Works or POTW - Treatment works as defined by Section 212 of the Act which are owned in this instance by the Utilities Board of the City of Sylacauga, Alabama. This definition includes the Wastewater Treatment Plants and any sewers that convey wastewater to the Waste-water Treatment Plants (Sewerage System).

1.03.42

Receiving Stream - That body of water, stream or watercourse receiving the discharge from a Wastewater Treatment Plant or that body of water, stream or watercourse formed by the effluent from a Wastewater Treatment Plant.

1.03.43

Sanitary Sewage - Sewage excluding process wastes from Industrial Users.

1.03.44

Sanitary Sewer A Public Sewer controlled by a governmental agency or public utility that carries liquid and waterborne wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground and surface waters that are not intentionally admitted.

1.03.45

Sewage - A combination of waterborne wastes from residences and Industrial Users (Wastewater).

1.03.46

Sewer - A pipe or conduit for carrying wastewater.

1.03.47

Sewerage System - All facilities for collecting, pumping, treating and disposing of wastewater (POTW).

1.03.48

Shall - "Shall" is mandatory; "may" is permissible.

1.03.49

Significant Industrial User or SIU - Any Industrial User of the Sylacauga Sewerage System who:

1.03.49.01

Has a discharge flow of 25,000 gallons or more per average workday.

1.03.49.02

Has a discharge, which is greater than five percent (5%) of the hydraulic flow or organic design capacity of the Sewerage System serving the Industrial User.

1.03.49.03

Has a discharge, which contains toxic pollutants or Priority Pollutants as defined pursuant to Section 307 of the Act or Alabama Statutes and Rules and Regulations.

1.03.49.04

Is found by the Utilities Board of The City of Sylacauga, Alabama, the Approval Authority or EPA to have significant impact, either singly or in combination with other contributing industries, on the Sewerage System, the quality of sludge, the System's effluent quality or air emissions generated by the Sewerage System.

1.03.50

Slug - Any discharge of water or wastewater for any duration during which the rate of flow or concentration of any constituent increases to such magnitude so as to adversely affect the operation of the Sewerage System or the ability of the Board's Wastewater Treatment Plants to meet applicable water quality objectives.

1.03.51

Standard Industrial Classification or SIC - A classification of an industry based on its product or service pursuant to the Standard Industrial Classification Manual, 1972, Office of Management and Budget of the Federal Government, as amended.

1.03.52

Standard Methods - The analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association or "EPA Methods for Chemical Analysis of Water and Wastes" as per 40 CFR Part 136 and amendments thereto.

1.03.53

State - State of Alabama.

1.03.54

Storm Sewer or Storm Drain - A sewer which carries storm and surface waters and drainage but which excludes sanitary sewage and polluted industrial wastes.

1.03.55

Storm Water - Any flow occurring during or following any form of natural precipitation and resulting there from.

1.03.56

Strength of Waste - The concentration of pollutants or substances contained in a liquid waste.

1.03.57

Suspended Solids - The total solid matter that either floats on the surface of or is suspended in water or liquid waste and which is removable by laboratory filtration.

1.03.58

Toxic Pollutant - Any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by EPA under provisions of Section 307(a) of the Act or by the State of Alabama.

1.03.59

Twenty-Four Hour, Flow Proportional Composite Sample or Composite Sample - A sample consisting of at least eight (8) portions collected during a twenty-four hour period or the total period of waste flow if less than twenty-four hours and in which the sample portions are collected proportionate to the flow and then proportionately combined into a single sample. Alternate sampling requirements may be established in a User's SID Permit and/or by the Control Authority.

1.03.60

Unpolluted Wastewater - Any wastewater, which is substantially free of pollutants and is discharged from the following:

1.03.60.01

Rain downspouts and drains

1.03.60.02

Footing Drains

1.03.60.03

Storm and surface water drains

1.03.60.04

Cooling water systems unpolluted wastewater shall contain, by definition, none of the following:

1.03.60.05

BOD in excess of 10mg/l

1.03.60.06

Suspended solids in excess of 10 mg/l

1.03.60.07

Free or emulsified grease or oils

1.03.60.08

Acid or alkalines

1.03.60.09

Phenols or other substances imparting taste or odor to receiving waters

1.03.60.10

Toxic or poisonous substances.

1.03.60.11

Noxious or odorous gases.

1.03.60.12

Any wastewater with a temperature which exceeds 60°C (140°F) at its introduction into a Storm Sewer or which exceeds 40°C (104°F) at its introduction into a receiving stream.

1.03.61

User - Any person, who contributes, causes or permits the contribution of wastewater into the sewage system.

1.03.62

Utilities Board or Board – The Utilities Board City of Sylacauga, Alabama or, where appropriate, the term may also be used as a designation for the Manager or other duly authorized official of the Board.

1.03.63

Wastewater - Sewage.

1.03.64

Wastewater Treatment Plant(s) - The facilities of the Utilities Board of the City of Sylacauga, Alabama for treating and disposing of wastewater.

1.03.65

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

1.03.66

Waters of the State - All bodies or accumulations of water, surface or underground, within the boundaries of the State of Alabama.

Section 1.04

Definitions include both the singular and the plural and all pronouns include both the singular and the plural and cover all genders.

SECTION 2 USE OF PUBLIC SEWERS REQUIRED**Section 2.01**

In accordance with provisions of Ordinance No. 1631 of the City, it shall be unlawful for any person to discharge to any outlet other than a sanitary sewer, within the Corporate Limits of the City, any domestic or industrial wastes except where suitable treatment has been provided in accordance with subsequent provisions of these Regulations and where an appropriate NPDES Permit has been obtained from ADEM pursuant to Section 402 of the Act.

Section 2.02

The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located directly adjacent to said property a public sanitary sewer of the Board with available capacity that discharges to any of the Sylacauga Wastewater Treatment Plants, who has installed suitable toilet and other facilities therein necessary for the discharge of domestic and/or industrial wastes, is hereby required at the owner(s) expense to connect such facilities directly with the proper public sanitary sewer in accordance with provisions of Ordinance No. 1631 of the City and Section 4 of these Regulations except where a private wastewater disposal system complying with the requirements of the State, Talladega County and/or the City has been installed prior to the adoption of Ordinance No. 1631, or in the case of a Significant Industrial User to whom the Board has declined to extend service because the Board reasonably believes that the Significant Industrial User's discharge will interfere with the operation of the Board's wastewater facility or facilities, the Board's facility's or facilities' ability to meet NPDES requirements, or may directly or indirectly cause degradation of the receiving stream^[wca1].

SECTION 3 PRIVATE WASTEWATER DISPOSAL**Section 3.01**

Where a public sanitary sewer is not available under the provisions of Section 2.02, such toilet and other facilities necessary for the discharge of domestic and/or industrial wastes shall be connected to a private wastewater disposal system complying with the requirements of the State, Talladega County and/or the City.

Section 3.02

Holding tank wastes and septic tank wastes from private systems shall be discharged into the Sewerage System only under the following conditions:

3.02.01

No person owning vacuum-pump or septic tank trucks or other liquid waste transport trucks shall discharge directly or indirectly such wastewater into the Sewerage System unless such person shall first have applied for and received a Wastewater Haulers Discharge Permit from the Board. All applicants for Wastewater Haulers Discharge Permits shall complete such forms as required by the Board, pay appropriate fees and agree in writing to abide by the provisions of this Section and any special conditions or regulations established by the Board. The owners of such vehicles shall affix and display a permit on the side of each vehicle used for such purposes. Such permits shall be valid for a maximum period of one (1) year from date of issuance, provided that such permit shall be subject to revocation by the Board for violation of any provision of this Section or reasonable regulation established by the Board. Such permits shall be limited to the discharge of Sanitary Sewage containing no industrial waste. Pumpage from commercial grease traps is specifically prohibited from discharge into the Sewerage System. The Board shall designate the locations and times where such trucks may be discharged and may refuse to accept any truckload of waste at their absolute discretion where it appears that the waste could interfere with the effective operation of the Sewerage System.

3.02.02

No person shall discharge any other holding tank waste including industrial process wastes into the Sewerage System unless he shall have applied for and have been issued a permit by the Board. Unless otherwise allowed under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. The permit shall state the specific location of discharge, the time of day the discharge is to occur, the volume of the

discharge and shall limit the wastewater constituents and characteristics of the discharge. Such User shall pay any applicable charges or fees therefore and shall comply with the conditions of the permit issued by the Board.

3.02.03

No person shall operate a dumping station for the discharge of sanitary sewage from recreation vehicles into the Sewerage System unless the User of the dumping station has first applied for and received a Recreational Vehicle Dumping Station Permit from the Board. All applicants for Recreational Vehicle Dumping Station Permits shall complete such forms as required by the Board, pay appropriate fees and agree in writing to abide by the provisions of this Section and any special conditions or regulations established by the Board. These permits shall be issued only for approved facilities designed to receive Sanitary Sewage.

Section 3.03

No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by Federal or State agencies.

SECTION 4 BUILDING SEWERS, CONNECTIONS AND PERMITS

Section 4.01

No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Board.

Section 4.02

Sewer permits shall be divided into two classes, as follows:

4.02.01

Building Sewer Permits for residential, commercial, industrial or public facilities.

4.02.02

State Indirect Discharge (SID) Permits for Significant Industrial Users as defined in Section 1.03.49.

Section 4.03

Building Sewer Permits for all connections shall be obtained under these Regulations and in accordance with the requirements promulgated by the Board.

Section 4.04

In addition to the requirements of Section 4.03, any person who, after the effective date of these Regulations, proposes to originate the discharge of any industrial waste for the first time into the Sewerage System or who proposes to make a significant change in the character or volume of any industrial waste theretofore discharged into the Sewerage System, shall make application to ADEM through the Board for an SID Permit and obtain a permit prior to connecting to the Sewerage System or making a significant change in his contribution thereto. The applications shall be supplemented by any information, which may have been furnished by the applicant to any other governmental agency and by such other plans or other data as the Board may reasonably require for purposes of determining whether the qualifications are met as specified in Section 4.09.

Section 4.05

A significant change in the character or volume of an industrial waste, for purposes of Section 4.04, shall be deemed to be proposed if substances, compounds and elements not previously

constituting any part of a User's industrial waste are to be introduced into such waste or if the average concentration of any substance, compound or element in the waste or average volume proposed to be discharged will cause a violation of any permit limitation. In case of doubt as to whether an intended change constitutes a significant change, it shall be the responsibility of the User intending to make such a change to make the necessary application or obtain a written ruling from the Board and ADEM that an application for an SID Permit is not required.

Section 4.06

Any User who, on the effective date of these Regulations, is operating within the City and is a SIU within the meaning of Section 1.03.49 from which industrial waste is discharged into the Sewerage System (hereafter called "an existing Significant Industrial User") may continue such discharge until notified by the Board in writing that an SID Permit will be required and until an application has been submitted to and denied by the Board and ADEM in accordance with the following provisions:

4.06.01

The Board, after consultation with ADEM shall issue written notices to existing Significant Industrial Users (in such time sequence as it may determine in the light of the staff resources available to him for the processing of SID Permit applications) specifying in each such notice the time within which an existing Significant Industrial User shall file application for an SID Permit.

4.06.02

Within the specified time limit, the existing SIU shall file the required application together with any other information, as described in Section 4.04.

4.06.03

An existing SIU may continue to discharge, after complying with the requirement to file an application for an SID Permit, unless and until receipt by the applicant of a written notice specifying the reasons for denial of an SID Permit and specifying what remedial action, if any, must be taken to qualify the applicant for a Permit.

Section 4.07

Any User subject to a new National Categorical Pretreatment Standard shall apply for a new SID Permit within one hundred eighty (180) days after the promulgation of the applicable National Categorical Pretreatment Standard. Unless denied for any reason, SID Permits of Users subject to such Standards shall be issued or reissued in compliance with such Standards within the time frames prescribed by such Standards.

Section 4.08

In any case, where a final determination has been made denying an SID Permit it shall be unlawful for any person so denied an SID Permit to discharge industrial waste into the Sewerage System.

Section 4.09

An SID Permit will be issued or renewed by ADEM only when satisfactory information has been submitted to indicate that:

4.09.01

Sewerage System capacity is available for receiving the discharge of industrial waste at the proposed point of discharge.

4.09.02

The waste being discharged or proposed to be discharged is amenable to treatment by the processes employed in the Wastewater Treatment Plant receiving said wastewater and will not impair the ability of the City to comply with water quality standards or effluent standards established by the State or by Federal regulatory agencies.

4.09.03

The waste being discharged or proposed to be discharged will not cause damage to the Sewerage System including the waste water treatment facilities, will not constitute a hazard to humans or animals and will not be capable of creating a public nuisance.

4.09.04

The concentrations of substances, compounds and elements in the waste being discharged or proposed to be discharged do not exceed limits established by the Board, State or Federal authorities.

4.09.05

Where the wastewater contains or may contain any substances, compounds or elements controlled or limited by these Regulations, an adequate program of self-monitoring of flow and wastewater characteristics will be established and maintained by the industry affected by these Regulations to assure that the discharge meets the requirements of these Regulations and any SID Permit conditions.

4.09.06

The SIU agrees to execute with the Board a "Contract for Discharge and Use of the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama."

Section 4.10

An SID Permit shall include all appropriate requirements of these Regulations and all other applicable regulations established by the Board and ADEM. SID Permits may contain the following:

4.10.01

Limits on the average and maximum wastewater constituents and characteristics. The Board or ADEM may impose mass limitations on Users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass limitations are appropriate.

4.10.02

Limits on average and maximum rates and time of discharge or requirements for flow regulations and equalization.

4.10.03

Requirements for installation and maintenance of inspection and or sampling facilities.

4.10.04

Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedules, and sharing of samples with the Board.

4.10.05

Compliance schedules.

4.10.06

Requirements for submission of technical reports or discharge reports as per Section 10.

4.10.07

Requirements for maintaining and retaining plant records relating to wastewater discharges as specified by the Board and ADEM and affording the Board and ADEM access thereto.

4.10.08

Requirements for notification of the Board and ADEM of any new introduction of wastewater constituents or any substantial changes in the volume or character of the waste-water constituents being introduced into the Sewerage System.

4.10.09

Limitations on, or requirements for notification of, Slug discharges as per Sections 7 and 8.

4.10.10

Other conditions as deemed appropriate by the Board or ADEM to insure compliance with the requirements and purposes of these Regulations.

Section 4.11

An SID Permit shall be issued for a specified time period, not to exceed five (5) years. The User shall apply for SID Permit reissuance a minimum of ninety (90) days prior to the expiration of the User's existing SID Permit. The Board reserves the right to recommend to ADEM changes in the SID Permit at any time as limitations or requirements as identified in Section 5 are modified or other just cause exists. The terms and conditions of the SID Permit may be subject to modification by ADEM during the term of the SID Permit as limitations or requirements as identified in Section 5 are modified or other just cause exists. The User shall be informed of any proposed changes in his SID Permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the SID Permit shall include a reasonable time schedule for compliance.

Section 4.12

An SID Permit is issued to a specified User for a specific operation. An SID Permit shall not be reassigned or transferred or sold to a new owner, new User, different premises or a new or exchanged operation without prior submission of applicable revisions to the application for the existing SID Permit and without the recommendation of the Board and approval by ADEM. Any succeeding owner or User shall also comply with the terms and conditions of the existing SID Permit.

Section 4.13

All building sewer installations shall be in accordance with provisions of Ordinance No. 1631 of the City.

Section 4.14

All construction activities shall conform to all applicable OSHA regulations.

SECTION 5 EXCLUDED WASTES**Section 5.01**

No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the Sewerage System. These general prohibitions apply to all such Users of the Sewerage System whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

Section 5.02

No User shall discharge or deposit any of the following materials, waste materials, wastes, gases or liquids into any sewer forming part of the Sewerage System except where these may constitute

occasional, intermittent inclusions in the wastewaters discharged from residential premises:

5.02.01

Any wastewater having a temperature which will inhibit biological activity in the Wastewater Treatment Plant receiving said wastewater or resulting in other interference with the treatment processes but, in no case, wastewater with a temperature which exceeds 60°C (140°F) at its introduction into the Sewerage System or which exceeds 40°C (104°F) at its introduction into the Wastewater Treatment Plant receiving said wastewater.

5.02.02

Any water or waste containing more than 100 mg/l of fat, oil, or grease or other substances that will solidify or become viscous at temperatures between 0°C (32°F) and 60°C (140°F).

5.02.03

Wastewater from Industrial Users containing floatable oils, fat or grease.

5.02.04

Any garbage that has not been properly shredded so that no particles are any greater than one-half inch (½") in any dimension.

5.02.05

Any waste capable of causing 'abnormal corrosion, abnormal deterioration, damage to or creating a hazard to structures, equipment or personnel of the Sewerage System or interfering with proper operation of the City's Wastewater Treatment Plants. All wastes discharged to the Sewerage System must have a pH value in the range of 6 to 10 standard units. Prohibited materials include but are not limited to concentrated acids or alkalies and high concentrations of compounds of sulfur, chlorine and fluorine and substances which may react with water to form strongly acidic or basic products.

5.02.06

Any waters or wastes having a color which is not removable by the existing wastewater treatment processes and which causes the effluent from the Wastewater Treatment Plant receiving said wastewater to exceed color requirements for discharge to the receiving waters.

Section 5.03

No User shall discharge or deposit any of the following materials, waste materials, waste gases or liquids into any sewer forming a part of the Sewerage System:

5.03.01

Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion ("Flammable") or be injurious in any other way to the Sewerage System or to the operation of the System. At no time shall two successive readings (15 to 30 minutes between readings) on an explosion hazard meter¹ at the point of discharge into the Sewerage System be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials covered by this Section include, but are not limited to, gasoline, kerosene, naphtha, benzene, 'fuel oil, motor oil, mineral spirits, commercial solvents, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides and hydrides.

5.03.02

Any other solid or viscous substance in quantity or character capable of causing obstruction to flow in sewers or interference with proper operation of wastewater treatment facilities such as, but not limited to, eggshells from egg processors, ashes, cinders, ceramic wastes,

sand, mud, straw, shavings, thread, glass, rags, metal, feathers, bones, tar, plastics, wood, paunch manure, insulation materials, fibers of any kind, stock or poultry feeds, processed grains, viscera or other fleshy particles from processing or packing plants or lime or similar sludges.

5.03.03

Any noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.

5.03.04

Any substance which may cause Wastewater Treatment Plant effluent or any other product of the Sewerage System such as residue, sludge or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the Sewerage System cause the system to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed by local, State or Federal authorities.

5.03.05

Any substance, which will or has reasonable potential to cause the Sewerage System to violate its NPDES or causes degradation to the receiving stream.

5.03.06

Any water or wastes which, by interaction with other waters or wastes in the Sewerage System, release obnoxious gases, form suspended solids which interfere with Sewerage System or create a condition deleterious to structures and treatment processes.

5.03.07

Any form of Inflow as defined by Section 1.03.25 including storm drainage and uncontaminated thermal process water.

5.03.08

Infiltration as defined by Section 1.03.24 in excess of two hundred (200) gallons per inch of pipe diameter per mile of pipe per day.

5.03.09

Any unpolluted wastewater, as defined in Section 1.03.60.

5.03.10

Wastewater which alone or in conjunction with other sources may cause or have reasonable potential to cause the POTW's effluent to fail a toxicity test.

5.03.11

Any wastewater containing radioactive wastes or isotopes except in compliance with applicable Federal, State, and local laws and regulations and as specifically authorized by the Board.

5.03.12

Any wastewater generated from offsite facilities other than described in section 3.02 of this document.

5.03.13

Wastewater discharged from centralized wastewater facilities.

Section 5.04

No User shall discharge into any sewer forming part of the Sewerage System any of the following materials in concentrations exceeding the stated limits:

5.04.01

Any water or wastes that contain more than ten (10) mg/i of hydrogen sulphide, sulphur dioxide or nitrous oxide.

5.04.02

Any toxic or poisonous substance or any other materials in sufficient quantity to injure or interfere with the wastewater treatment processes, or to constitute a hazard to humans or animals or to cause a violation of the water quality standards or effluent standards for the stream or watercourse receiving the effluent from the Wastewater Treatment Plant receiving said wastewater or to exceed limitations set forth in Categorical Pretreatment Standards.

5.04.03

Any waters containing suspended solids of such character and quantity that unusual provisions, attention or expense is required to handle such materials at the Wastewater Treatment Plant receiving said wastewater.

5.04.04

Any waters containing quantities of radium or naturally occurring or artificially produced radioisotopes in excess of presently existing or subsequently accepted limits for drinking water' as established by current drinking water regulations promulgated by EPA.

5.04.05

No person shall discharge wastewater containing in excess of fixed upper limits for constituents (Milligrams per Liter)

	Maximum Instantaneous Concentration mg/l (Grab Sample)	Maximum Daily Average (24 Hour Flow Proportional (Composite Sample) mg/l)
Aluminum (Dissolved)	50.0	25.0
Arsenic	0.5	.1
Cadmium	0.2	0.1
Chromium, Hexavalent	0.2	0.1
Chromium, Total	2.5	1.0
Cobalt	1.6	0.8
Copper	2.0	1.0
Cyanide	1.0	0.5
Iron	20.0	10.0
Lead	0.2	0.1
Mercury	0.1	.001
Molybdenum	1.0	
Nickel	1.0	0.5
Silver	0.5	0.25
Tin	10.0	1.0
Zinc	3.6	1.8
Phosphates (Total as P)	40.0	20.0
Total Metals, As+Cd+Cr+Co+Cu+ILg+Pb+Ni+Ag+Su+Zn	10.5	5.0

5.04.06

The admission into the Sewerage System of any waters or wastes, having a BOD in excess of two hundred fifty (250) mg/l on a twenty-four (24) hour composite basis or for any single sample having a BOD in excess of five hundred (500) mg/l, will be subject to review by the Board. Where necessary in the opinion of the Board, the User shall provide and operate, at his own expense, such pretreatment as may be required to reduce the BOD to meet the above requirements.

5.04.07

The admission into the Sewerage System of any waters or wastes, having a suspended solids content in excess of two hundred fifty (250) mg/l on a twenty-four (24) hour composite basis or for any single sample having a suspended solids content greater than five hundred (500) mg/l will be subject to review by the Board. Where necessary in the opinion of the Board, the User shall provide and operate, at his own expense, such pretreatment as may be required to reduce the suspended solids content to meet the above requirements.

5.04.08

The admission into the Sewerage System of any waters or wastes, having a Chemical Oxygen Demand (COD) content in excess of five hundred (500) mg/l on a twenty-four (24) hour composite basis or for any single sample having a COD content greater than One thousand (1000) mg/l will be subject to review by the Board. Where necessary in the opinion of the Board, the User shall provide and operate, at his own expense, such pretreatment as may be required to reduce the COD content to meet the above requirements.

5.04.09

The admission, into the Sewerage System of any waters or wastes in volumes or with constituents such that existing dilution conditions in the sewers or at the Wastewater Treatment Plant receiving said wastewater would be affected to the detriment of the Sewerage System, shall be subject to review and approval of the Board. Where necessary in the opinion of the Board, pretreatment or equalizing units may be required to bring constituents or volumes of flow within the limits previously prescribed or to an otherwise acceptable level and to hold or equalize flows such that no peak flow conditions may hamper the operation of any unit of the Sewerage System. Said equalization or holding unit shall have a capacity suitable to serve its intended purpose and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.

5.04.10

Upon the promulgation of the National Categorical Pretreatment Standards for a particular industrial subcategory, the Categorical Standard, if more stringent than limitations imposed under these Regulations for sources in that subcategory, shall immediately supersede the limitations imposed under these Regulations. All affected Users shall notify the Board of the applicable reporting requirements under 40CFR, Section 403.12.

5.04.11

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

5.04.12

The Board reserves the right to establish additional regulations containing more stringent limitations or requirements on discharges to the Sewerage System if deemed necessary.

5.04.13

If the Board determines that a User is contributing to the Board's wastewater facilities, any substances in such amounts as to interfere with the operation of the Board's Wastewater facilities the Board may implement any or all of the following:

5.04.13.01

Advise the User(s) of the impact of the contribution on the Board's wastewater treatment facilities.

5.04.13.02

Develop effluent limitation(s) for such User to correct the interferences with the Board's wastewater facilities

5.04.13.03

The Board may suspend or terminate any discharge which may interfere with the operations of the Board's facility or facilities or the Board's wastewater facility's or facilities' ability to meet NPDES requirements, or may directly or indirectly cause degradation to the receiving stream.

5.04.13.04

Impose surcharges to defray additional treatment costs, discourage continued excursions and encourage acceptable pretreatment practices. See Appendix A - Sewer Use Surcharges

SECTION 6 SAND AND OIL/GREASE INTERCEPTORS**Section 6.01**

All Users involved in the preparation of food for commercial purposes shall provide at their own expense oil/grease interceptors or traps. Grease traps shall be designed as appropriate for the size of the facility as specified in international plumbing code. Additionally, any User who generates a wastewater which contains greater than the quantity of oil and grease specified under Section 5.02.02 and provided that the excess oil and grease is floatable and can be effectively removed in an oil/grease interceptor or trap, then said User will be required to install a grease/oil interceptor.

Section 6.02

All Users whose wastewater stream is associated with unusually large quantities of grit, sand or gravel shall be required to install a sand trap. All car/truck wash systems shall be required to install a sand trap.

Section 6.03

All grease, oil and sand interceptors or traps shall be maintained by the User at their expense, in continuously efficient operation at all times.

Section 6.04

In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material, and shall maintain records of the dates, and means of disposal which are subject to review by the Board. The frequency of removal shall be such as to ensure that no overflows of oil, grease or sand into the wastewater system ever results.

Section 6.05**Proper Disposal of Collected Materials.**

Any removal and hauling of the collected materials not performed by the owner's employees must be performed by currently licensed waste disposal firms. Under no circumstances shall the collected materials ever be returned to the wastewater system.

SECTION 7 PRETREATMENT AND ACCIDENTAL DISCHARGE**Section 7.01**

Any person, who is denied a permit to discharge industrial waste, or who is prohibited from discharging any substance as specified in these Regulations or who is required to provide pretreatment or flow equalization as a SIU under the Federal effluent limitation guidelines for the appropriate industrial category, shall have the sole responsibility to devise at his own expense the methods for eliminating the problem so as to make any waste discharge eligible for a permit or for compliance with these Regulations or the Federal guidelines. Such sole responsibility shall not be affected nor shall any responsibility be assumed by the Board, notwithstanding that the Board may render any assistance to any person in overcoming such a problem by offering advice or suggestions. Additionally:

7.01.01

Where pretreatment or equalization of industrial wastewater flows prior to discharge into any part of the Sewerage System are required; plans, specifications and other pertinent data or information relating to such pretreatment or flow control facilities shall first be submitted to the Board and ADEM for review and approval in accordance with Section 4. Satisfactory evidence must be included that the method of disposal of pretreatment sludges has the approval of the appropriate State and/or local solid waste program agency. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alteration or addition to such pretreatment or flow control facilities shall not be made without due notice to and prior approval by the Board and ADEM.

7.01.02

If pretreatment or control of flows is required, such facilities shall be constructed, maintained in good working order and properly operated as efficiently as possible by the User at his own cost and expense, subject to the requirements of these Regulations and all other applicable codes, ordinances and laws.

Section 7.02

In the event of an Accidental Discharge as defined in Section 1.03.01:

7.02.01

Each Industrial User shall provide protection from Accidental Discharge of prohibited materials or other wastes regulated by these Regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Board and ADEM upon request for review and approval. Review and approval of such plans and operating procedures do not relieve the Industrial User from the responsibility to modify his facility as necessary to meet the requirements of these Regulations.

7.02.02

If, after taking action as provided in Section 7.02.01, an industrial facility - for any unforeseen reason - fails to comply with any prohibition or limitation in these Regulations, the User responsible for such noncomplying discharge shall immediately notify the Board so that any feasible corrective action may be taken to protect the treatment system or to minimize adverse effects thereon. In addition, a written report addressed to the Board and to ADEM detailing the date, time and cause of the Accidental Discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges shall be filed by the responsible industrial facility within five (5) days of the occurrence of the noncomplying discharge.

7.02.03

A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of an Accidental Discharge. Employers shall insure that all employees, who observe or who may cause or suffer such an Accidental Discharge to occur, are advised of the emergency notification procedure.

SECTION 8 FLOW AND CONCENTRATION CONTROL**Section 8.01**

No person shall discharge any wastes or wastewaters in "Slugs" as defined in Section 1.03.50.

Section 8.02

Any person, now discharging or proposing to discharge wastes which may include "Slugs" as defined in Section 1.03.50, may be required to provide facilities or adopt procedures for regulating, controlling or equalizing the concentration of any constituent and/or the rate of waste discharge.

SECTION 9 MEASUREMENT OF FLOW**Section 9.01**

The volume or quantity of industrial waste discharged by a User into the Sewerage System shall be measured by one or more of the following methods:

9.01.01

If the volume of water used by any User is substantially the same as the volume secured from the Water Department of the Utilities Board of the City of Sylacauga, Alabama, then the volume of water purchased shall be considered to be the volume of waste discharged.

9.01.02

If a substantial portion of the water secured by a User from the Water Department is not returned to the Sewerage System, the quantity of wastewater shall be determined as follows:

9.01.02.01

By a meter (or meters) on the water supply line (or lines) to his industrial and/or process operations not discharging to the Sewerage System, or

9.01.02.02

By a meter (or meters) on his waste line (or waste lines) which discharges into the Sewerage System.

9.01.02.03

If meters as required under Sections 9.01.02.01 and 9.01.02.02 above shall not have been installed, an estimate shall be made by the Board for that proportion of water purchased which is used for industrial purposes and not returned to the Sewerage System.

9.01.03

If any User - now discharging or proposing to discharge industrial waste into the Sewerage System - does not secure his entire water supply requirements from the Water Department, such User shall install and maintain a meter (or meters) on his waste line (or waste lines) which discharge into the Sewerage System or shall install such additional meters on the private water supply as required to permit determination of the total quantity discharged to the Sewerage System from both sources under procedures comparable to Sections 9.01.01 or 9.01.02 above.

Section 9.02

All sources of water supply and all discharges of wastewater into the Sewerage System must be identified in accordance with the provisions of Section 9.01. Any omission shall be considered as an unauthorized use of the Sewerage System.

SECTION 10 MONITORING FACILITIES**Section 10.01**

Any User, who is discharging or proposes to discharge industrial waste into the Sewerage System, shall provide, operate and maintain at the User's own expense monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. These monitoring facilities shall be as specified in the User's SID Permit. The monitoring facilities should normally be situated on the User's premises but the Board may, in its sole discretion, when such a location would be impractical or cause undue hardship on the User, allow the facilities to be constructed in the public street or sidewalk area and located so that they will not be obstructed by landscaping or parked vehicles.

Section 10.02

There shall be ample room in or near such monitoring facilities to allow accurate sampling and preparation of samples for analysis. The facilities shall be maintained at all times in a safe and proper operating condition at the expense of the User.

Section 10.03

When deemed necessary by the Board and/or ADEM, continuous recording and/or sampling equipment shall be installed and maintained at User expense.

Section 10.04

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with requirements of the Board, ADEM and/or all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the Board or ADEM. Additional construction time may be granted by the Board or ADEM, as the case may be, in its sole discretion, where so dictated by equipment availability.

Section 10.05

The Board and/or ADEM shall review monitoring facilities of present Users and may require additional monitoring facilities as required for compliance with Sections 10.01, 10.02 and 10.03.

Section 10.06

New Users shall provide monitoring facilities as specified in their SID Permits prior to plant start up.

SECTION 11 INSPECTIONS, MONITORING AND REPORTING**Section 11.01**

Significant Industrial Users shall submit self-monitoring data at monthly intervals to the Board and ADEM. These monthly reports will be submitted using copies of monitoring forms available from the Board as approved by ADEM and will be due by the 28th of the month following the reporting period.

Section 11.02

Facilities generating industrial wastes and/or other pollutants which are discharged into the Sewerage System shall be subject to inspection by the Board, and by ADEM. A determination of character and strength of said wastes may be made annually or more often as may be deemed necessary by the Board and/or ADEM [wca2] to ascertain whether the purposes of these Regulations are being met, all requirements are being complied with and to determine strengths of wastes for user charge computations.

Section 11.03

Within 90 days following the date for final compliance with applicable Pretreatment Standards as defined in Section 1.03.28 or, in the case of a New Source, following commencement of the introduction of wastewater into the Sewerage System; any User, subject to Pretreatment Standards or who is so required by the Board or ADEM, shall submit to the Board and ADEM a report indicating the nature and concentrations of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and/or limitations established in Section 5 of these Regulations and the average and maximum daily flows for these process units in the User's facility. The report shall state whether the applicable Pretreatment Standards and/or Regulations limitations are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards and/or Regulations limitations. This report shall be signed by an Authorized Representative of the Industrial User.

Section 11.04

Samples shall be collected manually or mechanically over such periods of time and composited in such a manner as to be representative of the wastes being discharged. The laboratory methods followed in the examination of said wastes shall be those as set forth in the latest edition of "Standard Methods", as defined in Section 1.03.52.

Section 11.05

When so requested by the Industrial User, samples collected by the Board or ADEM will be split with the Industrial User for verification of analytical results. However, determination of the character, strength or quantity of the wastes as made by the Board or ADEM shall be binding as a basis for computation of charges or for actions by the Board or ADEM.

SECTION 12 AUTHORITY FOR INSPECTION, FACILITY ACCESS AND MAINTENANCE

Section 12.01

The Manager and other duly-authorized employees of the Board and ADEM, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, flow measurement, sampling and testing of industrial wastes and other pollutants in accordance with these Regulations.

Section 12.02

The Manager and other duly authorized employees of the Board are authorized to obtain information concerning industrial processes, which have a direct bearing on the kinds and sources of discharges to the Sewerage System. As required by Federal regulations, Industrial Users must disclose information on processes; however, the Board agrees that trade secret information will not be disclosed and will be held confidential.

Section 12.03

Persons or occupants of premises where wastewater is created or discharged shall allow the Manager and other duly-authorized employees of the Board and ADEM ready access at all reasonable times to all points on the premises where wastes are discharged into sewers for the purposes of inspection, sampling, records examination or in the performance of any of their duties.

Section 12.04

The Board, their representatives and ADEM shall have the right to set up on the User's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations.

Section 12.05

Where a User has security measures in force which would require proper identification and clearance before entry into his premises, the User shall make necessary arrangements with his security guards so that, upon presentation of suitable identification, personnel from the Board, their representatives and ADEM will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

Section 12.06

Notwithstanding the foregoing, in the event that the Board reasonably believes that any discharge by User may interfere with the operation of the Board's wastewater facility or facilities or the Board's ability to meet NPDES requirements, or may directly or indirectly cause degradation to the receiving stream, the Board shall be authorized to enter the User's property and, to the extent that it shall be necessary in the Board's reasonable judgment, to take actions affecting User's facilities or equipment, including, without limitation, closing valves, shall be authorized to do so, and to interrupt or discontinue User's service. All actions or determinations of the Board resulting in interruption or discontinuance of User's service pursuant to the provisions of this section may be appealed to the board of directors of The Utilities Board of the City of Sylacauga, Alabama in the manner provided in Section 14.01.

SECTION 13 PROTECTION OF EQUIPMENT

In accordance with provisions of Ordinance No.1631 of the City, no person shall maliciously,

willfully or negligently break, damage, destroy, deface, tamper with or remove any equipment or materials which are a part of the Sewerage System or any equipment or materials used by the Board or ADEM for the purposes of making waste examinations and waste flow measurements and left upon the premises of a User discharging wastes into the Sewerage System. Only persons authorized by the Board or ADEM will be allowed to uncover, adjust, maintain and remove such equipment and materials.

SECTION 14 REVIEWING AUTHORITY AND AMENDMENT

Section 14.01

The board of directors of The Utilities Board of the City of Sylacauga, Alabama shall be the reviewing authority for all appeals of actions or administrative determinations made by the Board pursuant to the provisions of these Regulations. Notice of intent to appeal and request for a hearing shall be addressed to the Utilities Board of the City of Sylacauga, Alabama, 301 N. Elm Avenue, Sylacauga, Alabama 35150-1992, in writing and shall detail the nature of the appeal. An early date for such hearing shall be set by the board of directors and the appellant shall be promptly notified in writing. The decision of the Board after such hearing shall be final and conclusive and shall be conveyed to the persons involved in writing.

Section 14.02

The Board expressly reserves the absolute right to amend, modify, rescind or supplement these Regulations with concurrence by ADEM.

Section 14.03

The Board will adopt and modify from time to time separate Rate Schedules to supplement these Regulations.

SECTION 15 ENFORCEMENT, PENALTIES AND COSTS

Section 15.01

If wastewaters containing any substance described in Section 5 of these Regulations are discharged or accidentally discharged into the Sewerage System by a User, the Board may, in the event that the Board reasonably believes the same to be necessary or appropriate in order to preclude or stop interference with the operation of the Board's wastewater facility or facilities or the Board's ability to meet NPDES requirements, or to preclude or stop degradation to the receiving stream,, take any of the actions described in Section 12.06; issue orders in accordance with the provisions of a "Contract for Discharge into and Use of the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama" between the Board and the User; commence an action for appropriate injunctive, abatement or equitable relief in any court having jurisdiction, commence an action or proceeding for administrative relief or assistance from ADEM; or pursue any combination of the foregoing.

[wca3] Section 15.02

In any case involving a person who has failed to pay any applicable and duly adopted user charges within the time limits prescribed for such payment, procedure for enforcement shall be as follows:

15.02.01

If full payment is not received by the Board on or before the delinquent date shown on a User's bill, a Late Charge will be added to the User's next billing. The Late Charge shall be the greater of one and one-half percent (1-1/2%) of the delinquent balance or five dollars (\$5.00).

15.02.02

If full payment is not received on or before the cutoff date shown on the bill, service may be discontinued without further notice and an additional reinstatement charge of fifty dollars (\$50.00) will be added to the User's delinquent account. If the Board subsequently discontinues additional services of the User, a charge of twenty dollars (\$20.00) will be added to the User's account for each additional service discontinued by the Board. All reinstatement charges, the delinquent amount and the late charges must be paid prior to service being restored. The Board reserves the right to increase the advance payment requirement for any User whose service has been discontinued for nonpayment and the additional advance payment (if required) must be paid before service will be restored to such User.

15.02.03

A User may contact the Board Manager or Finance Director to dispute any alleged delinquency in payment or to present any error that the User believes has occurred in any billing, and the Board Manager and Finance Director each has all authority necessary to hear and resolve all such disputes or alleged errors and to make all such adjustments or to direct such other actions as may be warranted or appropriate in the circumstances.

15.02.04

The Board Manager and the Finance Director are authorized to extend the cutoff date where Users have made arrangements in advance to clear any delinquent amounts by an approved date.

15.02.05

All determinations of the Board Manager and the Finance Director relating to billing disputes or asserted billing errors may be appealed to the board of directors of the Board who shall be the reviewing authority for all appeals of determinations by the Board Manager or Finance Director of billing disputes or asserted billing errors. Notice of intent to appeal and request for a hearing shall be addressed to the Utilities Board of the City of Sylacauga, Alabama, 301 N. Elm Avenue, Sylacauga, Alabama 35150-1992, in writing and shall detail the nature of the appeal. An early date for such hearing shall be set by the board of directors and the appellant shall be promptly notified in writing. The decision of the board of directors after such hearing shall be final and conclusive and shall be conveyed to the persons involved in writing.

Section 15.03

All actions or determinations of the Board resulting in interruption or discontinuance of User's service pursuant to the provisions of Section 12.06 may be appealed to the board of directors of The Utilities Board of the City of Sylacauga, Alabama in the manner provided in Section 14.01.

Section 15.04

The Board has adopted rates, changes and fees to enable it to recover the costs from Users of the Sewerage System of the Utilities Board of the City of Sylacauga, Alabama for the implementation of the program established herein and for the construction, operation and maintenance of said System.

All rates, charges and fees shall be published in a schedule separate from these

Regulations and may be revised from time to time as the Board finds necessary and appropriate to enable it to recover the costs of construction, operation and maintenance of the system.

These fees relate solely to the matters covered by these Regulations and are separate from all other fees chargeable by the City or the Board.

SECTION 16 ASSIGNMENT OF PROGRAM RESPONSIBILITIES

Section 16.01

Implementation of these Regulations may be either a joint effort by the Board and ADEM or an independent effort by the Board under these Regulations or ADEM under its State Pretreatment Regulations.

Section 16.02

ADEM shall assume primary responsibility for implementation of actions involving Significant Industrial Users as defined in Section 1.03.49; provided, however, that nothing contained in these Regulations shall preclude the Board from declining to extend service to, or suspending or terminating any discharge from, any Significant Industrial User whose discharge the Board reasonably believes has interfered, or will interfere, with the operations of the Board's wastewater facility or facilities, the Board's facility's or facilities' ability to meet NPDES requirements, or may directly or indirectly cause degradation to the receiving stream..

Section 16.03

The Board shall assume primary responsibility for implementation of all actions other than those assigned to ADEM under Section 16.02.

SECTION 17 SEVERABILITY

If any Section, clause, provision or portion of these Regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction; such holding shall not affect any other Section, clause, provision or portion of these Regulations.

SECTION 18 CONFLICT

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

SECTION 19 EFFECTIVE DATE

These Regulations shall be in full force and effect from and after their passage and approval as provided by law.

ADOPTED AND APPROVED THIS 16TH DAY OF AUGUST, 2011
THE UTILITIES BOARD OF THE CITY OF SYLACAUGA

Chairman, Utilities Board of the
City of Sylacauga, Alabama

ATTEST: _____ (Seal) *Secretary*

Appendix A – Surcharges

Constituent	Base Allowance	24 Hr Composite Limit	Surcharge
Biochemical Oxygen Demand	Less than 250 mg/l	Greater Than 250 mg/ L	\$0.22 / Lb
Chemical Oxygen Demand	Less Than 500 Mg/l	Greater Than 500 mg/l	\$0.11 / Lb

Note:

- The pounds of contamination for surcharge calculation shall be based on the average monthly sample concentration less the base allowance concentration.
- Surcharge amount of BOD and COD shall be greater of the two; surcharge is not cumulative for these parameters.
- Total mass loading to the POTW from an individual user shall be negotiated on a case by case basis based on available treatment capacity of the POTW.
- The Board reserves the right to amend the surcharge to adjust for fluctuations of treatment costs without prior notice.