

RIB MOUNTAIN METROPLITAN SEWERAGE DISTRICT'S  
(RMMSD)  
WASTEWATER SYSTEM  
USER ORDINANCE  
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## PURPOSE, SCOPE AND PROCEDURES

### Part I

These rules and regulations are adopted by the Rib Mountain Metropolitan Sewerage District (RMMSD) pursuant to the State of Wisconsin Statute-Section 66.24 (1) (d). This Ordinance sets forth-uniform requirements for wastewater discharges into the RMMSD wastewater transport and treatment system and tributaries thereto, and enables the RMMSD to protect public health in conformity with all applicable Local, State and Federal laws relating thereto.

It is also the intent and purpose of the Ordinance to provide penalties for violation of these requirements that would cause damage to, be an obstruction of, interfere with the operation of, be detrimental to the quality of the final effluent, or cause unreasonable maintenance, alteration or expense of the RMMSD or to any Orders and Notices issued pursuant to these regulations.

This Ordinance applies to each Municipality served by the RMMSD, to every person within the RMMSD's jurisdiction and to each discharger to the RMMSD Wastewater System or any part thereof. All of said Municipalities shall adopt compatible ordinances, but this ordinance **SHALL HAVE PRECEDENCE OVER ANY SUCH ANCILLARY ORDINANCES.**

With respect to violations occurring within any Municipality, which has adopted a compatible sewer use ordinance, the RMMSD will, prior to any direct enforcement action, contact the appropriate Municipal agency and the offending discharger and make available to the Municipality any data it has concerning the violation in order to give the Municipality opportunity for implementation of appropriate corrective action. If the Municipality fails to take adequate and timely action, the RMMSD will take primary or supplemental enforcement action as the RMMSD deems necessary.

This Ordinance may be referred to as the RMMSD Wastewater System Use Ordinance.

## DEFINITIONS

### Part II

Unless the context specifically indicates otherwise, the following terms as used in the Ordinance shall have the meanings designated in this section.

Act or the Act: Means the Federal Water Pollution Act, also known as the Clean Water Act (33 U.S.C. 1251, et. seq.) as amended.

Approving Authority: See District Approving Authority or Local Approving Authority.

BOD: (denoting Biochemical Oxygen Demand) Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Celsius, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."

Building Drain (Sanitary): Means that part of the lowest horizontal piping of a drainage system, which receives the discharge of wastewater from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer, beginning at the clean out located near the inner face of the building wall.

Building Sewer: Means the extension from the building drain to the sanitary sewer or interceptor or other place of disposal.

Categorical Pretreatment Standard: Means National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a WWTP by specific industrial discharges.

Commercial User: Shall mean any nonresidential or nonpublic user not falling under the definition of Industrial User.

Commission: Shall mean the RMMSD Commission.

Compatible Pollutants: Shall mean biochemical oxygen demand, suspended solids, phosphorus, pH, or fecal coliform bacteria, plus additional pollutants identifies in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants and in fact does remove such pollutants to a substantial degree.

Customer: Shall mean any Municipality or political subdivision of the State of Wisconsin, which now or hereafter is provided with wastewater collection, treatment and disposal services by the RMMSD.

Debt Service: Shall mean costs to the RMMSD for the retirement of debts incurred in the provision of wastewater facilities including both principal and interest.

Discharger: Means any person, Municipality or other entity that discharges anything, without limitation, directly or indirectly into a sewer system or any part thereof.

District: Shall mean the RMMSD (RMMSD), a multigovernmental regional district supervised and regulated by the Rib Mountain Metropolitan Sewerage Commission.

District Approving Authority: Shall mean the District Manager-Superintendent or other authorized representative of the RMMSD.

District Wastewater Collection Facilities: (Or District Wastewater Collection System) Shall mean the District interceptor sewer and the metering stations that are operated by the RMMSD.

Domestic Wastewater: Means water carried wastes normally discharging into the sanitary sewers from dwellings, (including apartment houses and hotels), office buildings, factories and institutions, free from storm water and industrial wastes.

Drop: A structure in an open conduct or canal installed for the purpose of dropping water to a lower level and dissipating its energy.

Easement: Shall mean an acquired legal right for the specified use of land owned by others.

Effluent: Means wastewater, water or other liquid after some degree of treatment flowing out of any wastewater treatment facility.

Existing Sewer: Means any sanitary sewer or wastewater system for which construction the Commission prior to its construction did not grant approval. Existing sewers may occur through annexations to the RMMSD, public dedications of private sewers or sewerage systems, or through construction undertaken in violation of this Ordinance.

Floatable Oil: Is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage: Means solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from handling, storage and sale of food.

Grease: Means a group of substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils and certain other non-fatty materials as analyzed for in accordance with "Standard Method".

Ground Garbage: Shall mean the residue from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one half (1/2) inch in any dimension.

Grit: Means the heavy suspended mineral matter in wastewater such as, but not limited to, sand, gravel and cinders.

Groundwater: Means sub-surface water occupying the zone of saturation, from which wells and springs are fed. In a strict sense, the term applies only to water below the water table.

Incompatible Pollutants: Shall mean wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

Industrial Wastewater: Industrial Wastes: Means the wastes dischargeable to sanitary sewers from industrial manufacturing processes, trade or business or from the development, recovery or processing of natural resources as distinct from sanitary or normal domestic wastewater.

Infiltration: Means the water unintentionally entering sanitary sewers, building drains and building sewers, 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.)

Infiltration/Inflow: Means the total quantity of water from both infiltration and inflow without distinguishing the source.

Inflow: Means the water discharge into the sanitary sewers, building drains and building sewers, from such sources as, but not limited to, roof leaders, cellar, yard & area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. Inflow does not include, and is distinguished from, infiltration.

Interceptor: Means any sewer, which receives the flow from a number of sanitary sewers or outlets, except as defined separately within the context of the Ordinance.

Interference: Means the inhibition or disruption of the RMMSD treatment processes or operations, which contributes to a violation of any requirement of the RMMSD's WPDES permit. The term includes prevention of sewage sludge use or disposal by the RMMSD 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, or more Stringent state criteria (including those contained in any state sludge management plan prepared pursuant to the Title IV of SWDA, applicable to the method of disposal employed by the RMMSD.

Invert: The floor, bottom or the lowest portion of the internal cross section of a closed conduct. It refers to the inverted arch, which was used to form the bottom of a masonry-lined sewer.

Local Approving Authority: Shall mean the Local Governing Municipality.

Manager-Superintendent: Means the chief administrative officer of the RMMSD or his authorized designee.

May: Is permissive.

Municipality: Shall mean any town, village, town sanitary district served by the RMMSD Wastewater System and where used in this Ordinance shall further mean the Municipality, which had jurisdiction at the point in question.

Normal Wastewater Concentration: Shall be defined for a five day BOD as a mg/l concentration of less than or = to 350 mg/l and for suspended solids as a mg/l concentration of less than or = to 350 mg/l, and a phosphorous concentration of less than or = to 10 mg/l total phosphorous.

Operation and Maintenance: Shall mean costs to the RMMSD for the provision of labor, utilities, supplies, equipment maintenance and other normal costs necessary for the provision of sewage service. Operation and maintenance included replacement.

Person: Means any individual, firm, company, association, society, corporation or group, institution, enterprise, governmental agency or other entity.

pH: Means the logarithm, (to base 10), of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

PPM (Parts Per Million): Means a weight to weight ratio; the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.

Pretreatment: Means application of physical, chemical or biological processes to reduce the amount of pollutants in or to alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater into the RMMSD.

Pretreatment Standards: Means all applicable federal, state and local statutes, laws, ordinances, rules and regulations. In cases of conflicting standards or regulations the more stringent there-of shall control.

Private Sewer: Means a sewer, which is owned by a person.

Public Sewer: Shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Public User: Shall mean any user, which is a Municipality as defines herein.

Replacement: Shall mean expenditures for obtaining and installing equipment, accessories or appurtenances, which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were design and constructed.

RMMSD: Means the Rib Mountain Metropolitan Sewerage District.

Sanitary Sewer: Means those sewers, which receive domestic wastewater and industrial wastes without the intentional admixture of stormwater.

Scum: Means the layer of film of extraneous or foreign matter that rises to the surface of a liquid and is formed there, a residue deposited on a container or channel at the water surface or a mass of matter that floats on the surface of wastewater.

Service Area: Shall mean the area intended to be served by the RMMSD as outlined in the latest updated Sewer Service Area Plan prepared by Marathon County and approved by the RMMSD and the DNR.

Sewage: Is the spent water of a community. The preferred term is “Wastewater”.

Sewer: Means a pipe or conduit for the transportation of domestic wastewater, industrial wastewater, industrial wastes and/or stormwater.

Sewerage System (Wastewater System): Means all facilities, including sewers and appurtenances for collecting, transporting, pumping, treating and disposing of wastewater. RMMSD Wastewater System means the sewerage system and each part thereof located within the boundaries of the RMMSD and such others as deliver wastewater thereto, or which the RMMSD serves under contract or both. Municipal Wastewater System means the transportation system owned by the Municipality and located within its boundaries.

Shall: Is mandatory.

Slug Load Means:

Standard Methods: Means the latest edition of “Standard Methods” for the Examination of Water and Wastewater, prepared, approved and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

Stormwater: Means stormwater, (water from snow, rain, sleet, hail, flood or other natural cause), but also roof water, overflow water, (from tank, cistern, well or sump pump) and other surface water. (“Stormwater”) does not include, and is distinguished from, industrial and domestic wastewater).

Suspended Solids (SS): Means the total suspended solids that either float on the surface of or are in suspension in water, wastewater or other liquids and that are removable by a laboratory filter as prescribed in “Standard Methods’ for Examination of Water and Wastewater and are referred to as nonfilterable residue.

Unpolluted Water: Means water not containing any pollutants limited or prohibited by the effluent standards in effect or water whose discharge will not cause any violation of receiving-water quality standards.

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

User: The party who is billed, usually for sewer service, from a single connection. User makes reference to the number of persons served by the RMMSD Wastewater System.

User Service Charge; Is a charge levied on users of the wastewater collection and treatment facilities for payment of operation and maintenance costs, debt service and cash review.

Wastewater or Waste: Means industrial wastes or domestic wastewater or both, whether treated or untreated, which enters the RMMSD Wastewater System.

Wastewater System: See “Sewerage System”.

Wastewater Treatment Facilities: Means the structures, equipment and processes for the treatment or pretreatment of domestic and industrial wastes and disposal of the effluent and accumulated residual solids.

WPDES: “Wisconsin Pollutant Discharge Elimination System Permit” is a document issued by the Wisconsin State Department of Natural Resources, which establishes effluent limitation and monitoring requirements for the RMMSD’s wastewater treatment facility. WPDES Permit No. WI 0035581 and modifications there-of pertain to the RMMSD wastewater treatment facility.

WWTP: Any wastewater treatment works and the sewers and associated appurtenances discharging thereto, owned and operated by the District.

Other Definitions, Standard Methods, and Definitions of Term: Shall be applicable unless context implies that a dictionary, legal or other definition is intended.

Singular and Plural: When permitted by the context, use of the singular shall be constructed to include the plural and of the plural to include the singular.



## SEWER CONNECTION

### Part III

Every connection to the RMMSD Wastewater System shall be subject to this Ordinance.

No private sewer shall be directly connected to a RMMSD interceptor. No Municipality shall make direct connection except as provided herein.

No connection to the RMMSD Wastewater System shall be made without written connection authorization from the District Approving Authority after the date this Ordinance becomes effective. This requirement may be waived on individual residential connections to the Municipal Wastewater System.

No Municipality proposing to construct a sanitary sewer or wastewater system or an extension of any sanitary sewer shall commence construction of any part thereof without first.

- (a.) Submitting applications for connection authorization in accordance with the provisions of this Ordinance, and
- (b.) Obtaining construction approval from the Commission.
- (c.) Application for connection authorization shall include the following:
  - 1. A minimum of two (2) complete sets of plans and specifications, which shall include the following:

A location map; size and type of sewer pipe; grades; elevations of the inverts at manholes; elevations of manhole tops; distances between manholes; complete details of all appurtenances.
  - 2. A map of the service area of the sanitary sewer or wastewater system proposed to be connected.
  - 3. A statement of the location or locations at which connection to the RMMSD Wastewater System is desired.
  - 4. A statement of the estimated character of the wastewater expected including type and size of development.
  - 5. An estimate of the quantity of wastewater flow generated by the proposed development.
  - 6. A copy of design data.
  - 7. A copy of its transmittal letter and attachments to the Department of Natural Resources, if plans must be approved by the Department of Natural Resources.

8. A request for construction approval unless the application is for connection of an existing sewer.

All municipal applications for connection authorization submitted to the District approving Authority shall also be submitted to the Marathon County Planning Commission Executive Director for review and comment with respect to whether or not the proposed connections are consistent with adopted local and regional plans.

Where connection application requests construction approval, a written statement of the commissioner's approval or denial will be given the applicant Municipality. Denial statements will include reasons for denial.

No connection authorization shall be granted for any existing sewer or for any construction-approved sewer if the sewer is defective in operation, construction, design or maintenance.

Connection authorization will be granted to a Municipality in accordance with its application therefore if and when the Municipality satisfied the District Approving Authority by a clean preponderance of the evidence presented that:

- (a.) The rate of infiltration into the sanitary sewer or wastewater system proposed to be connected, (including appurtenances), meet standards prescribed in Standard Specification of Sewer and Water Construction in Wisconsin.
- (b.) Visible leaks, if any, have been repaired, (even if the infiltration limitations of subparagraphs (a) were met without such repair); and
- (c.) There is no inflow, which would violate any provisions of the Ordinance.

If the Commission has granted construction approval the written certificate of the Professional Engineer who sealed the construction plans or supervised the construction project or both is sufficient to establish prima facie compliance with the prior requirements..

- (a.) Construction has been completed in accordance with approved plans; and
- (b.) The sewers proposed to be connected to the RMMSD Wastewater System have been inspected by the Professional Engineer or under his direct supervisions; and
- (c.) Infiltration or other approved tests have been run in accordance with Standard Specification for Sewer and Water Construction in Wisconsin; and
- (d.) The construction and every part thereof meet the standards prescribed in the Standard Specification for Sewer and Water Construction in Wisconsin.

The District Approving Authority may investigate existing sewers for which connection application has been made and if any existing sewer appears to be defective in operation, construction, design or maintenance the applicant Municipality will be so notified. The District Approving Authority may suggest specified alterations, new construction or changes in supervision or operation. Any Municipality aggrieved by the

investigation, if any, made pursuant to this section or by the suggestions of the District Approving Authority may request a Commission hearing upon its application for connection authorization. Following such hearing the Commission may make findings and issue orders, as it deems appropriate. With respect to existing sewers, the Commission may waive or modify the standards prescribed in this section for good cause shown or if the public health or safety requires such action.

All District authorization for Municipal sewer connections requiring Commission action will be handled as stated. Requested connection authorization will be presented to the Commissioners at the next regularly scheduled meeting of the District following an investigation period not to exceed 30 days following full required information submittal.

Notice shall be given to the District Approving Authority twenty-four (24) hours during the period of time between Monday and Friday, excluding Holidays, before any authorized manhole construction or any authorized connection to a RMMSD interceptor. If the District Approving Authority requests, the actual construction or connection shall be in the presence of a RMMSD observer.

## PLANS AND CONSTRUCTION

### Part IV

#### SECTION 1

##### PLANS:

All plans presented to the RMMSD must be prepared and sealed by a Professional Engineer registered in Wisconsin.

All plans and specifications shall be prepared following the guidelines established in appropriate Wisconsin State administrative Codes.

Plans submitted to the RMMSD shall be of a plan size not to exceed 36" long by 24" wide.

All elevations given on plans submitted to RMMSD shall be based upon the U.S. Geodetic Survey Elevation.

Before construction work is started on any alteration or replacement of any sanitary sewer within the RMMSD Wastewater System, plans and specifications of the proposed construction shall be submitted to the District Approving Authority. The District Approving Authority may request or require changes thereto if the plans and specifications do not comply with the RMMSD rules and regulation.

#### SECTION 2

##### MANHOLE CONSTRUCTION, CONNECTION:

No manhole over an existing RMMSD interceptor shall be constructed without prior written approval of the District Approving Authority who shall prescribe the conditions thereof. RMMSD shall own all such manholes after construction.

Sewer connections to the RMMSD Wastewater System made at a manhole shall be with the flow line of the connecting sewer being at or below the manhole shelf, (not to exceed 24" above invert), or the connection shall be made through an approved drop.

Manholes located in ditches, gutter or in possible flood plains shall be flood-proofed. All other manholes shall be provided with self-seating type covers with concealed pickholes

There shall be no inside drop connection in any RMMSD manhole except with written authorization.

## SECTION 3

### CONSTRUCTION ADMINISTRATION, OBSERVATION:

Every Municipality, in the construction of sanitary sewers or wastewater systems within its jurisdiction, shall require that such construction be under the direct administration of a professional engineer and have a full-time observer on such construction. The said engineer shall keep accurate records of the location, depth and length of the sewers as build and of the location of the wye branches and tees.

During such construction of any sanitary sewer or wastewater system or of any extension or replacement of any sanitary sewer or of any alteration of any sanitary sewer given written construction approval as provided in this section, the District Approving Authority may, from time to time, make observations to see if the construction work is being done in accordance with the approval grant and the plans and specifications submitted. Failure of the District Approving Authority to make observations shall not affect the RMMSD's right to deny connection authorization or require reconstruction whenever non-adherence to approved plans is discovered.

Nothing in this part shall be construed as giving the District Approving Authority responsibility or authority to direct or supervise construction means, methods, techniques, sequence or procedures of construction selected by contractors or subcontractors or the safety precautions and programs incident to the work of the contractors and subcontractors.

## INFORMATION AND REPORTS

### Part V

A copy of an up-to-date general sewer plan conforming to construction records of a scale not smaller than 1" = 200' shall be on file with the RMMSD annually. Said plan shall show manhole invert and rim elevations, distances between manholes and pipe grades. All sewer construction projects completed by January 1<sup>st</sup> of each year shall be incorporated in said plan prior to April 1<sup>st</sup> of that year. If any connection to the RMMSD Wastewater System requires modifications to be made or new structures built, an accurate and complete plan of the unit as constructed shall be furnished to the RMMSD,

Record of connections, such as lateral wye and tee connection, to Municipal Wastewater Systems shall be kept by the Municipality in which the connections are made and such records shall be available for inspection by the RMMSD.

All dischargers subject to this Ordinance shall retain and preserve for no less than seven (7) years any records, books, documents, memoranda's reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analysis made by or in behalf of a user in connection with its discharge. All records which pertain to matters which are the subject of any enforcement or litigation activities brought by the RMMSD pursuant hereto shall be retained and preserved by the user until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired. The RMMSD will retain all records for the same length of time.

CONFIDENTIAL INFORMATION

Part VI

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction within two (2) normal working days of the receipt of the request unless the user specifically requests and is able to demonstrate to the satisfaction of the RMMSD that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

When requested by the person furnishing a report, the portion of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the Wisconsin Pollutant Discharge Elimination System (WPDES) permit, State disposal System permit and/or the pretreatment programs' provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the RMMSD as confidential shall not be transmitted to any governmental agency or to the general public by the District Approving Authority until and unless a ten day notification is given to the user.

Cost for any reproduction will be paid for by the entity requesting the information on a time and material basis.

## CONDITIONS OF USE OF THE RMMSD WASTEWATER SYSTEM

### Part VII

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool water or unpolluted industrial process waters to any sanitary sewer.

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 Municipality and other regulatory agencies. Industrial cooling water or unpolluted process water may be discharged, on approval of the Municipality and other regulatory agencies having jurisdiction, to a storm sewer or natural outlet.

### SECTION 1

#### GENERAL DISCHARGE PROHIBITIONS:

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer.

- A. Explosive Mixtures: Liquids, solids or gases, which by reason of their nature or quantity may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the wastewater treatment system or to the personnel engaged in the operation of the system. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system be more than five percent (5%), or any single reading over ten percent (10%) of the lower explosive limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, sylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, pershlorates, bromates, carbides, hydrides and sulfides.
- B. Corrosive Wastes: Any waste, which will cause corrosion or deterioration of the system. All wastes discharged to the public sewer system must have pH value in the range of (5.5) to (9) standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances, which will react with water to form acidic products.
- C. Toxic Substances: Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other substances, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals or to exceed the limitations set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to; any pollutant identified pursuant to Section 307 (a) of the Act.
- D. Solid or Viscous Wastes: Solid or viscous wastes, which will or may cause obstruction to the flow in a sewer, require excessive cleaning or maintenance of the sewer or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to: grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or



marble, dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances.

- E. Heated Wastewater: Any wastewater having a temperature, which will inhibit biological activity in the RMMSD treatment plant resulting in interference, but in no case heat in such quantities that the wastewater temperature at the introduction into the RMMSD treatment plant exceeds 40 degrees Centigrade (104 degrees Fahrenheit).
- F. Oils and Greases: Any wastewater or materials containing fats, was, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances, which may solidify or become viscous at temperatures between 0 to 65 degrees Celsius, (32 degrees Fahrenheit to 150 degrees Fahrenheit), at the point of discharge into the system of wastewater containing oil and grease concentration of mineral origin of greater than 26 mg/l monthly mean average or 52 mg/l daily maximum, whether emulsified or not.
- G. Improperly Shredded Garbage: Garbage that has not been ground or cominuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers with no particle greater than one-half (1/2) inch in any dimension.
- H. Noxious Material: 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 by humans into the system for its maintenance and repair.
- I. Radioactive Wastes: Radioactive wastes or isotopes of such half life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use, which will or may cause damage or hazards to the system or personnel operating the system.
- J. Unpolluted Waters: Any unpolluted water including, but not limited to, water from cooling systems or of storm water origin, including roof, surface or subsurface drainage, which will increase the hydraulic load on the system.
- K. Discolored Material: Any substance with objectionable color not removed by the treatment system such as, but not limited to, dye wastes and vegetable tanning solution.

- L. Excessive Discharge Rates: Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceeds for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.
- M. Violate Discharge Rate: Any substance, which will cause the RMMSD to violate its WPDES permit.
- N. Human Life Hazard: Any wastewater, which causes a hazard to human life or creates a public nuisance.
- O. Adverse Affect to Effluent or Sludge: Any substance, which may cause the RMMSD's effluent or any other product of the District such as residues, sludge's or scum's to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the District cause the RMMSD permit to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; or any criteria, guidelines or regulations affecting sludge use of disposal developed pursuant to the Solid Waste Disposal Act, the clean Air Act, the toxic Substances Control Act or state Criteria applicable to the sludge management method being used.
- P. Special Provision – Amalgam Reduction- Dental Professions: This section applies to any dental office that places or removes amalgam. If work in a dental office is limited to work that does not involve placing or removing amalgam, such as orthodontics, periodontics, oral and maxilla-facial surgery, endodontic, prothodontics, or which are identified by the Rib Mountain Metropolitan Sewerage District as being de-minimum contributors, then the section does not apply.
  1. By no later than March 1, 2011, all dental offices that place or remove amalgam shall implement BMPs (best management practices) for amalgam as established by the Wisconsin Dental Association.
  2. By no later than March 1, 2011, every vacuum system where amalgam is placed or removed shall include an amalgam separator that meets the criteria of the International Standards Organization (ISO 11143). Dental offices shall install, operate, and maintain the amalgam separator according to instructions provided by the manufacturer. The amalgam separator shall have a design and capacity appropriate for the size and type of vacuum system.
  3. On or before March 1, 2011, each dental office shall provide a report to the Rib Mountain Metropolitan Sewerage District that provides the following information:
    - a. Certify that the dental office is implementing the management practices required by subsection (b) and identifies the contractors used to remove amalgam waste within the last twelve months.
    - b. If installation of the amalgam separator is complete, then the report shall identify the installation date, the manufacturer, and the model name.

- c. If the installation of the amalgam separator is incomplete, then the report shall explain the delay, provide an installation schedule, and identify the manufacturer and the model name of the amalgam separator that will be installed.
4. If a dental office has provided a report according to subsection (d)(3), then the dental office shall notify the Rib Mountain Metropolitan Sewerage District within five days after the completion of the installation.
5. Rib Mountain Metropolitan Sewerage District shall provide forms for reporting the information required by subsection (d).
6. From the contractors used to remove amalgam waste, dental offices shall obtain records for each shipment showing: the volume or mass of amalgam waste shipped; the name and address of the destination; and the name and address of the contractor. Dental offices shall maintain these records for a minimum of three years. Dental offices shall make these records available to the Rib Mountain Metropolitan Sewerage District, or their agent, for inspection upon request.
7. Dental offices shall allow Rib Mountain Metropolitan Sewerage District to inspect the vacuum system, amalgam separator, and amalgam waste storage areas. Inspections shall occur by appointment during normal operation hours of the dental office as long as this does not impede enforcement of this section.
8. If a dental office is implementing the management practices required by subsection (b) and is operating and maintaining the amalgam separator as required by subsection (c), then any numerical discharge limit for mercury established in any other section of this chapter does not apply.

#### DEFINITIONS:

Dental Office: any dental clinic, dental office or dental practice, but not including those limited to orthodontics, periodontics, oral and maxilla-facial surgery, endodontics, or prosthodontics.

Amalgam Separator: a device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.

Amalgam Waste: includes non-tact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chair side traps, vacuum pump filters, screens, and other amalgam devices; used amalgam capsules; and leaking or unusable amalgam capsules.

ISO 11143: International Organization for Standardization's standard for amalgam separators.

SECTION 2

LIMITATION OF WASTEWATER STRENGTH:

Without limiting the generality of the prohibitions contained in the foregoing Section I of this section, the national categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Clean Water Act as adopted in this section shall be met by all dischargers. The following substances or materials are hereby declared to be toxic or so deleterious in nature as to require specific limitations on their concentration or quantity in any discharge to the RMMSD Wastewater System, whether or not such discharge has been subjected to any form of pretreatment. Such substances or materials and their allowable concentrations or quantities at the point of discharge are listed below.

<u>MATERIAL</u>	<u>DAILY MAXIMUM</u> mg/l	<u>MONTHLY AVERAGE</u> mg/l
ARSENIC	0.40 IAS	N/A
BORON	0.20 IAS	N/A
CADMIUM	0.69 CLAD	0.26
CHROMIUM (TOTAL)	2.77 CLAD	1.71
COPPER (TOTAL)	3.38 CLAS	2.07
CYANIDE (TOTAL)	1.20 CLAS	0.65
LEAD	0.69 CLAS	.43
MANGANESE	40.00 IAS	N/A
MERCURY	.40 IAS	N/A
NICKEL	3.98 CLAS	2.38
SILVER	0.43	.24
SULFATE	500.00 IAD	N/A
ZINC	2.61 CLAS	1.48

- IAS: Inhibitory Activated Sludge
- IAD: Inhibitory Anaerobic Digestion
- CLAS: Categorical Limit Activated Sludge
- CLAD: Categorical Limit Anaerobic Digestion

No discharger shall discharge or cause to be discharged within any twenty-four (24) hour period wastes or amounts exceeding for such twenty-four (24) hour period both the concentration and quantity limits stated. Where State or Federal regulatory agency regulations require a specific pretreatment concentration for a specific industry; the more stringent concentration level between this chapter and such regulations shall apply. The RMMSD reserves the right to amend this section to provide for more stringent limitations or requirements on discharges to the wastewater system where deemed necessary to comply with the objectives set forth in this Ordinance.

DILUTION: No discharger shall increase the use of potable or process water in any way, or mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in any categorical pretreatment standards and elsewhere in this Ordinance.

## SECTION 3

### ACCIDENTAL DISCHARGES: SLUG LOADS:

Each person shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Ordinance. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at that person's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District Approving Authority for review and shall be approved by the District Approving Authority before construction of the facility. Each person with existing facilities affected by this section shall submit plans to the District Approving Authority within six (6) months after the Ordinance is adopted. No person who discharges to the RMMSD after that time shall be permitted to introduce industrial wastewater into the system until the Accidental Discharge Protection plans and procedures have been approved by the District Approving Authority. Review and approval of such plans and operating procedures by the District Approving Authority shall not relieve the person from the responsibility to modify its facility as necessary to meet the requirements of the Ordinance.

### ALL USERS OF THE RMMSD SHALL DO THE FOLLOWING:

- a. Notify the District Approving Authority immediately at any hour of the day or night by the fastest most effective means possible, upon the occurrence of a "slug load" or accidental discharge of substances prohibited by this Ordinance. The notification shall include the location of discharge, date and time thereof, type of waste concentration and volume and corrective actions. This notification shall be followed up within fifteen days by a detailed, written report to the District Approving Authority describing the cause of the accident and measures being taken to prevent future occurrence, including a timetable for completion of such measures. The completion of such measures shall be reported to the District Approving Authority. Notification does not relieve the discharger of liability for any expense, loss or damage to the RMMSD Wastewater System or features downstream therefrom, or for any fine imposed on the RMMSD on account thereof under State or Federal laws. If it is further documented that the user has repeatedly caused problems for the RMMSD, the RMMSD may decide to serve the user with a written notice of violation, order the user to show cause why enforcement action should not be taken or depending upon the severity and extent of the violation, commence legal action against the user for equitable relief in a court of competent jurisdiction.
- b. Make available to their appropriate employees copies of these rules and regulations, together with such other wastewater information and notices, as may be furnished by the District Approving Authority from time to time directed toward more effective water pollution control. All dischargers of pollutants shall furnish and permanently post a notice in a conspicuous place advising appropriate employees whom to call in case of any discharge or "slug load" in violation of these rules and regulations.

# CONTROL OF WASTES TO THE RMMSD WASTEWATER SYSTEM

## Part VIII

### SECTION 1

#### REQUIRED PERMITS:

All industrial users, new or existing, proposing to connect to or to contribute wastewater to the RMMSD shall obtain a Wastewater Discharge Permit before connecting to or discharging to the Municipal Wastewater System.

### SECTION 2

#### PERMIT APPLICATION:

Persons required to obtain a Wastewater Discharge Permit shall complete and file an application in the form prescribed by the RMMSD accompanied by the required permit fee. All existing industrial users now connected to or discharging to the RMMSD shall make application for a Wastewater Discharge Permit within 90 days after the effective date of this Ordinance.

All new Industrial users shall submit a permit application at least 90 days prior to connecting to the system or contributing wastewater to the RMMSD. Copies of the Wastewater Permit application may be obtained at the offices of RMMSD.

A 180-day baseline report can be submitted with the permit application to provide data required for the application by industries subject to categorical standards. Users subject to a promulgated federal categorical pretreatment standard shall supply to the District and Wisconsin DNR information required in 40 CFR, Part 403.12.

In support of the application the applying person shall submit the following information:

- A. Name, address and location, (if different from the address).
- B. SIC number according to the Standard Industrial Classification Manual, Bureau of Budget, 1972, as amended.
- C. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, locations and elevations.

- D. Description of activities, facilities and plant processes on the premises including all materials and types of materials, which are or could be discharged to include, but not limited to, raw materials, intermediate materials, catalysts, products and by-products and other materials as required. Furthermore, the description shall include solvents, chemicals and cleaning agents that may be introduced into the treatment system via accidental spill or mishap.
- E. Each product produced by type, amount and rate of production.
- F. Wastewater constituents and characteristics in each process stream including, but not limited to, temperature, pH, BOD, TSS, heavy metals and potential toxic substances. Sampling and analysis shall be performed in accordance with the latest procedures established by the U.S. EPA contained in 40 CFR, Part 136.
- G. Time and duration of wastewater contribution.
- H. Average, daily and 15-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
- I. The nature and concentration of any pollutants in the discharge, which are limited by any District, State, or National Categorical Pretreatment Standards and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
- J. Number of employees and hours worked.
- K. Any other information as may be necessary to elevate the permit application.
- L. All permit applications shall be signed by a principal executive officer of the user or the users authorized representative.

### SECTION 3

#### PERMIT PROCESSING:

The RMMSD will evaluate the data furnished with the permit application. Further requests for additional information may be made until the application is complete. Within 90 days after all information is complete the RMMSD will notify the user by certified mail of one of the following:

- A. A Wastewater Discharge Permit shall be issued to the user and become effective within Five (5) days of the date of issuance.
- B. A Wastewater Discharge Permit shall be denied to the user for reasons as specified, or

- C. A Wastewater Discharge Permit shall not be required of the user unless a change in operations occurs, which may affect wastewater constituents and characteristics or more stringent limitations are required.

A permit shall be obtained by the industrial user if any one of the following conditions prevail:

- A. The user discharges wastewater, which or will contain one or more pollutants with the as defined in (Part VII, Section 1).
- B. The user discharges wastewater, which or will contain one or more pollutants as listed in (Part VII, Section 2).
- C. The user is, or will be, subject to National Categorical Pretreatment Standards.
- D. The user is, or will be, discharging wastewater with concentrations of BOD and/or TSS higher than the normal wastewater concentrations.
- E. The user is required to file NR 101 forms to the Wisconsin DNR.



## SECTION 4

### PERMIT FEES AND CHARGES:

The RMMSD will adopt fees and charges for the recovery of costs from the users of the RMMSD Wastewater System for the implementation of the requirements of this Ordinance.

The District Approving Authority will bill the permit fees and charges directly to the Municipalities for industries in their jurisdiction. Permit fees will be evaluated annually and amended as necessary to reflect current costs. The permit fees will be determined after adoption of this Ordinance when the first wastewater discharge permit is requested or industrial sample analysis is done.

Charge for laboratory analysis of industrial samples will be charged to each Municipality on a case-by case basis reflecting the actual charges for commercial laboratory costs. Other charges that may be billed to the Municipality for specific users include costs for processing requests for removal credits for categorical pretreatment standards. The above fees and charges relate only to matters in this Ordinance and are separate from other fees as required by other conditions.

## SECTION 5

### PERMITS:

Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, user charges and fees established by the RMMSD. Permits may contain the following.

- A. Limits on the average and maximum wastewater constituents and characteristics.
- B. Limits on average and maximum rate and time of discharge and/or requirements for flow regulations and equalization.
- C. Requirements for installation and maintenance of inspection and sampling facilities.
- D. Requirements for installation and maintenance of pretreatment facilities including storage facilities of flow equalization necessary to eliminate violations of this Ordinance.
- E. Specification for monitoring programs, which may include sampling locations, frequency and method of sampling, number, types, and standards for tests and reporting schedule.
- F. Compliance schedules.
- G. Requirements for submission of technical reports or discharge reports.
- H. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the District Approving Authority and affording the District Approving Authority access thereto.

- I. Requirements for notification to the RMMSD of any new introduction of wastewater constituents or any substantial change in the volume or character or the wastewater constituents being introduced into the RMMSD Wastewater System.
  - J. Requirements for notification of slug discharges as per this Ordinance.
  - K. Other conditions as deemed appropriate by the District Approving Authority to ensure compliance with this Ordinance.
1. PERMIT DURATION: Wastewater Discharge Permits shall be issued for a period of five (5) years. The user shall apply for permit reissuance a minimum of 90 days prior to the expiration of the users existing permit. A general review process will be conducted prior to renewal. The review process will evaluate any violations of compliance schedules, report completeness and accuracy and other pertinent information germane to the reissuance of this permit.
  2. PERMIT TRANSFER: Wastewater discharge permits are issued to a specific industrial user for a specific industrial user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the District Approving Authority. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.
  3. APPEALS PROCEDURE: A user desiring to appeal to the RMMSD regarding the pretreatment limitations, pretreatment requirements or conditions of an issued wastewater discharge permit shall file petition for appeal with the RMMSD within 20 days of the issuance date of the permit or modification thereof. The appeal will be taken up at the next regular scheduled RMMSD meeting and a written decision of the Commission will be given within seven (7) calendar days thereafter. If the user does not file a petition for appeal within said time the issued permit is final.

## SECTION 6

### REPORTING REQUIREMENTS FOR PERMITEE:

Within 90 days following the date for final compliance with applicable categorical pretreatment standards or in the case of a new source, following commencement of the introduction of wastewater into the RMMSD Wastewater System any user subject to categorical pretreatment standards and pretreatment requirements shall submit a report to the District Approving Authority. The report shall indicate the nature and concentration of all pollutants in the discharge from the regulated process, which are limited by categorical pretreatment standards. The report shall also contain the following information: the average and maximum daily flow for these process units in the users facility, which are limited by such categorical pretreatment standards and pretreatment requirements. The report shall state whether the applicable categorical pretreatment standards and pretreatment requirements are being met on a consistent basis and if not what additional operation and maintenance and/or pretreatment is necessary to bring the industrial user into compliance with the applicable categorical pretreatment standards and pretreatment requirements. This statement shall be signed by an authorized representative of the industrial user and certified by a registered professional qualified to certify the report.

### PERIODIC COMPLIANCE REPORTS:

Every user issued a Wastewater Discharge Permit who is subject to categorical pretreatment standards and pretreatment requirements shall file semi-annual self monitoring discharge reports after the compliance date of such categorical pretreatment standard. The reports are to be submitted during the months indicated on the permit. Other users may also be required to submit semi-annual reports as required by the permit. The report shall include the following information:

- A. A record of all daily flows, which during the reporting period exceeded the average daily flow allowed by the permit.
- B. Concentration and daily quantity of pollutants in the wastewater discharge, which are controlled by the Ordinance by the categorical pretreatment standards and/or others as required by the permit.
- C. When flow and/or pollutant concentrations or quantities exceed the requirements or this Ordinance and permit limitations, a discussion as to the reason for the result and how the situation is to be corrected shall be given.
- D. Any projected changes in production, quantity and schedule, which could change discharge characteristics in the future period.

Each self-monitoring report shall be dated and signed by an authorized representative of the user.

## PRETREATMENT

### Part IX

#### REQUIRED FACILITIES:

Industrial users shall provide necessary wastewater treatment as required to comply within this Ordinance and shall achieve compliance with all national categorical pretreatment standards and pretreatment requirements within the time limitations as specified by the federal pretreatment regulations or pretreatment requirements. Any facilities required pretreating wastewater to a level acceptable to the Metro should be provided, operated, and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operation procedures shall be submitted to the District Approving Authority before construction of the facility. The review of such plans and operating procedures will in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an effluent acceptable as required by the provisions of the Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District Approving Authority prior to the industrial user's initiation of the changes. All records relating to compliance with any applicable pretreatment standards or pretreatment requirements shall be made available to officials of the EPA, Wisconsin DNR or District Approving Authority upon request.

If additional pretreatment and/or operation and maintenance will be required to meet the applicable pretreatment standards, the industrial user shall include in the application the shortest schedule, by which the industrial user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.

The following conditions shall apply to this schedule:

- A. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial user to meet the applicable categorical pretreatment standards, (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, etc.). No increment shall exceed nine months.
- B. No later than 14 days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the District Approving Authority including, at a minimum, whether or not the industrial user complied with the increment of progress to be met on such date and, if not, the date on which the industrial user expects to comply with this increment of progress, the reason for delay and the steps being taken by the industrial user to return the construction to the schedule established. In no event shall more than one month elapse between such progress reports to the district Approving authority.

Nothing contained in this section shall be construed to prevent any special agreement or arrangement between the RMMSD and any discharger regarding discharges to the RMMSD Wastewater System.

## WASTEWATER MONITORING AND ANALYSIS

### Part X

All user wastes discharged into the system shall be subject to periodic inspection to include, but not limited to, inspection of records related to monitoring, sampling, and analysis of such wastewater depth by the user and a determination of volume, character and concentration by the District Approving Authority as often as deemed necessary by either the local Municipality or District Approving Authority. Persons or occupants of premises where wastewater is created or discharges shall allow the district Approving Authority or their Municipal representative ready access at all reasonable times to all parts of the premises for purposes of inspection, sampling or records examination in the performance of their duties. The volume of flow shall be determined from the metered water consumption of the user or from a wastewater meter survey. Sampling may consist of either instantaneous flow determination shall be determined by the RMMSD and charged to the user through their Municipality.

### SECTION 1

#### CONTROL MANHOLES AND ACCESS FACILITIES:

When required by the RMMSD or their Municipality a user discharging wastes into the system shall abide by all RMMSD requirements in installation and pay for a suitable control manhole or access facilities to facilitate the accurate observation, sampling and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all time.

The control manhole or access facilities shall be located and maintained on the user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the District Approving Authority may allow such access to be constructed in the public street or sidewalk area with the approval of the local governing body and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.

When more than one user can discharge into a common lateral, the District Approving Authority may require installation of separate control manholes or access facilities for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the District Approving Authority may require that separate control manholes or access facilities be installed for each separate discharge.

Whether constructed on public or private property the control manhole or access facilities shall be constructed in accordance with the RMMSD requirements and all applicable standards and specifications. A location plan and construction details of the control manhole or access facilities shall be submitted to the District Approving Authority for review and approval prior to construction.

Except as designated in the paragraph below, the volume of flow used for computing user charges shall be the metered water consumption of the person as shown in the records of meter reading maintained by the utility water department.

Devices for measuring the volume of waste discharged may be required by the District Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the user. Following approval and installation, such meters may not be removed without the consent of the District Approving Authority.

## SECTION 2

### WASTEWATER ANALYSIS:

All laboratory tests and analyses of said wastewater shall be under the direction and control of the District Approving Authority.

The number type and frequency of laboratory analyses to be performed shall be determined by the District Approving Authority to assure compliance with Federal, State and RMMSD standards.

All measurements, tests and analysis of the characteristics of wastewater to which reference is made in this Ordinance shall be determined in accordance with standard procedures, (as set forth in “Standard Methods” and “Guidelines Establishing Test Procedures for Analysis of Pollutants”, 40 CFR 136) from suitable samples taken at the access structure. Where no special structure has been required, the samples will be collected as directed by the district Approving Authority. The reasonable cost of making such measurements, tests and analysis shall be borne by said user as outlined in the beginning of Part X.

## GREASE, OIL AND SAND INTERCEPTORS

### Part XI

In this specific context, interceptor means: a receptacle or trap designed and constructed to intercept, separate and prevent the passage of objectionable solids into the RMMSD Wastewater System, to which it is directly or indirectly connected.

Grease, oil and sand interceptors shall be provided when required by Wisconsin Administrative Codes or when the RMMSD determines they are necessary for the proper handling of liquid wastes containing excessive amounts of grease or any flammable wastes, sand or other harmful ingredients. Such traps shall not be required for private living quarters or dwelling units. All traps shall be of a type and capacity approved by State and Local plumbing codes and shall be located so as to be readily and easily accessible for cleaning and inspection by the District Approving authority.

Grease and oil traps shall be approved by the District Approving Authority and 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.

When installed, all grease, oil and sand traps shall be maintained by the discharger, at his expense, in continuously efficient operation at all times.

## DISPOSAL OF SEPTIC TANK SLUDGE AND HOLDING TANK SEWAGE

### Part XII

#### SECTION 1

No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any wastewater collection and treatment facility unless a permit for disposal has been first obtained from and approved by the RMMSD. Written application for this permit shall be made to the RMMSD and shall state the name and address of the applicant; the number of its disposal units; and the make, model and license number of each unit. Permit shall be nontransferable except in the case of replacement of the disposal unit for which a permit shall have been originally issued. The permit may be obtained upon payment of a fee for \$25.00 per calendar year. The time and place of disposal will be designated by the District Approving Authority.

The RMMSD may impose such conditions as it deems necessary on any permit granted.

Any person or party disposing of septic tank sludge's or holding tank sewage agrees to carry public liability insurance in an amount not less than ONE HUNDRED THOUSAND DOLLARS (\$100,000) to protect any and all persons or property from by any of his employees. The person(s) shall furnish a certificate certifying such insurance to be in full force and effect.

All materials disposed of into the treatment system shall be domestic origin or compatible pollutants only and the person(s) agrees that he will comply with the provisions of any and all applicable Rules and Regulations and shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste volatile or inflammable liquids or other deleterious substances into any manhole, nor allow any earth, sand or other solid material to pass into any part of the sewerage system.

Persons with a permit for disposing septic tank sludge and/or holding tank sewage into the wastewater collection and treatment facilities shall be charged a rate established by the RMMSD.

Disposal of this material into one of the Municipal wastewater systems is prohibited.

The person(s) disposing wastes agrees to indemnify and hold harmless the District and Municipalities from any and all liability and claims for damages arising out of or resulting from work and labor performed under the permit.



## SECTION 2

### BASIS FOR CHARGE:

The RMMSD will assess the permit holder for wastewater treatment based upon the following predetermined characteristics.

The actual wastewater volume of each truck load, along with these specific concentrations: Holding Tank value will be of an estimated BOD strength characteristics of 600 mg/l and an estimated Suspended Solids strength characteristics of 1,800 mg/l. Whereas, Septic Tank values will be an estimated BOD strength characteristics of 7,000 mg/l and an estimated Suspended Solids strength characteristics of 15,000 mg/l.

The user charge assessed to the permit holder will be calculated upon the above predetermined values, unless, at the permit holders expense, the quality of the Holding or Septic Tank contributed to the RMMSD system is determined prior to disposal at the RMMSD by a lab acceptable to the RMMSD.

The rate to be charged for Flow, BOD and Suspended Solids, Actual User and Equivalent Meter will be calculated under the same parameters, as established in Part XIV, Municipal User Charge Formula, which is presented in this ordinance, plus approved markup.

## RIGHT OF ENTRY, SAFETY, IDENTIFICATION AND EASEMENTS

### Part XIII

#### SECTION 1

##### RIGHT OF ENTRY:

The District Approving Authority and Local Approving Authorities or other duly authorized employees of the RMMSD and Municipalities, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, or testing, all in accordance with the provision of this Ordinance and S 66.24(3) Wisconsin Statutes. The District Approving Authority and Local Approving Authorities or other duly authorized employees of the RMMSD and Municipalities shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or wastewater treatment facilities.

#### SECTION 2

##### SAFETY:

While performing the necessary work on private premises referred to in the above section, the duly authorized RMMSD and Municipal employees shall observe all safety rules applicable to the premises established by the person; and the RMMSD and/or Municipality shall indemnify the person against loss or damage for personal injury or property damage asserted against the person and growing out of gauging and sampling operation of RMMSD and/or Municipality and indemnify the person against loss or damage to its property caused by RMMSD and/or Municipal employees, except as such may be caused by negligence of person or failure of person to maintain safe conditions as required in the control manhole or access structure.

#### SECTION 3

##### IDENTIFICATION – RIGHT TO ENTER EASEMENTS:

The District Approving Authority and Local Approving Authorities or other duly authorized employees of the RMMSD and Municipalities, bearing proper credentials and identification, shall be permitted to enter all private properties through which the RMMSD and/or Municipality holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, of this duly negotiated easement.

## SECTION 4

### MODIFICATIONS TO INTERCEPTOR EASEMENTS:

No building, structure, wall or other above-ground obstruction, including additional fill material, shall be placed, erected, installed or permitted over any RMMSD interceptor without prior written approval of the RMMSD.

## MUNICIPAL – USER CHARGE

### Part XIV

## SECTION 1

### CALCULATION OF USER CHARGES:

User charges that shall be assessed to the Municipalities shall be computed by the RMMSD according to the rates and formula presented in this Part XIV.

## SECTION 2

### USER CHARGE BILLING PERIOD:

User charges shall be billed to the Municipalities on a monthly basis.

## SECTION 3

### PAYMENT OF USER CHARGES:

User charges shall be payable by the Municipalities to the RMMSD 30 days after the billing date at 2001 Aster Road, Wausau, WI 54401

## SECTION 4

### ACTION TO COLLECT:

Such user charges levied in accordance with this Ordinance shall be a debt due to the District. If this debt is not paid within thirty (30) days after it shall be due and payable, it shall be deemed delinquent and interest shall be charged on the unpaid amount at the rate of one and one half (1 ½) percent per month from the due date. The delinquent amount and interest will be recovered by civil action in the name of the RMMSD against the Municipality.

## SECTION 5

### USER CHARGE:

User charges for each of the RMMSD's Municipalities is to be calculated based on the quantity and quality of the wastewater contributed by each customer as determined by the RMMSD. The form of the user charges calculations shall be:

$$UC = (F \times FR) + (B \times BR) = (S \times SR)$$

Where: UC = total user charge

F = flow, volume of wastewater discharged

FR = user charge flow rate

B = quantity of BOD discharged

BR = user charge BOD rate

S = quantity of suspended solids discharged

SR = user charge suspended solids rate

The unit cost for each charge is calculated from information generated by the RMMSD and is reviewed routinely.

The User Charge Flow Rate (FR) is determined by adding the cost components allocated to flow and dividing by the total estimated succeeding year of wastewater sales.

#### Cost Allocated to Flow

FR = Estimated succeeding year's Flow Volume

The User Charge BOD Rate (BR) is determined by adding the cost components allocated to BOD and dividing by the total estimated succeeding year of BOD contributions.

#### Cost Allocated to BOD

BR = Estimated succeeding year's BOD Contributions

The User Charge Suspended Solids Rate (SR) is determined by adding the cost components allocated to SS and dividing by the total estimated succeeding year of Suspended Solids contributions.

#### Cost Allocated to SS

SR = Estimated succeeding year's SS Contributions

## SECTION 6

CUSTOMER USER CHARGE:

“Each current customer shall adopt an approvable User Charge System for the RMMSD and local operation, maintenance and replacement costs to insure that adequate revenue are available to meet the costs. Future customers shall comply with this User Charge System requirement prior to connection approval by the RMMSD.”

REPLACEMENT FUND ACCOUNT

Part XV

Revenues obtained through the RMMSD’s User Charge for replacement purposes shall be maintained in a separate account to be used solely for the purposes of purchasing replacement parts and/or equipment. Funds may be withdrawn from this account for authorized use only with the approval of the Commission.

## ENFORCEMENT PROCEDURES & PENALTIES

### Part XVI

#### SECTION 1

##### EMERGENCY SUSPENSION OF SERVICE AND DISCHARGE PERMITS:

The RMMSD may suspend the wastewater treatment service and the wastewater discharge permit of a person when it appears to the RMMSD that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interferes with the operation of the WWTP, violates any pretreatment limits imposed by this Ordinance or any wastewater discharge permit issued pursuant to this Ordinance or causes the RMMSD to violate any conditions of its WPDES permit. Any person notified of the suspension of the RMMSD wastewater treatment service and/or the person's wastewater discharge permit shall immediately cease all discharges. In the event of failure of the person to comply voluntarily with the suspension order, the RMMSD shall take such measures as deemed necessary, including immediate severance of the sewer connection. The RMMSD shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof by the person of the elimination of the non-complying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

#### SECTION 2

##### ENFORCEMENT:

Except as provided in Section 1, the terms and conditions of this Ordinance shall be enforced under Sections 66.902 and 823.02 of the Wisconsin Statutes.

#### SECTION 3

##### CIVIL PENALTY:

Any person who is found to have violated any order of provisions of this Ordinance and the orders, rules and regulations issued under this Ordinance, shall be fined not less than ONE HUNDRED DOLLAR (\$100) and not more than ONE THOUSAND DOLLARS (\$1000) PER DAY FOR EACH VIOLATION. Each day of violation shall be deemed a separate offense and subject to a separate forfeiture.

In addition to the civil penalty provided herein, the RMMSD may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules and regulations issued under this Ordinance.

#### SECTION 4

##### COST OF DAMAGE:

Any person found to be responsible for a deleterious discharge into the system, which discharge causes damage to the system, upsets the WEPT processes and/or seriously impairs the quality of the receiving stream, shall become liable to the RMMSD and/or Local Approving Authority for any expense, loss or damage caused by the violation or discharge. The RMMSD may add to the user's charges and fees through the Municipality or by separate invoice the costs assessed for any cleaning, repair or replacement work caused by the violation or discharge. Any refusal to pay the assessed costs shall constitute a violation of this Ordinance.

#### SECTION 5

##### FALSIFYING INFORMATION:

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other documents filed or required to be maintained pursuant to this Ordinance or who falsified, tampers with or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall upon conviction be punished by the imposition of a civil penalty not to exceed limits as stated in this Ordinance.

#### SECTION 6

##### INJUNCTIVE RELIEF:

The RMMSD is granted injunctive relief due to violations of the National Categorical Pretreatment Standards and pretreatment regulations for non-compliance by users of the system.

## VALIDITY

### Part XL

#### SECTION 1

##### SUPERSEDING PREVIOUS REGULATIONS:

This Ordinance governing sewer use, industrial wastewater discharges, user charges and sewer connections shall supersede all previous regulation of the RMMSD.

#### SECTION 2

##### INVALIDATION CLAUSE:

Invalidation of any section, clause, sentence or provision in this Ordinance shall not affect the validity of any other section, clause, sentence or provision of this Ordinance, which can be given effect without such invalid part or parts.

#### SECTION 3

##### AMENDMENT:

The RMMSD, through its District Commission reserves the right to amend this Ordinance in part or in whole whenever it may deem necessary, but such right will be exercised only after due notice to all persons concerned and after proper meeting on the proposed amendment.

#### SECTION 4

##### CONFLICT WITH RMMSD'S RULES AND REGULATIONS:

In the event that any provisions of this Ordinance of the District are in conflict with the Municipal Ordinances, the former shall control.



## AUDIT

### Part XVIII

#### SECTION 1

##### ANNUAL AUDIT:

The RMMSD shall conduct an annual audit, the purpose of which shall be to maintain the proper proportion between Municipalities or the User Charge System and to insure that adequate revenues are available relative to variable operation, maintenance, replacement costs and debt service. The Municipalities shall also conduct annual audits, the purpose of which shall be to maintain the proper proportion between a user and user charge classes of the user charge system and to insure that adequate revenues are available to meet the charges assessed to the Municipalities by the RMMSD. Copies of the RMMSD's annual audit once completed will be available.

DATE OF ENACTMENT

Part XIX

This Ordinance shall take effect and be in force from and after its passage, adoption and publication as provided by law.

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James R. Strehlow  
Commission President

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Robert J. Stavran  
Commission Secretary

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Adopted Date

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Publication Date