

RULES REGULATING THE USE OF PUBLIC SEWERS AND DRAINS, THE INSTALLATIONS AND CONNECTIONS OF BUILDING SEWERS, AND THE DISCHARGE OF WATER AND WASTE INTO THE PUBLIC SEWER SYSTEM AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE FULTON COUNTY SEWER DISTRICT, COUNTY OF FULTON, STATE OF OHIO.

ARTICLE I DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms in said Rules shall be as follows:

Section 1. Act shall mean the Clean Water Act (33 U.S.C. 1251 et seq), as amended; as well as any guidelines, limitations, definitions and standards promulgated by the U.S. Environmental Protection Agency pursuant to the Act.

Section 2. Biochemical Oxygen Demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in milligrams per liter.

Section 3. Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

Section 4. Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal; also called house connection.

Section 5. 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 POTW by specific Industrial Dischargers.

Section 6. Chemical Oxygen Demand (COD) shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per liter.

Section 7. Combined Sewer shall mean a sewer intended to receive both storm or surface run-off and wastewater.

Section 8. Commercial User shall mean all non-domestic sources, other than industrial users, as defined herein, including, but not limited to, the following: a publicly or privately owned facility where persons are engaged in the exchange or sale of goods or services, hospitals, retail establishments, schools, and facilities operated by local and state governments.

Section 9. Commercial waste shall mean a liquid or water-carried waste material from a commercial business engaged in buying, selling, exchanging goods or engaging in said goods or services.

Section 10. Compatible Pollutant shall mean BOD, suspended solids, pH and fecal coliform, plus additional pollutants identified in the NPDES permit, if the publicly owned treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree. Examples of such additional pollutants may include: a) COD; b) total organic carbon; c) phosphorus and phosphorus compounds; d) nitrogen and nitrogen compounds; e) fats, oils and greases of animal or vegetable origin, except as prohibited herein.

Section 11. Cooling Water shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Section 12. County shall mean the Board of Fulton County Commissioners and/or the Fulton County Sanitary Engineer, or his authorized representative who shall the governmental entity enacting and enforcing said Rules.

Section 13. Domestic Wastewater shall mean wastewater derived principally from dwellings due to domestic activities.

Section 14. Floatable Oil shall mean oil, fat or grease, in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

Section 15. Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

Section 16. Holding tank waste shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Section 17. Incompatible Pollutant shall mean any pollutant, which is not a compatible pollutant as defined In Article I, Section 6.

Section 18. Industry or industrial user shall mean a manufacturing activity identified as a "Division A, B, D, E, or F" industry, as defined in the Office of Management and Budget's Standard Industrial Classification Manual, 1972, as amended and supplemented. However, any industry, as previously defined in this paragraph, may be excluded from the "Industry" category for purposes of said Rules if it discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

Section 19. Industrial Wastes shall mean the wastewater, from industrial processes, trade or business, as distinct from sanitary sewage.

Section 20. Infiltration shall mean any waters entering the system from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include and is distinguished from inflow.

Section 21. Inflow shall mean any waters entering the system through such sources as, but not limited to, building downspouts, footing or yard drains, cooling water discharges, seepage lines from springs and swampy areas and storm drain cross connections.

Section 22. Interference shall mean an industrial discharge which, alone or in conjunction with discharges by other sources, both (a) inhibits or disrupts the publicly owned treatment works, its treatment processes or operations, or its sludge processes, use or disposal; and (b) therefore is a cause of a violation of any requirement of the POTW's National Pollutant Discharge Elimination System permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge disposal by the POTW in accordance with Section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, Resource Conservation and Recovery Act (RCRA) or more, stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Section 23. Laboratory Determination shall mean the measurements, test and analyses of the characteristics of waters and wastes in accordance with the procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136.

Section 24. Lateral Line shall mean that portion of the sewer system located under the street or within the street right-of-way from the property line to the trunk line and which collects sewage from a particular property for transfer to the trunk line.

Section 25. May is permissive; shall is mandatory.

Section 26. National Categorical Pretreatment Standard or Pretreatment Standard shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users.

Section 27. National Prohibitive Discharge Standard or Prohibitive Discharge Standard shall mean any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR, Section 403.5.

Section 28. Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Section 29. NPDES Permit shall mean the National Pollutant Discharge Elimination System permit.

Section 30. Owner or Person shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, partnership, co-partnership, joint stock company, trust, estate, association, society, group, institution, enterprise, governmental agency, the State of Ohio, the United States of America or other legal entity, or their legal representatives agents or assigns.

Section 31. Pass-Through shall mean a discharge that emits the POTW into waters of the state in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources, are 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).

Section 32. pH shall mean the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10⁻⁷.

Section 33. Pollutant shall mean dredged spoil, solid waste, incinerator residue, wastewater, garbage, wastewater sludge, munitions, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

Section 34. Pretreatment shall mean 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 introduction such pollutants into the POTW.

Section 35. Pretreatment requirements shall mean any substantive or procedural requirements related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

Section 36. Pretreatment standard or standard shall mean any local, state or federal regulation containing pollutant discharge limits. This term includes local limits, prohibitive discharge limits including those promulgated under 40 CFR 403.5, and categorical pretreatment standards.

Section 37. Properly Shredded Garbage shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch in any dimension.

Section 38. Public Sewer shall mean a common sewer controlled by a governmental agency or public utility.

Section 39. Publicly Owned Treatment Works or POTW shall mean any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a County or other municipality owned treatment plant.

Section 40. Sanitary Engineer shall mean the Fulton County Sanitary Engineer or his authorized representative.

Section 41. Sanitary Sewage shall mean wastewater contributed by reason of human occupancy.

Section 42. Sanitary Sewer shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions and to which ground, storm and surface waters are not admitted intentionally.

Section 43. Sewer shall mean a pipe or conduit for carrying wastewater or storm water.

Section 44. Sewer Contractor shall mean the agent of the owner responsible for the construction of the building sewer.

Section 45. Slug Load shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference, as previously defined in Article I, Section 11; or pass through as previously defined in Article I, Section 16.

Section 46. Storm Sewer or Storm Drain shall mean a sewer, which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Section 47. 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 "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

Section 48. Toxic Pollutant shall be defined as those substances referred to in Section 307 (a) of the Act as well as any other known potential substances capable of producing toxic effects.

Section 49. Unpolluted Water shall mean water of a quality that has not been altered chemically, physically, biologically or radiologically by man or that would not benefit by discharge to sanitary sewers and subsequent wastewater treatment.

Section 50. Wastewater shall mean liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Section 51. Wastewater system shall mean the wastewater treatment facility, the sewers, manholes, regulator structures, pump stations, force mains, and other structures, including all appurtenances that convey, transfer, regulate, or treat the wastewater flow in the service area under the jurisdiction of the County.

Section 52. Wastewater Treatment Plant shall mean that portion of POTW of the County required to treat wastewater and dispose of the effluent.

Section 53. Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 54. Waters of the State includes:

- a) Both surface and underground waters within the boundaries of the State of Ohio subject to its jurisdiction, including all ponds, lakes, rivers, streams, public ditches, tax ditches, and public drainage systems within this State, other than those designed and used to collect, convey or dispose of sanitary sewage; and
- b) The flood plain free-flowing waters determined by the Department of Natural Resources on the basis of 100-year flood frequency.

ARTICLE II USE OF PUBLIC SEWERS REQUIRED

Section 1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property within the County, or in any area under the jurisdiction of said County, any human or animal excrement, garbage, or other objectionable waste. This section shall not apply to manure used for farming purposes.

Section 2. It shall be unlawful, when sewage and/or treatment facilities are available, to discharge to any natural outlet within the County, or in any area under the jurisdiction of said County, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided.

Section 3. It shall be unlawful, when sewage and/or treatment facilities are available, to construct or keep in repair any septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, serving the public or other purpose, situated within the County and abutting any street, alley, easement, or right-of-way in which there is now located or may in the future be located a public sewer or sanitary sewage conveyance system of the County, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer.

ARTICLE III BUILDING SEWERS AND CONNECTIONS

Section 1. No unauthorized person 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 County.

Section 2. Any person or contractor may be permitted, without prior verification, to construct and/or repair building sanitary sewers in the County, if Fulton County had prior knowledge and good working experience with said person's or contractor's sanitary sewer work. Otherwise, prior to work commencement, person or contractor shall submit a list of three (3) prior work references relating to the project for verification.

Section 3. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the County. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Sanitary Engineer. All applicable application, tap and inspection fees shall be paid to the County at the time the application is filed.

Section 4. All costs and expense incident to the installation, connection and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 5. A separate and independent building sewer shall be provided for every building; except 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 the whole considered as one building sewer.

Section 6. Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the Sanitary Engineer, to meet all requirements of said Rules.

Section 7. The building sewer shall be of PVC pipe conforming to ASTM 3034 SDR-35 with elastomeric gasket joints of the integral bell type, or Schedule 40 with solvent welded joints. Joint solvent shall conform to ASTM D-2564. Joints shall be tight and waterproof.

Section 8. The size and slope of the building sewer shall be subject to the approval of the Sanitary Engineer, but in no event shall the diameter be less than six (6) inches. The slope of such 6-inch pipe shall be not less than one percent (1%). Common services for more than one building and services for commercial or industrial uses shall be not less than eight (8) inches in diameter.

Section 9. Materials of construction of the building sewer and the methods to be used in excavating, placing of pipe, jointing, pipe bedding, testing and backfilling the trench, shall all conform to the pertaining standards and specifications of the County and other applicable rules and regulations of the State of Ohio.

Section 10. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipe and fittings. No tees or 90-degree bends are allowed.

Section 11. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Section 12. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Sanitary Engineer. Pipe laying and backfill shall be performed in accordance with ASTM specifications C12, latest edition, except that no backfill shall be placed until the work has been inspected.

Section 13. All joints and connections shall be made gastight and watertight. All connections shall be made with manufactured or "Fernco" fittings.

Section 14. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no property located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location specified by the Sanitary Engineer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made and the connection made secure and watertight. Special fittings may be used for the connection only when approved by the Sanitary Engineer.

Section 15. The applicant for the building sewer permit shall notify the Sanitary Engineer when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Sanitary Engineer.

Section 16. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Street, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Sanitary Engineer.

Section 17. Six (6) inch cleanouts, or other approved size, shall be installed outside of the building foundation wall and shall extend to the ground surface. A removable waterproof cap shall be placed at the top of the cleanout. Materials for the cleanout shall conform to Section 6 of this Article. Cleanouts may be installed inside the building, as approved by the Sanitary Engineer.

Section 18. In any case where the nature of a business or industry may create an environmental problem, the Sanitary Engineer may require that the following data and items be filed at such time as the application for sewer permit, required under Section 2 of this Article, is filed:

- a) A written statement indicating the nature of the business, the source and amount of water to be used, the amount of water to be discharged, along with its present or expected bacterial, physical, chemical, radioactive or other pertinent characteristics of quality.
- b) A plan and/or map of the building, works or complex, with each natural outlet, sanitary sewer, storm sewer, watercourse or ground waters noted, and the waste stream identified.
- c) An agreement to sample, test and file reports with the County and appropriate regulatory agencies relative to characteristics of wastes on a schedule, at locations and according to methods approved by the Sanitary Engineer.
- d) An agreement to place industrial waste treatment facilities, process facilities, pretreatment facilities, waste stream control and potential industrial waste problems under the specific supervision and control of a person or persons who have been certified by an appropriate state agency as properly qualified to supervise such facilities, when required by said state agency.
- e) An agreement to provide reports on raw materials entering the process or support systems, intermediate materials, final products and waste by-products, as those factors may affect waste control.
- f) An agreement to maintain records and file reports on the final disposal of specific liquids, solids, sludge, oils, radioactive materials, solvents or other wastes.
- g) An agreement that, if any industrial process is to be altered so as to add or delete a process waste or potential waste, written notification shall be given to the Sanitary Engineer in advance and approval of the County and any necessary regulatory agency obtained.

Section 19. No permit shall be issued for sewer connection if it is determined that said sewer connection will result in the conversion of wetland into other land uses, filled, drained or otherwise degraded or destroyed unless the property owner produces evidence that the appropriate permits have been issued by the US Army Corps of Engineers under Section 404 of the Clean Water Act.

Section 20. Any property that is physically connected to the current and future Fulton County's owned and operated sanitary sewer systems and has not been placed on the special assessments list and therefore, has not been charged for the usage, shall be required to pay:

- a) Past special sewer assessments for a period covering the last two years of service from the date of being identified as being physically connected to said systems; and
- b) All applicable tap fees and charges.

ARTICLE IV USE OF PUBLIC SEWERS

Section 1. Prohibition of Unpolluted Water No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any

sanitary sewer. Any existing roof drain connections to sanitary sewers shall be connected into an available storm sewer or shall be disconnected above ground in the manner approved by the Sanitary Engineer. The owner of any building situated within the County shall be required, at his expense, to disconnect all existing roof drains from sanitary sewers in accordance with the provisions of this section within 30 days after the date of official notice to do so.

Section 2. Allowable Discharge of Unpolluted Water Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the County and other regulatory agencies. Unpolluted industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet on approval by the County and other regulatory agencies.

Section 3. Substances Prohibited No person shall discharge or cause to be discharged any of the following described waters or wastes to the POTW:

- a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- b) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the POTW.
- c) Insoluble, solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interferences with the proper operation of the wastewater treatment works, such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. This prohibition shall include substances, which solidify or become viscous at temperatures between 32 degrees F and 150 degrees F.
- d) Noxious or malodorous gases, such as, but not limited to, hydrogen sulfide, sulfur dioxide and oxides of nitrogen, and other substances capable of producing a public nuisance.

Section 4. Substances Limited The following described substances, materials, waters or wastes shall be limited in discharges to the POTW to concentrations or quantities which will not harm the POTW process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb or public property or constitute a nuisance. The Sanitary Engineer may set limitations more stringent than the limitations established herein if, in his opinion, such more stringent limitations are necessary to meet the above mentioned objectives. Deliberate dilution with unpolluted water to meet the concentration established in said Rules shall not be acceptable. In forming his opinion as to the acceptability, the Sanitary Engineer will give consideration to such facts as the quantity of subject waste in relation to flow and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the POTW which shall not be violated without approval of the Sanitary Engineer are as follows:

- a) Wastewater having a temperature higher than 150 degree F.
- b) Wastewater containing more than 100 milligrams per liter of petroleum oils, non-biodegradable cutting oils, products of mineral oil origin or floatable oils, fat, wax or grease, whether emulsified or not.
- c) 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.
- d) Except as may be permitted by the provisions of Section 5 of this Article, no person shall discharge or cause to be discharged waters or wastes to the public sewer with BOD in excess of 200 milligrams per liter (mg/l).
- e) Any water wastes containing solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment plant, including, but not limited to, cyanides, arsenic, hexavalent chromium, total chromium, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, zinc and phenols in the wastes as discharged to the public sewer. The following concentrations shall not be exceeded the limits established by applicable State and/or Federal regulations. These maximum concentrations may be changed as necessary by the County or State regulatory agencies, based on new information concerning inhibitory substances or to protect treatment plant processes.
- f) Any waters or wastes containing odor-producing substances exceeding limits, which may be established by the Sanitary Engineer or any local or State regulatory agencies.
- g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable State and/or Federal regulations.

h) Quantities of flow, concentrations or both which constitute a slug load as defined herein.

i) Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

j) Any waters or wastes which, by interaction with other waters or wastes in the public sewer system, release obnoxious gases or form suspended solids which interfere with the collection system or create a condition deleterious to the POTW.

k) Any waters or wastes containing color, such as, but not limited to, from dyes, inks or vegetable tanning solutions, shall be controlled to prevent light absorbance which would interfere with wastewater treatment plant processes or prevent analytical determinations.

l) Inert suspended solids, such as, but not limited to, Fullers earth, lime slurries and lime residues, and dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate, in unusual concentrations shall not be allowed.

Section 5. Authority for Control of Wastewater Discharges If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers which contain substances or possess characteristics enumerated in Sections 3 and 4 of this Article, and which, in the judgment of the Sanitary Engineer, may have a deleterious effect upon the POTW or receiving waters, including violations of applicable water quality standards, or which otherwise create a hazard to life or constitute a public nuisance, the County shall require one or more of the following:

a) Reject the wastes;

b) Require pretreatment to an acceptable condition for discharge to the public sewers;

c) Require control over the quantities and rates of discharge; and/or

d) Require additional payment to cover the added cost of handling and treating the wastes.

All industrial wastes discharged to the public sewers by major contributing industries shall, as a minimum, meet the national pretreatment standards for incompatible pollutants as published in Title 40 Code of Federal Regulations, unless the County is committed, in its NPDES permit, to remove a specified percentage of the incompatible pollutant. In the latter instance, the applicable pretreatment standards may be correspondingly reduced to levels determined by the County or State regulatory agencies.

If the County required pretreatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to the review and approval of the County and State regulatory agencies and to the requirements of all applicable codes, Resolutions and laws.

Section 6. Grease and Oil Interceptors Interceptors shall be provided for grease, oil and inorganic material such as sand, grit, etc. when, in the opinion of the Sanitary Engineer, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Article IV, Section 4(b), or any flammable waste, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of type and capacity approved by the Sanitary Engineer and shall be located as to be readily and easily accessible for cleaning and inspection. 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 shall be subject to review by the Sanitary Engineer. Any removal and hauling of the collected materials not performed by the owner's personnel shall be performed by currently licensed waste disposal firms known to the County.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

Section 7. 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.

Section 8. Analyses All measurements, tests and analyses of the characteristics of wastes to which reference is made in said Rules shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater", published by the American Public Health Association, unless such standards conflict with regulations promulgated by the U.S. Environmental Protection Agency under 40 CFR 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants", in which case, the regulations promulgated by the Environmental Protection Agency shall govern. Sampling methods, location, times, duration and frequencies shall be determined on an individual basis subject to approval by the Sanitary Engineer.

All costs incident to sampling and analyses shall be borne by the user. Such cost incurred by the County on behalf of the user shall be billed to the user, based on the actual cost to the County.

Section 9. Special Conditions No statement contained in this article shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the County for treatment, subject to possible payment therefore by the industrial concern for subsequent treatment. Any industrial concern may appeal to the County any determination made by the Sanitary Engineer.

ARTICLE V CONTROL OF INDUSTRIAL WASTES

Section 1. Control Manholes When required by the Sanitary Engineer, an industry shall install one or more suitable structures, together with necessary meters and other appurtenances, in the building sewer(s) to facilitate observation, sampling and measurement of the wastes. Such structure(s), when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Sanitary Engineer. The structure(s) shall be installed by the industry at its expense and shall be maintained by the industry so as to be safe and accessible at all times.

Section 2. Wastewater Volume Determination The volume of industrial wastes discharged to the POTW from industries shall be determined upon the basis of the volume of wastewater discharged from the industry to the POTW. This volume shall be the same volume as that recorded on the meter, or meters, used to measure water from the water system of the County, unless the industry is supplied with water from a source other than the water system of the County and/or unless a substantial volume of water supplied to the industry is not discharged to the POTW, in which cases, the volume of water discharged to the POTW shall be determined by one or more meters installed to measure water flow and/or wastewater discharged, or by other means approved by the County. Meters installed other than the meter or meters used to record consumption from the water system of the County shall be approved by the County and installed to the expense of the industry. Following approval, such meters shall not be removed without the consent of the Sanitary Engineer. Such meters shall be calibrated by a factory-trained technician, at the expense of the owner, once each year.

Section 3. Sampling and Monitoring Industrial wastes discharged to the POTW shall be subject to periodic inspection with a determination of character and concentration of such wastes. The determination shall be made as often as may be deemed necessary by the County. The user shall be responsible for the cost of 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 preferably be accomplished by the use of automatic sampling equipment capable of collecting composite samples. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.

Section 4. Analyses Laboratory procedures used in the examination of industrial wastes shall be as provided in Section 8 of Article IV. Determination of the character and concentration of the industrial wastes shall be made by the owner, or his qualified agent as approved by the Sanitary Engineer. The results of the analyses shall be reported to the County on a monthly basis on forms provided by the County. The County shall make its own analyses on the wastes periodically. In case the analyses performed by the owner and the County result in substantially different values, an effort shall be made by the owner to collect samples at the same time the County collects samples. The results of the analyses on the samples collected by the County and the owner shall be compared, using the same testing procedures as outlined in Section 8 of Article IV, and the differences negotiated. In the event the differences cannot be resolved, the determination performed by the County shall be binding.

Section 5. Slug Load Notification All industrial users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loading, as defined in Article I, by the industrial user. The industrial user shall immediately notify the POTW upon discovery of any slug load as follows:

- a) A description of the discharge and the cause of the slug loading;
- b) The period of slug loading including exact dates and times and, if not corrected, the anticipated time the noncompliance is expected to continue; and
- c) The steps taken or planned to reduce, eliminate and prevent recurrence of the slug loading.

A written report containing the information required by this Section shall be filed with the POTW and the appropriate district office of the Ohio EPA within five business days of the day when the slug loading occurred.

Each industrial user shall permanently post signs in conspicuous places on the premises, advising employees whom to call in the event of a slug load discharge. It shall instruct all employees who may cause or discover such a discharge with respect to the notification procedure required by this Section.

Section 6. Additional Requirements All industrial users shall promptly notify the POTW in advance of any substantial change 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).

ARTICLE VI PROTECTION FROM DAMAGE

Section 1. No unauthorized person shall maliciously, willfully, or negligently damage, destroy, uncover, deface or tamper with any structure, appurtenances, or equipment, which is a part of the POTW. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII POWERS AND AUTHORITY OF INSPECTIONS

Section 1. The Sanitary Engineer and other duly authorized employees of the County bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing.

Section 2. The Sanitary Engineer and other duly authorized employees are authorized to obtain information concerning industrial processes, which have a direct bearing on the kind and source of discharge to the POTW. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

ARTICLE VIII PENALTIES

Section 1. Any person found to be violating any provision of this Rule shall be served by the County with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2. Under the provisions of ORC 6117.99, any person violating any of the provision of said Rules shall become liable to the County for any expense, loss or damage occasioned the County by reason of such violation, notwithstanding whether said person may have been prosecuted.

Section 3. Any person violating State and/or Federal regulations as a consequence of violating any provisions of said Rules shall be subject to any penalties imposed by State and/or Federal regulations, irrespective of the provisions of this Article.

ARTICLE IX VALIDITY

Section 1. The invalidity of any section, clause, sentence or provision of said Rules shall not affect the validity of any other part of said Rules, which can be given effect without such invalidity part or parts.

Adopted By Board of Fulton County Commissioners
Effective: 03/09/2006 – Resolution 2006 - 181
Amended: 05/10/2007 – Resolution 2007 - 376
Amended: 12/1/2015 – Resolution 2015 - 952