

RULES AND REGULATIONS
Governing the Design, Construction and Use
of the
Water Distribution and Wastewater
Collection Systems
for the
Clermont County Water Resources
Department of Clermont County, Ohio



CLERMONT
COUNTYOHIO
Water Resources Department

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INDEX

Article #	Title	Page #'s
Article I	General Provisions	1-4
Article II	Definitions and Abbreviations	5-23
Article III	Construction of Sewage Facilities And Connection to the POTW	24-42
Article IV	Use of Department Publicly Owned Treatment Works	43-67
Article V	Construction of Water Mains and Service Connections	68-93
Article VI	Department Accounting And User Rates	94-114
Article VII	Enforcement of Department Regulations	115-117

Schedule #	Title	Page #'s
Schedule 1	System Capacity Charges and System Replacement Fees	118-120
Schedule 2	Water Meter and Installation Fees	121
Schedule 3	Other Fees and Charges	122
Schedule 4	Water and Sewer Use Rates	123-126
Schedule 5	Charges for Water Meter Testing	127
Schedule 6	Fire Suppression Fees	128
Schedule 7	Surcharges for Extra Strength Pollutants	129
Schedule 8	Limited Tap-In Agreement On Restricted Basis	130-133

INDEX CONTINUED

Schedule #	Title	Page #'s
Schedule 9	Application for Water and/or Sewer Service	134-135
Schedule 10	Septage Receiving Charges	136
Schedule 11	Record Drawing / "As-Built" Submittal Guidelines	137-138
Schedule 12	Sewer Tapper's Bond Form	139-140

ARTICLE I

GENERAL PROVISIONS

	<u>PAGE</u>
1.1 Purpose . . . . .	.1
1.2 Statutory Authority	1
1.3 Authority of the Director of Utilities . . . . .	.2
1.4 Equitability and Uniformity	2
1.5 Establishment of Requirements and Limitations Pertaining to Discharges into Department-Owned Wastewater Works.	2
1.6 Establishment of User Classes	3
1.7 Establishment of User Fees and Charges.	3
1.8 Establishment of Construction Standards	3
1.9 Priority of Regulations . . . . .	.4
1.10 Information Disclosure Requirements . . . . .	.4

ARTICLE I

GENERAL PROVISIONS

1.1 Purpose

These Regulations set forth uniform regulations for the construction, maintenance, protection, operation and use of wastewater works and waterworks owned by the Board of Clermont County Commissioners and operated by the Clermont County Water Resources Department under the direction of the Clermont County Director of Utilities. Compliance with these regulations is necessary to enable the Department to operate the County-owned wastewater works and waterworks in conformance with the requirements of applicable state and federal laws such as the Clean Water Act (33 USC §1251), the Construction Grants Program Regulations (40 CFR Part 35), the Industrial Waste Pretreatment Program Regulations (40 CFR Part 403) and Chapter 6111 (Water Pollution Control) and Chapter 6117 (Sewer Departments) of the Ohio Revised Code.

The Clermont County Water Resources Department (aka Sewer Department) was established in 1950 and reestablished in 1977 pursuant to the provisions of Ohio law. The Department operates both water supply and sewer service utilities for the benefit of residents of Clermont County.

These Regulations were first adopted in 1954 and, through periodic amendments, have been maintained in effect since that time. These amended Regulations are adopted by the Board of Clermont County Commissioners by Resolution No. 172-18, dated October 24, 2018, and recorded in the Commissioners' Journal No. 315, and shall supersede all previous actions by the Board with respect to the content of these Regulations.

1.2 Statutory Authority

Chapter 6117 of the Ohio Revised Code provides the statutory authority for the establishment and continued operation of a sewer Department by a Board of County Commissioners, permitting the Board to hire a sanitary engineer and make rules pertaining to the use of Department sewers and operation of the Water Resources Department. Other provisions pertaining to rule making and the authority of Boards of County Commissioners in relation to water, wastewater and

industrial wastewater discharges are contained in Ohio Revised Code Sections 6103.02 (local authority-water); 6111.05 (environmental protection-right of entry); 6111.99 (penalties); 6117.01 and -.04 (local authority-wastewater); 6117.99 (penalties).

1.3 Authority of the Director of Utilities

The Board of County Commissioners hereby authorizes the Director of Utilities to administer these Regulations. The Director of Utilities is directed to use his best professional judgment in resolving questions which may arise as the result of interpretation of the Regulations. In addition, the Director of Utilities may, as necessity or emergency dictates and upon consultation with the Board of County Commissioners, waive or suspend any provision herein.

1.4 Equitability and Uniformity

The principal purpose of these Regulations is to establish clearly the basic rules pertaining to the construction, maintenance, operation, protection and use of the Department's publicly-owned wastewater treatment works (hereinafter "POTW"), waterworks and the application of appropriate fees for their use. These Regulations shall be uniformly applicable throughout the Department to protect the Department's physical facilities from misuse and harm and equitably to distribute the costs of construction, operation, maintenance, and administration of these facilities to all persons benefiting from their use.

1.5 Establishment of Requirements and Limitations Pertaining to Discharges into Department-Owned Wastewater Works

These Regulations incorporate provisions limiting the nature and amounts of materials that may be discharged into the Department wastewater works to protect the physical integrity of Department-owned facilities; protect the health, safety, and welfare of the public and the environment; maintain optimum wastewater treatment process performance and efficiency; prevent the introduction of pollutants into Department facilities which are incompatible with the wastewater treatment processes, or pass through them to the detriment of the environment; and, maximize opportunities to recycle or re-use wastewater treatment process sludge.

1.6 Establishment of User Classes

The following classifications of users of the utilities regulated by these provisions are hereby established:

- Single family residential (one or two units, including mobile homes)
- multi-family (three or more units)
- commercial
- food service
- industrial
- institutional
- recreational
- public water supplier

1.7 Establishment of User Fees and Charges

The following classifications of user charges are hereby established to include but are not limited to:

- permit and inspection fees
- application fees
- system capacity charges
- service fees and charges, including minimum charges
- rate adjustment charges
- surcharges
- laboratory analysis charges

Detailed information regarding rates and charges is found in Article VI of these Regulations.

1.8 Establishment of Construction Standards

The Board of County Commissioners, in adopting these Regulations, hereby authorizes the Sanitary Engineer or Director of Utilities to develop, adopt and publish standard drawings and specifications related to the construction, maintenance, repair, and operation of Department facilities. These standard drawings and specifications will be provided as Appendices to these Regulations and may be amended by the Sanitary Engineer or Director of Utilities from time to time.

The standard drawings and specifications are contained in this document and shall be available for purchase or inspection at the Sanitary Engineer's Office. Such standards shall be adhered to by all persons constructing facilities, including service laterals, to

the point of jurisdiction of the appropriate plumbing inspection authority.

1.9 Priority of Regulations

In addition to requirements imposed by these Regulations, some industries discharging into Department sewers are subject to pretreatment regulations promulgated by the United States Environmental Protection Agency (hereinafter "USEPA") (40 CFR Part 403). Where inconsistencies between requirements imposed by county versus federal regulations exist, an industrial discharger shall meet whichever regulation is more stringent. In addition, as federal or county regulations are revised, dischargers subject to them shall comply with the applicable revised provisions.

1.10 Information Disclosure Requirements

The Director of Utilities shall be responsible for collecting information concerning the nature of wastewater discharges into the Department wastewater works. Users of Department services shall comply fully with all applicable local, state, and federal laws concerning the discharge of wastewater to sewers and shall cooperate with Department operations by providing timely and responsive answers to requests for information concerning the nature of their wastewater discharges. The Director of Utilities may develop appropriate forms and/or applications to facilitate the collection of pertinent information concerning wastewater discharges.

Any user shall notify the Director of Utilities 30 days or more in advance of any substantial change in operations or system that may alter the nature, quality or volume of pollutants in the user's discharge, and shall comply with any applicable pretreatment requirements.

ARTICLE II

DEFINITIONS AND ABBREVIATIONS

	<u>Page</u>
2.1 Definitions.	6
2.2 Abbreviations. . . . .	.23

ARTICLE II

DEFINITIONS AND ABBREVIATIONS

Unless a provision of these Regulations explicitly states otherwise, the following terms and phrases as used in these Regulations shall have the meanings set forth below. Terms and phrases that are not defined shall have the meanings given them in Glossary Water and Wastewater Control Engineering, Third Edition, published by The American Public Health Association, The American Society of Civil Engineers, The American Water Works Association, and The Water Pollution Control Federation, copyright 1981.

2.1 Definitions

Act: The federal Clean Water Act (aka the Federal Water Pollution Control Act), as amended 33 USC §1251, et seq.

Administrative Orders (AOs): AOs are enforcement documents which direct IUs to undertake or to cease specified activities. Four common types of AO's are:

- Consent Orders;
- Show Cause Hearing;
- Compliance Schedule; and,
- Cease and Desist Orders

Clermont County may use more than one type of AO when responding to a particular instance of noncompliance.

A. Consent Orders

A consent order combines the force of an AO with the flexibility of a negotiated settlement. The consent order is an agreement between Clermont County and the IU normally containing three elements: (1) compliance schedules; (2) fines or remedial actions; and (3) signatures of Clermont County and industry representatives.

B. Show Cause Hearing

A show cause hearing directs the IU to appear before Clermont County to explain its noncompliance and to show cause as to why more severe enforcement actions against the user should not go forward. The notice of the meeting will be either served

personally, by certified mail (return receipt requested), or by e-mail (read receipt) at least 10 days prior to the Show Cause Hearing. The Show Cause Hearing may be formal and open to the public, or informal and closed to the public. It will be conducted by the Clermont County Director of Utilities or designated representative depending on the circumstances and will be documented in the industrial user's file. This action is not prerequisite for further and immediate enforcement action.

C. Compliance Schedule

A compliance schedule directs the user to achieve or restore compliance by a date specified in the orders. Its terms need not be discussed with the industry in advance. The compliance schedule will document the noncompliance and state required actions to be accomplished by specific dates, including interim and final reporting requirements. Industrial users are responsible for communicating to CCWRD its progress towards meeting compliance schedule milestones. Once these milestones are established, the Clermont County Water Resources staff will monitor the user's performance.

D. Cease and Desist Order

A cease and desist order directs a noncompliant user to cease illegal or authorized discharges immediately or to terminate its discharge altogether. The order may be issued immediately upon discovery of the problem or following a hearing. In an emergency, the order to cease and desist may be given by telephone with a subsequent written order served on the IU, either in person or by certified mail (return receipt requested). The cease and desist order may also be used to suspend or permanently revoke an IU pretreatment permit or discharge into CCWRD POTW.

Air Gap Separation: The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.

Ammonia Nitrogen. The total of NH_3N and other nitrogen compounds that test positive for ammonia in Standard Methods #4500 (ammonia-selective electrode method), even after preliminary distillation.

Authorized Representative of Industrial User: An authorized representative of an industrial user may be:

- A. For a corporation:

1. A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy-making functions for the corporation; or
 2. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- B. A general partner, in the case of a partnership.
- C. The proprietor, in the case of a sole proprietorship.
- D. A duly authorized representative of the individual designated in paragraphs (A) through (C) above, if the written authorization submitted to the Department specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, superintendent, or a position of equivalent responsibility, or having overall responsibility of environmental matters for the company.

Auxiliary Water System: Any water system (including water supplied by that system) on or available to a given premises other than the Department water system. These auxiliary waters may include water from another purveyor's public water system, water from a source such as a well, lake, or stream, process fluids, or used water. The auxiliary waters may be polluted, contaminated or objectionable, or constitute a water source or system over which the water purveyor does not have control.

Backflow: The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.

Backflow Prevention Device: Any device, method, or type of construction intended to prevent backflow into a potable water system.

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

Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in mg/l.

Building Drain: That part of the lowest piping of an interior drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning three (3) feet outside the inner face of the building wall.

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

Bypass: The intentional diversion of waste streams from any portion of a user's pretreatment facility.

Categorical Industrial User: An industrial user subject to a Categorical Pretreatment Standard or Categorical Standard.

Categorical Pretreatment Standard or Categorical Standard: Any standard, including those promulgated by the administrator in accordance with section 307 of the Act and established under the appropriate subpart of 40 C.F.R. chapter I, subchapter N, specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories under the appropriate subpart of 40 C.F.R. chapter I, subchapter N.

Chemical Oxygen Demand (COD): The quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures and expressed in mg/l.

Clermont County Water Resources Department (Department): A geographic area and administrative organization established by the Board of County Commissioners for the purpose of preserving and promoting the public health and welfare and which may by action of the Board, acquire, own, construct, maintain and operate main, branch,

intercepting, or local sewers or interceptors necessary to care for and conduct wastewater from any part of the Department to a proper outlet, and to properly treat or dispose of same.

Compliance Meeting: Informal Meeting with the IU to Discuss the Resolution of Reoccurring Noncompliance.

Composite Sample: A composite sample shall be comprised of a series of grab samples collected over a 24 hour period proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations and in such a fashion as to be representative of the facility's overall performance.

Consumer: The owner or person in control of any premises supplied by or in any manner connected to the Department water system.

Consumer's Water System: Any water system located on the water user's premises supplied by or in some manner connected to the Department waterworks. A household plumbing system is considered to be a consumer's water system.

Contamination: An impairment of the quality of the water by sewage, process fluids, or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

Cross-Connection: Any arrangement whereby backflow can occur.

Debt Service: The portion of the total sewer revenue set aside for payment of principal and interest on outstanding obligations, plus reserves required by trust agreements.

Degree of Hazard: An evaluation of the potential risk to health and the adverse effect upon the potable water system.

Director: The director of the Ohio Environmental Protection Agency or his duly authorized representative.

Director of Utilities: The Director of the Clermont County Water Resources Department appointed by the Board of County Commissioners to head the Clermont County Water Resources Department.

Domestic Wastewater: Discharges of the same type as residential wastes which may emanate from any user class, such as the toilet and lunchroom facilities of an industrial facility.

Double Check Valve Assembly: An assembly composed of two single, independently acting, check valves including tightly closing shutoff

valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

Environmental Protection Agency (USEPA): The United States Environmental Protection Agency, or where appropriate, a designation for the Administrator or other authorized official of the agency.

Existing Source: Any source of discharge, the construction or operation of which commenced prior to the publication by USEPA of categorical pretreatment standards which are currently applicable to such source.

Extra-Strength Pollutant: Any level of BOD, SS and/or ammonia nitrogen which exceeds the Standard Wastewater Strength as defined in this Article.

Grab Sample: A sample taken from a waste stream on a one-time basis without regard to the rate of flow of the waste stream or its duration.

Grease: In wastewater, a group of substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials.

Health Hazard: Any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well being of users. The word "severe" as used to qualify health hazard means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.

Holding Tank Wastes: Any waste from holding tanks or chambers used in connection with boats, chemical toilets, campers, trailers or other isolated facilities from which sanitary wastes emanate, including sanitary wastes from septic tanks and vacuum-pump tank trucks.

Indirect Discharge. The introduction of pollutants into the POTW.

Industrial User (IU): A discharger of industrial waste or any non-domestic waste regulated under CWA Section 307(b), (c), or (d); a source of indirect discharge.

Industrial Waste: Solid, liquid, or gaseous waste substance resulting from any industrial, manufacturing, trade, or business process, or from the development, recovery, or processing of natural resources, as distinct from sanitary sewage.

Industrial Waste Pretreatment Coordinator: A Clermont County Water Resources Department employee assigned to head the Industrial Waste Pretreatment Program.

Infiltration/Inflow: Storm water run-off or ground water penetrating into the wastewater system; an undesirable element in the collection and treatment of wastewater.

Instantaneous Limit: The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and duration of the sampling event.

Interchangeable Connection: An arrangement or device that will allow alternate but not simultaneous use of two sources of water.

Interference: A discharge which, alone or in conjunction with a discharge or discharges from other sources, either:

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

Medical Waste: Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, dialysis wastes, and any other waste determined by the Department to be a bio-hazard.

Minimum Water Service Charge: The minimum charge made to a user for service and availability of service and credited to the total service charge at the applicable unit rate.

Minimum Sewer Service Charge: The minimum charge made to a user for service and availability of service.

Narrative standards: - descriptions or statements of unacceptable conditions in and on the water.

National Pretreatment Standard (Pretreatment Standard): Any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and (c) of the Clean Water Act and which applies to industrial users. Included are the prohibitive discharge limits established by 40 CFR 403.5.

New Source: Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which began after the publication of pretreatment standards applicable to that source provided that the building, structure, facility, or installation is constructed at a site at which no other source is located, or that the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge at an existing source, or that the production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site.

Non-Contact Cooling Water: The water discharged from any system of condensation, air condition, cooling or refrigeration. It shall be free from odor and oil, and shall contain no polluting substances other than heat.

Non-Potable Water: Water not safe for drinking, personal, or culinary use.

NPDES Permit: The National Pollutant Discharge Elimination System permit issued pursuant to Section 402 of the Clean Water Act.

Ohio EPA (OEPA): The Ohio Environmental Protection Agency.

Operation, Maintenance and Replacement (OM&R): The cost of providing service throughout the useful life of the wastewater works and waterworks in accordance with design criteria, effluent discharge limitation and sound economic principals.

- A. Operation--expenses of the enterprise, rendering of service and collection of revenue.
- B. Maintenance--upkeep necessary for efficient operation of the physical plant(s).

Pass-Through: A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a

cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.

Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representative, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

pH: The logarithm (base 10) of the reciprocal of the weight of hydrogen ion concentration, in grams per liter of solution. (Low values indicate the presence of acids or acid-forming salts. High values indicate the presence of alkaline materials. A pH of 7.0 is neutral.)

Phosphorus: The total phosphorus content of a sample, expressed in mg/l, including all orthophosphates and condensed phosphates, both soluble and insoluble, organic and inorganic species and referred to in Standard Methods as total phosphorus.

Pollutant: Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. Pollutants include certain characteristics of wastewater (e.g., pH, temperature, total suspended solids, turbidity, color, BOD, COD, toxicity, or odor).

This term does not mean (A) "sewage from vessels" within the meaning of Section 312 of the Act; or (B) water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production, and disposed of in a well, if the well is used either to facilitate production or for disposal purposes, is approved by authority of the state in which the well is located, and if such State determines that such injection or disposal will not result in the degradation of ground or surface water resources.

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

Pollutional Hazard: A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the Department waterworks or a consumer's potable water system.

Potable Water: Water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Ohio EPA.

Premises: Any parcel of real estate or portion of real estate, including any improvements, determined by the Sanitary Engineer to be a user for purposes of receiving, using and paying for services.

Pretreatment: The on-site reduction in the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater by users prior to or in lieu of discharging pollutants to the POTW.

Pretreatment Requirement: Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment Standard: Any pretreatment standard or requirement (federal, state and/or county) with which users are required to comply.

Process Fluids: Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, environmental, or system hazard if introduced into the Department or consumer's potable water system, including but not limited to:

- A. Polluted or contaminated waters;
- B. Process waters;
- C. Used waters originating from the Department water system which may have deteriorated in sanitary quality;
- D. Cooling waters;
- E. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- F. Chemicals in solution or suspension;
- G. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes.

Process Wastewater: Any water that, during manufacturing or processing, comes into contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Public Sewer: A sewer owned and operated by the Department.

Public Water System: A publicly owned potable water system.

Publicly-Owned Treatment Works (POTW): All devices, sewers, pipes, other pumping stations conveyances, and wastewater treatment plants owned by, or operated by or for, the Board of Clermont County

Commissioners for the purpose of the storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature.

Reduced Pressure Principle Backflow Prevention Device: A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit shall include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

Replacement: The expenditure for procuring and installing equipment, accessories, and appurtenances necessary during the useful life of the wastewater works and waterworks to maintain the capacity and performance for which these works were designed and constructed.

Sanitary Engineer: A registered professional engineer appointed by the Board of County Commissioners to head the Clermont County Water Resources Department Engineering Department.

Sanitary Sewer: A sewer which transports wastewater and/or industrial waste and to which storm, surface, and ground water are not intentionally admitted.

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

Service Charge: The charge associated with the cost to the Department of providing service to a person who uses the POTW and/or water system, including administrative, operational, maintenance, replacement, debt service, and capital costs.

Service Connection: The terminal end of a service line from the Department waterworks. If a meter is installed at the end of the service connection, then the service connection is the downstream end of the meter.

Sewage: Any liquid waste containing animal or vegetable matter in suspension or solution. Sewage may include household wastes as

commonly discharged from residences and from commercial, institutional, or similar facilities.

Sewage System: Pipelines or conduits, pumping stations, and force mains, and all other constructions, devices, appurtenances, and facilities used for collecting or conducting waterborne sewage, industrial waste, or other wastes and bringing them to a point of disposal or treatment, but does not include plumbing fixtures, building drains and subdrains, building sewers, and building storm sewers.

Sewer: A pipe, conduit or other device for carrying wastewater.

Sewer Service Area: A watershed area or drainage basin in which wastewater is collected and transported through a system of collection, trunk and/or interceptor sewers to a wastewater treatment plant for final disposal.

Sewer Service Charge: The total charge to offset the cost of providing service to a user of the system, including operation, maintenance, replacement, and the cost of debt service.

Shall: Used in these regulations to indicate the mandatory nature of the regulation, while "may" indicates the permissive or discretionary nature of the regulation.

Show Cause Hearing: Formal meeting requiring the IU to appear and demonstrate why the Department should not take a proposed enforcement action against it.

Significant Industrial User: (SIU)

- A. Any categorical industrial user.
- B. Any non-categorical industrial user which:
 - 1) Discharges 25,000 gpd or more of process wastewater to the POTW; or,
 - 2) Contributes 5% or more of the average flow or load for any pollutant received by the POTW; or,
 - 3) Has reasonable potential to adversely affect the POTW in terms of inhibition, pass through of pollutants, sludge contamination, or endangerment of POTW workers.
- C. Any Non-Significant Categorical Industrial User (NSCIU)

- 1) The Director of Utilities may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a SIU on finding that the IU never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - a. The industrial User, prior to Director of Utilities finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - b. The Industrial User annually submits the certification statement required in OAC 3745 and 40 CFR 403.12(q), together with any additional information necessary to support the certification statement; and
 - c. The Industrial User never discharges any untreated process wastewater.

- 2) Upon a finding that a User meeting the criteria and has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Director of Utilities may at any time, or on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such a User should not be considered a SIU.

The Water Resources Department may at any time, on its own initiative or in response to a petition received from an industrial user, determine that a non-categorical industrial user is not a significant industrial user if the industrial user has no reasonable potential to adversely affect the POTW's operation or for violating any pretreatment standard or requirement.

Significant Noncompliance: Pursuant to CFR Section 40 Part 403.8, industrial user violations from a permitted monitoring point which meet one or more of the following are considered to be significant noncompliance:

- A. Violations of wastewater discharge limits.
 - 1) Chronic violations. (SIU only)
Sixty-six (66) percent or more of the measurements at any permitted monitoring point exceed the instantaneous limit, daily maximum limit or the average limit in a six (6)-month

period for the same pollutant parameter including instantaneous limits as defined in this article.

- 2) Technical Review Criteria (TRC) violations. (SIU only)
Thirty-three (33) percent or more of the measurements at any permitted monitoring point exceed the instantaneous limit, daily maximum limit or the average limit by more than the TRC in a six (6)-month period. For conventional pollutants (BOD, Total Suspended Solids, NH₃-N, Fats, Oil & Grease)

$$\text{TRC} = 1.4 \times \text{pollutant limit}$$

For all other pollutants except on PH

$$\text{TRC} = 1.2 \times \text{pollutant limit}$$

- 3) Any other violation(s) of an effluent limit, instantaneous, or narrative standards (average or daily maximum) that the Department believes has caused, alone or in combination with other discharges, interference or pass through, or endangered the health of POTW personnel or the public.
 - 4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.
- B. Violations of compliance schedule milestones, contained in a Department control mechanism or enforcement order, for starting construction, completing construction, and attaining final compliance by ninety (90) days or more after the schedule date.
 - C. Failure to provide reports for compliance schedules, self monitoring data, or categorical standards (baseline monitoring reports, 90 day compliance reports and periodic reports) within forty-five (45) days from the due date.
 - D. Failure to accurately report noncompliance.
 - E. Violations that adversely affect the operation or implementation of the pretreatment program including violations of Best Management Practices.
 - F. Any other violation or group of violations, including BMPs, that the CCWRD considers to be significant.

Sludge: Any solid, semi-solid, or liquid waste generated from a domestic on-site system or a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility; or any other waste having similar

characteristics and effects defined in Sections 402 and 405 of the Clean Water Act, and in Sections 3001, 3004 and 4004 of the Solid Waste Disposal Act.

Slug Load or Slug Discharge: The discharge of pollutants, including oxygen-demanding pollutants (BOD, etc.), at a flow rate and/or pollutant concentration usually of short duration which may cause interference to a wastewater treatment plant.

Standard Industrial Classification (or SIC): The classification of users based on the 1972 Standard Industrial Classification Manual, as amended and supplemented, Office of Management and Budget of the United States of America.

Standard Methods: The laboratory procedures set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

Standard Wastewater Strength: A "domestic" type waste having a five-day biochemical oxygen demand (BOD₅) concentration not in excess of 200 mg/l; a suspended solid (SS) concentration not in excess of 250 mg/l; and an ammonia nitrogen (NH₃N) concentration not in excess of 15 mg/l.

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

Suspended Solids: Total suspended matter that either floats on the surface of, or is in, water, wastewater, sewage or other liquids, and which is removable by laboratory filtering, as prescribed in Standard Methods.

System Capacity Charge: A one-time charge assessed to premises at the time such premises connects, either directly or indirectly, to the Department POTW or water system. The charge is associated with the expected cost to the Department for the portion of the facilities required to serve the premises and in proportion to the demand expected to be placed on the Department facilities from the premises.

System Hazard: A condition posing an actual or potential threat of damage to the physical properties of the Department waterworks or a consumer's potable water system.

Toxic Pollutant: Any pollutant or combination of pollutants designated as toxic in federal regulations pursuant to Section 307 of the Clean Water Act, or other Acts and as identified in Appendix

B to part 403 of 65 toxic pollutants of the Code of Federal Regulations.

Treatment Plant: Any plant, disposal field, lagoon, dam, pumping station, or building sewer connected directly to the treatment plant, incinerator, or other facilities used for the purpose of treating, stabilizing, or holding sewage, industrial waste, or other wastes, except as otherwise defined.

United States Environmental Protection Agency (USEPA). The U.S. Environmental Protection Agency, or where appropriate, the Administrator or other authorized official of the Agency.

Upset: An exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user, excluding operational error, improperly designed pretreatment facilities, inadequate pretreatment facilities, lack of preventive maintenance, or careless or improper operation.

Used Water: Any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water purveyor.

User: Any person or entity who contributes, causes, or permits the contribution of wastewater into a public sewer. Any person who uses, withdraws from, or connects to a public water system.

User Charge: The charge for providing sewer and/or water service proportionate to the Department's cost for operation, maintenance and replacement of these facilities.

Waste: Wastewater and all other substances (liquid, solid, gaseous or radioactive) associated with human habitation or of human or animal origin; or from any producing, manufacturing or processing operation of any nature, including substances placed within containers of any nature prior to, and for purposes of, disposal.

Wastewater: The liquid and water-carried or domestic industrial wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, discharged into or permitted to enter the POTW.

Wastewater Constituents: The individual chemical, physical, bacteriological and radiological parameters, including volume, flow rate, and other parameters, that serve to define, classify, or measure the contents, quality, quantity, and strength of wastewater.

Wastewater Treatment Plant: An arrangement of devices, facilities and structures used to treat sewage.

Wastewater Works: All facilities for collecting, pumping, treating and disposing of sanitary sewage and industrial wastes.

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

Water Purveyor: The owner or operator of a public water system.

Water Service Line: Any line that carries potable water from the Department water system to a consumer.

Waterworks: All processes, devices and structures used to obtain, treat, condition, pump and distribute water, between the Department potable waterworks and the consumer's water system. The Department potable waterworks shall consist of the source facilities and the distribution system, including all facilities of the potable waterworks under the control of the Sanitary Engineer up to the point where the consumer's water system begins. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the Department distribution system. The Department distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.

The consumer's water system shall include those parts of the facilities beyond the service connection utilized in conveying water from the Department distribution system to points of use.

Waters of the State: All streams, lakes, ponds, marshes, watercourses, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water; surface or underground, natural or artificial, public or private; which are contained within, flow through, or border upon the State or any portion thereof.

Water Sales: The amount of metered water sold to a wastewater user which determines the sewer service charges.

2.2 Abbreviations

For the purpose of these Regulations, the following abbreviations shall have the designated meanings:

AO	Administrative Order or Administrative Compliance Order
BOD	Biochemical Oxygen Demand
BMP	Best Management Practices
BMR	Baseline Monitoring Report
CCWRD	Clermont County Water Resources Department
°C	Temperature in degrees Centigrade
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
CWA	Federal Water Pollution Control (Clean Water) Act 33 U.S.C. sections 1251 to 1387
°F	Temperature in degrees Fahrenheit
IU	Industrial User
IWPT	Industrial Waste Pretreatment
mg	Milligrams
mg/l	Milligrams per liter
NH ₃ N	Ammonia Nitrogen
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
NSCIU	Non-Significant Categorical Industrial User
OEPA	Ohio Environmental Protection Agency
OM&R	Operation, Maintenance and Repair
ORC	Ohio Revised Code
P	Phosphorus
POTW	Publicly-Owned Treatment Works
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SNC	Significant Noncompliance
SOC	Schedule of Compliance
SS	Suspended Solids
SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
TSS	Total Suspended Solids
USC	United States Code
USEPA	United States Environmental Protection Agency

ARTICLE III

**CONSTRUCTION OF SEWAGE FACILITIES
AND CONNECTION TO THE POTW**

	<u>Page</u>
3.1 Permit & Application for Connection to POTW. . . . .	.25
3.2 Use of Private Capital for Development and Extensions of Department Sewer Facilities. . . . .	.25
3.3 Construction by Private Entities.	27
3.4 Connections to the POTW. . . . .	.33
3.5 Department Construction. . . . .	.36
3.6 Special Provisions.	36

ARTICLE III

CONSTRUCTION OF SEWAGE FACILITIES AND CONNECTION TO THE POTW

3.1 Permit and Application for Connection to the POTW

A permit to connect to the Department sewer system must be obtained from the Clermont County Permit Central Office. An application for sewer service, whether new or existing, is made through the Clermont County Office of Management and Budget. See Schedules 1 through 7 of these Regulations for complete information regarding fees and charges.

3.2 Use of Private Capital for Development and Extensions of Department Sewer Facilities

3.2.1 General

This Section covers the use or extension of Department-owned sewer facilities by private capital where facilities to be constructed by private capital are integrated with Department facilities in such areas as residential developments; industrial parks; or individual residential, commercial and industrial installations.

3.2.2 Cost Sharing with Department

The Department may share in the cost of installing sewers for a private development provided that any portion of that development is constructed in manner, capacity, or size to serve existing or future connections off-site of the development.

3.2.2.1 Method of Cost Sharing

The cost of the work eligible for cost sharing may be paid by the Department in a lump sum; by furnishing materials; and/or, by Department construction of off-site facilities and lump sum payment to the Department by the developer.

3.2.2.2 Determination of Share

The amount the Department will share in the cost of an eligible portion of a project shall be determined during the planning phase of the development by negotiations between the Director of Utilities and the developer. A developer must obtain at least three bids for the work and the Department will pay its share based on the amount of the lowest bid.

Off-site cost may be ineligible for cost sharing if the work is not undertaken in accordance with Department plans or if the work's value to the Department cannot be determined.

3.2.3 Recoupment of Costs Borne by Private Developer

In cases where a private developer wishes to fund the extension of sewer facilities, the developer may recoup part of the costs of such extension from users who may, in the future, wish to tap into the private developer's extension. Such costs may be recouped by means of a reimbursement resolution.

A developer who wishes to recoup costs by means of a reimbursement resolution must obtain at least three bids for the work proposed to be performed. Costs to be recouped are based on the lowest of the bids.

A reimbursement resolution, prepared and adopted by the Board of County Commissioners pursuant to the provisions of Ohio Revised Code §307.73, may be requested where a private developer proposes to construct sanitary sewer mains and wishes to recoup the expense. The terms of the request for reimbursement must be provided prior to construction. The following must be provided to the Director of Utilities at the time of making the request:

- A) Request for reimbursement of construction costs.
- B) Completed reimbursement resolution form.
- C) Tax maps with names of all affected properties.
- D) Copies of property deeds including tax identification and parcel numbers, school Department, book, page and plat number, if applicable.
- E) Three itemized bids for project.
- F) Two blue line drawings of approved plans.

A ten-year limit exists on a developer's ability to obtain recoupment. A property otherwise benefited by sewer service pursuant to this Section but lacking or with minimal road frontage will be assumed to have a minimum of one hundred feet of benefited road

frontage for the purpose of calculating its share of the project cost.

Upon passage of the Resolution by the Board of Clermont County Commissioners, the developer must file the Resolution with the County Auditor. Clermont County assumes no responsibility for filing a reimbursement resolution with the County Auditor.

3.2.4 Specifications and Inspections

All work by private developers which will be dedicated to, operated by, or otherwise made a part of the Department's system shall be constructed in accordance with the Department's standard drawings, specifications, and directives. Such standard drawings and specifications are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer or Director of Utilities.

3.3 Construction by Private Entities

No person or entity shall open any street, land, roadway, highway, easement or public way for the purpose of connecting to or disconnecting from the Department sewage system without first receiving written authorization from the appropriate authorities. Copies of documents providing such authorization may be required by the Department before a permit to connect is granted.

3.3.1 Review and Approval of Plans

No person or entity shall construct or install sewage system or treatment plant facilities which discharge directly or indirectly into the POTW, or make a change in any such facilities, until the plans therefore have been submitted to and approved by the Director of Utilities. The Department shall make a charge for such review. If the plan developer does not obtain a permit within one year of initial plan review and approval, the plan shall be subject to another plan review and an additional plan review fee. See Schedule 3 for fee.

Drawings and specifications of the facilities proposed to be constructed shall meet, but not be limited to, the following requirements:

1. Submitted in triplicate.
2. Drawings shall be on standard size sheets, 24" x 36".
3. The location and profile of sanitary sewers shall be shown on the drawings.
4. Pavements, utilities, driveways, culverts, inlets, drains, sanitary sewers, manholes, water mains, valve boxes, fire hydrants, and other miscellaneous structures or topographic features shall be shown on the drawings.
5. Drawings of the proposed treatment plant facilities shall be shown in sufficient detail to permit a contractor to construct the facility without the aid or necessity of supplemental explanatory drawings.
6. All plans shall be accompanied by an area plan showing all existing and proposed sewers within the area to be served together with copies of all pertinent computations of the design of the sewers and wastewater facilities.
7. Construction plans shall be drawn to a minimum scale of one (1) inch equal fifty (50) feet. Area plans shall be drawn to a scale of one (1) inch equal two hundred (200) feet.
8. All horizontal surveying control shall be based on the North American Datum of 1983 (NAD 83), Ohio State Plane Coordinate System-South Zone (3402). All vertical control shall be based on the North American Vertical Datum 1988 (NAVD 88). GPS control monumentation locations and coordinate data can be obtained from the Clermont County Engineer's Office.
9. All plans shall bear the signature and seal of the registered professional engineer who prepared them.

In granting an approval of the plans, Director of Utilities may include such modifications and conditions as the public health and prevention of pollution may require.

If the plan developer does not obtain a permit within one year of initial plan review and approval, the approval expires and the plan shall be subject to another plan review and an additional plan review fee.

3.3.2 Design and Construction Standards

The design and construction standards and specifications adopted by the Sanitary Engineer for use in connection with these Regulations are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer.

3.3.2.1 Persons Qualified to Perform Work

No person shall perform work on, install, or make connections to a facility proposed to connect to the POTW unless he has been approved by the Director of Utilities. Director of Utilities may disapprove the request for approval of any person if in the opinion of the Director of Utilities, the person is not qualified. The Director of Utilities may cancel his approval in the event the work performed by the person does not meet applicable standards of performance. In addition, the person (or person's company) performing the work must provide a Sewer Tapper's Bond in conformance with Schedule 12 of the Rules and Regulations.

3.3.2.2 Placement of Sanitary Sewers

3.3.2.2.1 Separation from Utilities

Sewer lines must be constructed to maintain a minimum clearance of 10 feet horizontal and eighteen inches vertical between water lines. A minimum separation of 5 feet horizontal and eighteen inches vertical must be maintained between storm sewers, and other utilities, unless otherwise approved by the Director of Utilities.

3.3.2.2.2 Perpetual Easement Required

Persons proposing to construct a sanitary main to be connected to the POTW must obtain and/or grant a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or reinstalling, sewer collection lines, manholes and all incidental fixtures required for the transportation of sewage in, on, under and across the grantor's property. Such easement shall be in favor of the Clermont County Board of County Commissioners.

3.3.2.2.3 Placement for ease of maintenance

The sanitary sewer main shall be constructed ten feet off one edge of the easement to allow for utilization of the remaining twenty feet. Sanitary sewers shall not be placed in driveways or in any location where maintenance or repairs will be, in the judgment of the Director of Utilities, difficult or costly to perform or where either the user or Department will have significant problems or costs to initiate and complete repairs to the sewer.

If a sewer is placed in such a location without specific, prior approval of the Director of Utilities, the person who caused such work to be done shall bear the expense of repairing and removing such sewers or service branches.

3.3.2.3 Provision for Wastewater Treatment

No sanitary sewers shall be designed or constructed without proper provision being made for the treatment of the sanitary wastes. Wastewater treatment facilities shall meet all applicable discharge, monitoring and other requirements of law.

3.3.3 Permit to Construct/Connect

After review and approval of the construction plans by the Director of Utilities, the person or entity wishing to undertake construction may make application for a permit to connect. No person shall construct or install sewage system or treatment plant facilities which discharge directly or indirectly into the POTW, or make a change in any such facilities without a permit issued by the Department.

The application for a permit to construct and connect shall be accompanied by the permit fee as set forth in Schedule 3 of these Regulations and the approved plan. No permit to connect will be issued without payment in full. All permits expire one (1) year from date of issuance.

3.3.4 Inspection during Construction

No sanitary sewer, wastewater treatment or pumping facility or building sewer shall be installed or physically connected to the Department's sewage system unless it has been inspected and tested during construction by the Director of Utilities or his authorized representative and the structure to be served is completely under roof.

No sanitary sewer or building sewer shall be covered with backfill until it has been inspected and approved. Any sewers or building sewers covered before inspection shall be uncovered at the direction of the Director of Utilities or his representative for the purpose of inspection and approval. At the time of making application for a permit to construct/connect, the developer shall also pay an inspection fee to cover inspection of the proposed construction. See Schedule 3 for fees.

3.3.5 Sewer System Capacity Charges

A system capacity charge, set forth on Schedule 1, shall be required of each user proposing to discharge wastewater directly or indirectly into a Department facility. The system capacity charge is based on the type and size of connection as set forth in Schedule 1. This charge must be paid in full at the time of making application for a permit to construct/connect.

Indirect connections consist of connections made into any line which conveys or shall convey waste into a Department facility, whether the receiving line being tapped is Department owned or privately owned.

3.3.6 Surety for Private Construction

All components of a sewage system or treatment plant constructed or installed by any private entity for integration into the Department's system shall be guaranteed against any and all defects of workmanship and material by such person for a period of not less than twelve months from the date of notice by the Board of County Commissioners tentatively accepting and placing the system into service. The guarantee shall be a surety bond in a form satisfactory to and approved by the Board of County Commissioners in an amount equal to five percent (5%) of the estimated construction costs as determined by the Director of Utilities, but not less than one thousand dollars

(\$1,000). Such bond shall be effective not more than four weeks prior to its approval by the Board.

During the guarantee period, the components of the privately developed system shall be maintained by such person in good and proper operation and repair. The developer guarantees payment of the cost of all labor, materials, tools, equipment, and any incidentals required to repair and replace any part of such system to maintain it in good and proper working order. Such activities may include, but are not limited to street repair, refilling of trenches, and restoration of lawns, sidewalks, yards, streets and shrubs. System Components shall also be inspected prior to release of bond as specified by the Director of Utilities.

3.3.6.1 Bonding and Assurance of Completion

The Water Resources Department will accept bonds for the construction of sanitary sewer infrastructure. These bonds will be in compliance with Article VIII, Section 801.B of the Clermont County Subdivision Regulations.

3.3.7 Submission of Record Drawings

After completion of construction and prior to the Director of Utilities' recommending acceptance of any components of a privately constructed facility proposed to be connected to the POTW, the owner shall submit record drawings to the Director of Utilities complete with the seal of a registered professional engineer indicating actual field elevations and alignment of all constructed facilities. All record drawings and record drawing submittals shall meet the requirements set forth in Schedule 11.

3.3.8 Dedication of Private Construction

The Director of Utilities, after the expiration of the one year guarantee period and final approval, shall recommend the acceptance of the facility by the Board for the benefit of the Department and the users of the facility. Upon completion of the construction and the final inspection and approval by the Director of Utilities of the facility, the owner shall, by proper deed, transfer ownership of said components, including lands, rights-of-way or easements, to the Clermont County Board of County Commissioners. Upon acceptance, the facilities shall become the property of the County.

No privately developed sewer system will be accepted unless there is a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or reinstalling sewer lines and appurtenances thereto required for the transportation of sewage in, on, under and across the grantor's property and unless approved record drawings have been provided by the developer. The sewer main shall be constructed ten feet (10') off one edge of the easement to allow for utilization of the remaining twenty feet (20').

3.4 Connections to the POTW

No connections may be made to the POTW under any of the circumstances set forth below without a permit from the Department.

3.4.1 Mandatory Connection to a Public Sewer

When a sanitary sewer is constructed to reduce or eliminate an existing health problem or a water pollution hazard, the Board may order the owner of any premises, his agent, lessee, or tenant, or any other occupant of the premises, to connect the premises to the sewer for the purpose of discharging sewage or other waste originating on the premises and to cease the discharge of sewage or other waste into a cesspool, ditch, private sewer, privy, septic tank or other outlet. Construction of sewer service facilities pursuant to this Section is subject to inspection by both the Department and the Clermont County General Health Department. After construction is complete and approved, any cesspool, privy, septic tank or other facilities shall be abandoned and filled with suitable material as directed by the Clermont County General Health Department.

3.4.2 Optional Connection

3.4.2.1 Connection Permit Required

Except as approved by the Director of Utilities, no building, structure or facility shall be physically connected to the Department sewage system unless the property fronts a sanitary sewer main and the Director of Utilities has issued a permit for the connection.

Each separate building, structure and facility shall be connected to the sanitary sewer main on its own service branch. Connection of two or more service branches to one discharge service branch is prohibited.

3.4.3 Special Connections

3.4.3.1 Gravity Flow Connection

No gravity flow sewer connection permit shall be issued for sewers less than 12" in diameter where the floor elevation is less than four feet above the invert elevation of the collector sanitary sewer line.

For connections to sewers 12" in diameter and larger, no gravity flow sewer connection permit shall be issued where the floor elevation is below the rim elevation of the nearest downstream manhole.

3.4.3.2 Pumps in Lieu of Gravity Flow Connection

Where the criteria for gravity flow connections set forth in paragraph 3.4.3.1 cannot be met, the applicant for connection may use pumps or a high connection. The site plan accompanying the permit application shall show the location and type of pumps. Any pumping system for new construction shall be located within the structure it serves. The elevation of the lateral sewer at the point it exits the building to be served shall meet the requirements of paragraph 3.4.3.1.

Where existing structures are connecting to a sewer collection system and inside pump installation is impractical, pump systems may be installed outside the structure, provided they meet the following criteria:

- A. The pump system is located within ten (10) feet of the structure it serves.
- B. The rim elevation of the pump pit is higher than the lowest finished floor elevation it serves via gravity OR a duplex pump system is installed.
- C. An exterior visible and audible alarm is installed to indicate pump failure.

3.4.3.3 Small Diameter Gravity System

At the discretion of the Director of Utilities, connection to the POTW may be made via a small diameter gravity system designed in accordance with the standards and specifications of the Department. The property owner must purchase and pay for the cost of installation of the connecting infrastructure and grant a perpetual easement that shows a 15' radius from the center of the interceptor septic tank

and ten feet on each side of the centerline of the sanitary sewer collection line and electrical service.

After installation and successful inspection of the connecting infrastructure by the Department, the Department will, within its discretion, assume responsibility for operation and maintenance and repair of the connecting infrastructure. Upon signing an application for service, the property owner connecting to the Department's system becomes a customer of the Department and agrees to comply with and be bound by these Regulations.

3.4.3.4 Limited Connections

Premises that do not abut a sewer main may connect to the Department sewer system on a temporary basis, upon approval of the Director of Utilities, subject, but not limited to the following conditions:

- A. Only one parcel of property separates the premises proposed to be served and the sewer main;
- B. The owner of any intervening parcel(s) executes a ten foot (10'), perpetual easement, exclusive for sewer use, in favor of the owner of the premises to be served; and,
- C. The owner of the property requesting service executes a temporary tap-in agreement with the Department which shall include the premises' parcel number.
- D. At the discretion of the Director of Utilities, easements for ingress, egress, and utility purposes may be accepted for sewer service. This exception may be considered if, and only if, the ingress, egress, and utility easement area only serves one (1) parcel.

The Department will record such temporary tap-in agreement. See Limited Tap-in Agreement, Schedule 8. The execution of such temporary tap-in agreement in no way limits the Board of County Commissioners from assessing such premises for sewer service (see Sections 3.5.1 and 3.5.2, below) and thereafter rescinding the temporary tap-in agreement and discontinuing sewer service through the connection made pursuant to that agreement.

3.5 Department Construction

Sewage system and treatment plant facilities constructed by the Department shall be subject to the standards of design and construction adopted by the Sanitary Engineer. Department facilities may be extended by the following methods.

3.5.1 By Petition

All of the property owners to be benefited by any sewer improvement or extension may, by petition to the Board pursuant to Revised Code 6117.28, request the improvement. Such property owners will be assessed for the improvement. A property otherwise benefited by sewer service pursuant to this Section but lacking or with minimal road frontage will be assumed to have a minimum of one hundred feet of benefited road frontage for the purpose of calculating its share of the project cost.

3.5.2 By Assessment

The Department may determine that it is necessary to construct sewer improvements and, pursuant to Revised Code §6117.251, assess the property owners to be benefited by such improvements for the cost of such construction.

3.5.3 Capital Improvements

The Department may construct or extend sewer mains to serve dedicated streets, township roads, county roads, and state highways if additional revenue bonds can be issued under and in full compliance with the terms of the bond resolution and trust agreement or if there are sufficient funds in the capital improvement fund.

3.6 Special Provisions

3.6.1 Control of Infiltration and Inflow

The Department operates a regular program of testing for infiltration and inflow of stormwater, groundwater and other prohibited substances from household sewage disposal systems into the Department system. Excess infiltration and inflow can be the cause of surcharging of sewer mains and wastewater backups. Discharge of stormwater and groundwater into the Department system is prohibited. For these

reasons, all users of the Department wastewater system are required to cooperate in such testing.

3.6.1.1 Procedure

To test a building drain and/or building sewer, a Department employee will enter a residence or go onto property to inspect and/or test a building drain and/or building sewer, interior or exterior, which connects to the Department's system to determine whether improper connections or leaks are permitting prohibited substances to flow from the household sewage disposal system into the Department's system.

3.6.1.2 Notice

Two weeks before the testing program begins in a given area, users of the system will be notified of the proposed testing by letter. In cases where the Department is unable to perform testing at a given residence, a Department employee will leave a door hanger requesting the resident to contact the Department to make an appointment for inspection. In cases where the resident does not call for an inspection appointment, a Department employee will leave a second door hanger to notify the resident that water service to the premises will be discontinued within 20 days should the resident fail to contact the Department to make an appointment for inspection.

3.6.1.3 Penalty for Failure to Permit Testing

The Department will discontinue water service to any residence where the Department has been unable, after the above-described notice, to obtain access for the purpose of inspection and/or testing. If the Department is required to shut off water to a given premises, the customer will be charged a turn-on/turn-off fee as set forth in Schedule 3. Water service will not be restored until an inspection of the premises has been made.

3.6.1.4 Repair of Deficiencies

In cases where the Department finds deficiencies in the household sewage disposal system which permit infiltration and inflow into the Department's system, the Department will send a letter to the resident to describe the deficiency and allow sixty days for repair. After the repair is made, the customer is required to contact the Department for inspection of the repair. If the resident does not

make the repair or other arrangements acceptable to the Department, in sixty days, water service to the premises will be discontinued.

3.6.1.5 Penalty for Failure to Correct Deficiencies

The Department will discontinue water service to any residence where it has determined, by means of the above-described testing and/or inspection, that the household sewage disposal system allows infiltration and inflow of stormwater, groundwater or other prohibited substances into the Department's system and where the customer has failed to make the required repairs and obtain inspection. If the Department is required to discontinue water service to a given premises, the customer will be charged a turn-on/turn-off fee as set forth in Schedule 3. Water service will not be restored until the deficiency is repaired and inspected by the Department. Improper discharge into the Department's system can constitute a misdemeanor with every day of improper discharge a separate violation.

3.6.2 Wastewater Back-ups

The Department inspects and maintains the water and sewer systems on a regular basis. Extraordinary and/or unpredictable conditions beyond the control of the Department may cause wastewater or other types of back-ups from the Department's system onto a customer's premises. In the event of such back-up, the customer is required to notify the Department immediately. The Department will respond as quickly as possible to remedy the cause of the back-up and provide assistance in such clean-up as may be reasonably necessary to preserve the health and safety of the customer and the public.

3.6.3 Privately-owned systems permitted

Nothing in these Regulations shall preclude any person from constructing, maintaining, or operating sewage systems or treatment plants provided that they are approved and operated in compliance with applicable state, federal, and local requirements.

3.6.4 Tampering with POTW Prohibited

No person shall tamper with, harm or attempt to harm any portion of the POTW.

3.6.5 Recognition of Innovative Technology

The Board of County Commissioners working in conjunction with other county agencies responsible for protection of the environment and prevention of nuisances, desire to provide the opportunity for installation on an experimental basis of innovative wastewater treatment technology reflecting changing environmental regulations and advances in technology. The Board hereby authorizes the Director of Utilities to develop and from time-to-time refine and revise specifications for use of non-centralized wastewater collection and treatment systems with no off-site discharge or collection. Upon recommendation by the Director of Utilities, and concurrence with the Clermont County General Health Department, these systems may be approved by the Board of County Commissioners as public infrastructure to be accepted as public improvements and maintained by the Water Resources Department when they are designed and properly installed to provide wastewater treatment service to geographic areas not otherwise serviced by centralized systems or that will not be serviced by such centralized systems within three years of the date of application for approval of the non-centralized systems. The fees for these systems shall be identified in Schedules 1 and 4 of these Rules and Regulations and maybe modified or updated from time-to-time upon the recommendation of the Director of Utilities.

3.6.6 Use of Air Admittance Valves Prohibited

The Water Resources Department prohibits the use of Air Admittance Valves in plumbing systems connected to the public sewer system. This regulation is to help protect interior plumbing fixtures during routine cleaning of the public sewer system.

3.6.7 Contribution of Department Funds for Separation of Foundation Drains

As specified in Section 3.6.1 of these regulations, the connection of any building's foundation drain to the sanitary sewer system is prohibited. Any such connection to the system must be eliminated. For homes that were constructed prior to 1972 with foundation drains connected to a public sewer system, the Water Resources Department will contribute up to Three Thousand, Five Hundred Dollars (\$3,500) for costs associated with the disconnection of said drains, if the Department determines that the elimination of inflow from the foundation drain to the sanitary sewer system benefits the public system as a whole rather than the individual property owner. Allowable costs include:

- A. Excavation to expose the connection
- B. Disconnection of the foundation drain from the building sewer
- C. Installation of an interior or exterior sump pump

- D. Restoration of the excavated area, including re-grading, seed and straw
- E. Repair to structures altered by activities necessitated by the disconnection of the foundation drain.
- F. Permit fees, application fees and inspection fees associated with the required work

Funds contributed by the Water Resources Department for the disconnection of foundation drains shall not be used for:

- A. Electrical improvements
- B. Improvements to on-site drainage swales, ditches, open channels or storm sewers, or other improvements designed to address storm water runoff on private property
- C. Improvements to structures or property not affected by the work associated with disconnecting the foundation drain
- D. Improvements to any structure or property above their existing condition at the start of the project
- E. Separation of any foundation drains connected to a public sewer on or after January 1, 1972.
- F. Disconnection of sump pumps or roof downspouts connected to the sanitary sewer
- G. Labor expenses when the property owner performs the work themselves

3.6.7.1 Corrective Action Plan

In order to qualify for reimbursement, the property owner must submit a corrective action plan to the Water Resources Department which identifies the work to be performed, the persons doing the work, and estimates of cost. The Water Resources Department will review and either approve, reject, or require revisions to the plan within thirty (30) days. As part of the plan review, the Department will consider the ability of the proposed action to successfully eliminate the connection, and the overall benefits to the publicly-owned sanitary sewer system and treatment works. Benefits to be considered may include, but not necessarily be limited to:

- A. The volume of storm water to be removed from the sanitary sewer system
- B. The contribution to eliminating local basement backups or bypasses at a lift station
- C. Through the elimination of excess stormwater, the reduced need to increase pipe size or construct storage facilities

- D. Reduction of operation and maintenance costs associated with the public sanitary sewer system
- E. Reduction of operation and maintenance costs at the wastewater treatment plant.

3.6.7.2 Persons Qualified to Perform Work

Property owners may elect to conduct the work themselves, or they may hire a plumbing contractor that is on a list of approved/licensed contractors maintained by the Clermont County General Health District. Property owners are responsible for obtaining all necessary permits.

The Water Resources Department will provide a list of approved/licensed plumbing contractors that property owners may use to disconnect the foundation drain.

3.6.7.3 Inspections

Before the Water Resources Department will contribute any funds to the separation of foundation drains from the sanitary sewer system, the work must be inspected and approved by either Water Resources Department, Building Department and/or General Health District personnel.

3.6.7.4 Reimbursement

Once the work has been completed and approved, the Water Resources Department may be invoiced for any of the approved activities listed above in Section 3.6.7 in an amount up to but not exceeding \$3500.00. Costs for work above this amount will be the responsibility of the property owner. Reimbursement of costs will not be provided for any work not approved by the Water Resources Department.

3.6.7.5 Time Frame

In order to qualify for reimbursement, the necessary work to disconnect the foundation drain from the sanitary sewer system must be completed within eighteen (18) months of written notification from the Water Resources Department of the identified deficiencies.

3.6.7.6 Long-Term Maintenance

Upon completion of the work and approval by the Water Resources Department, it will be the property owner's responsibility to maintain the building sewer and any other improvements made during disconnection of the foundation drain.

ARTICLE IV

USE OF DEPARTMENT PUBLICLY OWNED TREATMENT WORKS

	<u>PAGE</u>
4.1 Authority for Control of Wastewater Discharges.	44
4.2 Discharge Prohibitions.	44
4.3 No Unauthorized Access . . . . .	.47
4.4 Discharge Limitations	47
4.5 National Categorical Pretreatment Standards. . . . .	.49
4.6 Methods of Control of Discharge. . . . .	.49
4.7 Accidental/Slug discharges.	53
4.8 Reporting Requirements, Compliance Schedules and Monitoring Reports . . . . .	.54
4.9 Appeal of Administrative Orders. . . . .	.65
4.10 Enforcement. . . . .	.65
4.11 Suspension and/or Termination of Service.	66
4.12 Injunction; Civil Action.	66
4.13 Publication of IU's in Significant Non-Compliance. . .	67

ARTICLE IV

USE OF DEPARTMENT PUBLICLY OWNED TREATMENT WORKS

4.1 Authority for Control of Wastewater Discharges

If any substances are discharged or are proposed to be discharged into a POTW where such substances may, in the judgment of the Director of Utilities, have a deleterious effect upon the POTW, treatment processes, or receiving waters, including violation of applicable water quality standards, or which otherwise may create a hazard to health, safety, welfare, or the environment, or increase the cost of operating the POTW, the Director of Utilities may:

- A. Require immediate cessation of the discharge; and/or
- B. Revoke or suspend the Permit order authorizing the discharge; and/or
- C. Require pretreatment or additional pretreatment; and/or
- D. Limit the quantities and/or rates of discharge; and/or
- E. Require payment for the added cost of handling and treating the substances; and/or
- F. Deny the proposed authorization to discharge wastewater.

All industrial wastes discharging to the POTW shall, at a minimum, meet the most stringent requirements of applicable categorical pretreatment standards, see Section 4.5, below, or best practical control technology currently available for incompatible pollutants, as prescribed in the Code of Federal Regulations unless the Director of Utilities, by administrative order, authorizes otherwise.

4.2 Discharge Prohibitions

No person shall discharge or cause to be discharged, directly or indirectly, any of the following substances or classes of substances into the POTW:

- A. Any storm water, roof runoff, surface water, ground water or other subsurface drainage, or non-contact cooling water unless specifically authorized by the Director of Utilities.

- B. Any substance which may create a fire or explosion hazard in the POTW, including, but not limited to, substances with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test method specified in 40 CFR 261.21. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, fuel oil, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
- C. Any solid or viscous substance in quantities or of a size that may cause obstruction to the flow in a sewer or interference or pass through the POTW including, but not limited to: medical wastes, grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, blood, feathers, ashes, cinders, sand, mud, spent lime, stone or marble dust, wood, metal, glass, plastics, shavings, straw, grass clippings, rags, spent grains, waste paper, paper products, gas, tar, asphalt residues, residues from the refining or processing of fuel or lubricating oil, or lens grinding or polishing wastes.
- D. Any garbage, unless originating from residences used for non-commercial purposes, which has not been shredded such that no particle is greater than 1/2-inch in any dimension. Garbage grinders shall not be connected to the POTW from hotels, institutions, restaurants, hospitals, groceries, catering establishments or similar places where garbage originates from the commercial or large-scale preparation of food for the purpose of sale, consumption on the premises, or for service by caterers.
- E. Any petroleum oil, non-biodegradable cutting oils, products of mineral oil origin, or floatable oils, fat, wax or grease, that passes through the POTW or cause interference.
- F. Any substance having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the POTW. The Sanitary Engineer may impose more stringent pH limits on any user where he determines that such limits are necessary to avoid an adverse impact on the POTW, treatment processes, sludge disposal methods, or violation of NPDES permits.
- G. Any substance that either singly or by interaction with other substances, may create a public nuisance, a hazard to human life or health, or prevent or interfere with entry into the sewerage system for maintenance and repair.

- H. Any substance that may cause a treatment plant effluent or any other product of the treatment plant, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- I. Any substance that may cause a treatment plant to violate any applicable sludge use or disposal statute, regulation, guideline or criterion.
- J. Any substance which may cause a treatment plant to violate its NPDES permit or cause a violation of water quality standards.
- K. Any substance, the color of which is not completely removed in the treatment process, including, but not limited to, dye wastes and vegetable tanning solutions.
- L. Any substance the temperature of which may inhibit biological activity in a treatment plant or interfere with wastewater treatment process efficiency. At no time shall any discharge into the POTW exceed 120°F (49°C), or cause the wastewater at a treatment plant to exceed 104°F (40°C).
- M. Any substance, including oxygen demanding materials (BOD and COD), at a rate and/or concentration that may cause interference or pass through at a treatment plant.
- N. Any radioactive substance whose half-life or concentration exceeds limits established or prescribed by applicable federal or state requirement.
- O. Any substance that, either singly or by interaction with other substances, may injure or interfere with any wastewater treatment process, constitute a hazard to the life or health of humans or animals, create a public nuisance, may be toxic to any organism in the receiving water of a treatment plant or exceeds any limitation set forth in a pretreatment standard. See Section 4.11, below.
- P. Any substance that may result in gases, vapors, or fumes within the POTW that may endanger the health, safety or welfare of Department employees or members of the public.
- Q. Any Hazardous Waste, as defined in 40 CFR 261, by truck, rail, or dedicated pipeline.
- R. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes

Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

4.3 No Unauthorized Access

No person shall enter or use the POTW for any activity, including but not limited to discharge of hauled septic or industrial wastes, except at locations, at times and under conditions as designated in writing by the Director of Utilities. No person shall remove a manhole lid or otherwise gain access to the POTW without written authorization from the Director of Utilities.

4.4 Discharge Limitations

4.4.1 General Pollutant Discharge Limitations

No significant industrial user (SIU) as defined in Article II of these Regulations may discharge into a POTW unless it has obtained a permit from the Director of Utilities. The Director of Utilities reserves the right to establish discharge limitations for users of the Department's system. Limitations will be based on such variables as the net volume, net weight, duration, frequency and concentration of pollutants in a given user's discharge as he deems necessary to achieve the requirements and purposes of these regulations. The Director of Utilities may develop BMPs and such BMPs shall be considered when determining local limits and pretreatment standards.

Individual and general discharge permits shall include:

- A. A statement of duration (in no case more than five years)
- B. A statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner/operator.
- C. Effluent limits, including BMPs , based on applicable general pretreatment standards in 40 CFR 403, categorical Pretreatment Standards, local limits, and state and local law.
- D. Self-monitoring, sampling, reporting, notification and record keeping requirements, an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in 40 CFR 403, categorical pretreatment standards, local limits, and State and local law.
- E. The process for seeking a waiver for a pollutant neither present nor expected to be present in the discharge in accordance with 40 CFR 403.12(e)(2).

- F. Statement of applicable penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal, state, or county deadlines.
- G. Requirements to control slug discharges, if determined by the POTW to be necessary.
- H. Any grant of the monitoring waiver by the Director of Utilities must be included as a condition within the industrial user's discharge permit.

4.4.2 Industry-Specific Discharge Limitations

No significant industrial user (SIU) as defined in Article II of these Regulations may discharge into a POTW unless it has obtained a permit the Director of Utilities. The Director of Utilities may revise such permit at any time, and may impose therein such effluent limitations, monitoring standards, and other requirements as he deems necessary to meet all applicable requirements.

4.4.2.1. General Permits

1. At the discretion of the Director of Utilities, general permits may be used to control SIU discharges to the POTW if the following conditions are met. All facilities to be covered by a general permit must:
 - a. Involve the same or substantially similar types of operations;
 - b. Discharge the same types of wastes;
 - c. Require the same effluent limitations;
 - d. Require the same or similar monitoring; and
 - e. In the opinion of the Director of Utilities, are more appropriately controlled under a general permit than under individual wastewater discharge permits,
2. To be covered by the general permit, the SIU must file a written request for coverage that identifies all the information listed in Section 4.4.1.
3. The Director of Utilities will retain a copy of the general permit, documentation to support the POTW's determination that a specific SIU meets the criteria in Section 4.4.2.1 (a) to (e) and applicable State regulations, and a copy of the User's written request for coverage for three (3) years after the expiration of the general permit.
4. The Director of Utilities may not control an SIU through a general permit where the facility is subject to production-based categorical Pretreatment Standards or categorical

Pretreatment Standards expressed as mass of pollutant discharged per day or for IUs whose limits are based on the Combined Wastestream Formula or Net/Gross calculations [40 CFR 403.6(e) and 40 CFR 403.15].

4.5 Categorical Pretreatment Standards

Categorical Pretreatment Standards, as set forth in 40 CFR Part 403, as they may be amended, are hereby incorporated by reference as if fully written herein. All users subject to said pretreatment standards shall comply therewith. Upon promulgation of categorical pretreatment standards, the categorical standards shall immediately supersede any less stringent limits imposed by these Regulations. More stringent standards may be required by the Department.

The Director of Utilities shall endeavor to make timely notification of USEPA actions affecting users of Department POTWs. Affected industrial users are nonetheless required to comply with categorical standards and any applicable reporting requirements whether or not notified by the Department.

4.6 Methods of Control of Discharge

The Department conducts an on-going program of monitoring for pollutants within the Department's system. Users who are determined to be dischargers of any water or wastes whose acceptable pollutant concentrations exceed normal domestic sanitary sewage concentrations shall be subject to the review and approval of the Director of Utilities.

Based on the Department's system's ability to treat pollutants discharged by system users, the Director of Utilities may, for the purpose of limiting and/or controlling discharge of such pollutants, issue permits to implement these Regulations, as well as Ohio EPA and USEPA pretreatment standards, or application of BMP as an enforceable limit.

The Department will notify users of their responsibility to comply with these and/or state or federal pretreatment regulations. User's responsibilities, prescribed methods of control and penalties for failure to comply will be fully set forth in permits issued to users. The Department may require users to implement any or all of the following methods to limit and control discharge of pollutants:

4.6.1 Permit to Connect

Any person connecting to the POTW must apply for and obtain a connection permit from the Director of Utilities.

4.6.2 Flow Equalization

The Director of Utilities may require a user to limit the quantity and/or rate of discharge of wastewater if he determines that such limits are necessary for the effective operation of the POTW.

4.6.3 Installation of a Control Manhole

The Director of Utilities will evaluate each user who discharges any wastes or other material potentially detrimental to the POTW or an amount greater than 10,000 gallons per day to determine the strength of the waste and the rate of discharge. Based upon this evaluation, the Director of Utilities may require the owner of any premises served by a building sewer whom he finds to be carrying high-strength wastes, sludge flows, industrial wastes, or other potentially detrimental water and wastes, to construct a control manhole or other monitoring device approved by the Department in the building sewer to facilitate observation, sampling and measurement of wastewater including installation of flow monitoring facilities, instruments, and recording devices to enable accurate measurement of flows as determined to be necessary.

A minimum of one sampling manhole per building sewer shall be constructed in accordance with plans approved by the Director of Utilities, by the owner, at the owner's expense, to permit enforcement of discharge limitations. The manhole shall be maintained by the owner to be safe and accessible at all times.

4.6.4 Analysis of Discharge

All measurements, sampling techniques, tests and analysis of water and wastes performed for the purpose of evaluating compliance with these Regulations and other pretreatment regulations shall be performed in accordance with 40 CFR part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or by any

other applicable sampling and analytical procedures, including procedures suggested by the Director of Utilities or other parties approved by EPA.

If a control manhole has not been required for a given building sewer, the control manhole for sampling purposes shall be considered the downstream manhole in the public sewer nearest to the point at which the building sewer is connected. Sampling methods, location, times, durations, and frequencies of sampling shall be determined on an individual basis subject to the approval of the Director of Utilities.

4.6.5 Sampling and Metering

4.6.5.1 Metering

Based upon the type of evaluation described in Section 4.6.4, above, The Department may require a user to install a meter for the purpose of determining the rate of discharge into the Department's system.

4.6.5.2 Department Sampling

To determine whether high strength discharges exist and/or to ascertain pretreatment program compliance, the Department shall have the option of sampling and testing the wastewater and, thereafter, billing the user for such sampling and testing.

4.6.5.3 User Sampling

The Department may require the user to perform a regular sampling and testing program approved by the Director of Utilities at the user's expense. Each user shall sample its wastewater for the pollutants, and in accordance with the methods, locations, times, durations and frequencies, as directed by the Director of Utilities.

The user shall make all data related to such sampling and testing program available to the Department upon request. The Department shall be allowed access to sample the user's wastewater to verify the user's data. Users shall retain all records of sampling and analyses for three years.

In addition to charges and fees for collection and treatment of wastewater, each user shall be charged for the cost of any special sampling and testing performed by the Department. The fee for this service shall be based on the direct cost to the Department of performing such sampling and testing.

4.6.6 Grease, Oil and Inorganic Material Interceptors

The Director of Utilities may order a user to install an interceptor sewer when the Director of Utilities determines that an interceptor is necessary to properly handle grease, oil, inorganic materials such as sand, grit, or similar materials, flammable materials, or other substances. Interceptors shall not be required for single family or multi-family units.

All interceptors shall be of a type and capacity approved by the Director of Utilities and shall be readily and easily accessible for cleaning and inspection. Interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature, watertight, and equipped with easily removable covers which, when bolted in place, shall be gas tight and watertight. All interceptors shall be constructed and installed in accordance with the Clermont County Water Resources Department Rules & Regulations Standard Specifications.

All interceptors shall be maintained by the user, at its expense, in efficient operation at all times. The user shall provide proper removal and disposal of the captured material at least annually and shall submit a report to the Director of Utilities not later than December 31 of each year stating the date and means of disposal. Monitoring and inspection of such interceptors will be performed jointly by the Department and the Clermont County General Health Department.

4.6.7 Right of Entry

The Director of Utilities or his authorized representative may, at reasonable times, upon presentation of credentials and other documents as may be required by law:

- A. Enter upon the user's premises where a regulated facility or activity is located or conducted, or records must be kept under the conditions of these regulations or a permit.
- B. Have access to and copy any records that are required to be kept by these regulations or orders or permits issued thereunder.
- C. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations.

4.7 Accidental/Slug Discharges

Each user designated by the Department to be a significant industrial user ("SIU") shall protect against the accidental or other, non-standard discharge of substances prohibited by these Regulations or reasonably expected to have an adverse effect on sewers, wastewater treatment processes or health, safety, welfare or the environment. Facilities to prevent accidental discharges shall be provided and maintained at the user's expense. Detailed plans showing the facilities and operating procedures to provide this protection shall be approved by the Director of Utilities before initiating construction of these facilities. Review shall occur once per control mechanism cycle and approval of accidental discharge prevention plans and operating procedures shall not relieve the user from the responsibility to maintain and improve the facilities necessary to comply with these Regulations. Significant Industrial Users are required to notify the Director of Utilities immediately of any changes at its facility affecting the potential for a Slug Discharge.

4.7.1 Notice of Potential Problem Discharges

Users shall immediately notify the Department by telephone of any discharges, including slug loadings, that may adversely affect the POTW or the public health, safety or welfare, or the environment. Notification shall include:

- A. A description of the discharge and the cause of the problem;
- B. The period of discharge, including exact dates and times and, if not corrected, the anticipated length of time that the problem is expected to continue;
- C. The steps taken or planned to reduce, eliminate and prevent reoccurrence of the problem;
- D. Any additional information which may aid the Department in mitigating adverse effects of the problem.

The user shall provide the Department with a written report containing the above information within five (5) business days after the problem discharge first occurred.

Notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of the discharge into the wastewater works, or for fish kills or other

damage to persons or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed pursuant to law.

4.7.2 Notice to Users' Employees

SIUs shall post, permanently and conspicuously, a notice advising employees whom to notify in the event of a spill or problem discharge. Users shall ensure that all employees who may cause or permit such a problem discharge to occur are advised of the emergency notification procedures.

4.7.3 Dilution Prohibition

Except where expressly authorized in writing by the Director of Utilities, no user shall increase the use of potable, process or cooling water, or in any other way attempt to dilute a non-standard discharge as a partial or complete substitute for adequate pretreatment or other requirements of these Regulations to achieve compliance with a pretreatment standard or requirement.

4.8 Reporting Requirements, Compliance Schedules and Monitoring Reports

Industrial users subject to pretreatment standards as mandated by provisions of these Regulations shall submit self-monitoring and other reports required by 40 CFR 403.12 and/or by permits in accordance with reporting procedures specified therein. In cases where the Pretreatment Standard requires compliance with a BMP or pollution prevention alternative, the User must submit documentation required by the Director of Utilities or the Pretreatment Standard necessary to determine the compliance status of the industry. The Director of Utilities may require a user to submit additional reports concerning the nature of its discharge. The Director of Utilities may include compliance schedules in discharge permits for the installation of technology required to meet applicable pretreatment standards and requirements.

If a user subject to pretreatment requirements monitors any pollutant more frequently than prescribed by applicable regulations and it's permit, then the results of such monitoring shall be included in the self-monitoring reports.

4.8.1 Baseline Monitoring Reports

- A. Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination is made by USEPA under 40 CFR 403.6 (a) (4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to Discharge to the POTW shall submit to the Director of Utilities a report which contains the information listed in paragraph C below.
- B. At least ninety (90) days prior to commencement of their Discharge and/or the expiration date of any existing Discharge Permit, New Sources, Existing Sources and sources that become Categorical Users subsequent to the promulgation of an applicable Categorical Pretreatment Standard, shall submit to the Director of Utilities a report which contains the information listed in paragraph C, below. A New Source shall report the method of Pretreatment it intends to use to meet applicable Categorical Pretreatment Standards. A New Source also shall give estimates of its anticipated flow and quantity of Pollutants to be discharged and shall also disclose both the anticipated non-pretreated water quality and the anticipated pretreated water quality in light of planned Pretreatment.
- C. For both of the events described above, each User shall submit a Baseline Monitoring Report containing the following information:
 1. Identifying Information: The name and address of the facility, including the name of the operator and owner, number and type of employees, hours of operation (or indication operation is continuous twenty-four (24) hours a day seven (7) days a week), and proposed or actual hours of operation.
 2. Facility Plans: Provide site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of Discharge including time and duration of Discharges.
 3. Environmental Permits: A list of any environmental control permits held by or for the facility.
 4. Description of Operations: A brief description of the activities, facilities, plant processes, average rate of production, and Standard Industrial Classifications of the operation(s) carried out by such User including a list of all raw materials and chemicals used or

stored at the facility. This description should include a schematic process diagram, which indicates points and amounts of Discharge to the Wastewater Collection System from the regulated processes.

5. Flow Measurement: Information showing the measured, or anticipated, average daily and maximum daily flow, in gallons per day, to the POTW Wastewater Collection System from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6 (e).
6. Measurement of Pollutants:
 - a. Pollutants must be measured in accordance with the Categorical Pretreatment Standards applicable to each regulated process.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Director of Utilities, of regulated Pollutants in the Discharge from each regulated process shall be reported. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The samples shall be representative of daily operations and shall be analyzed in accordance with procedures set out in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable Categorical Pretreatment Standard. All sampling and Sample preservation techniques shall be done in accordance with 40 CFR 136 as well. See Section 4.8.7.
 - c. The Director of Utilities may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
7. Compliance Schedule: If additional Pretreatment and/or Operation and maintenance (O&M) will be required to meet Pretreatment Standards that apply to the User's operation, an action plan and shortest schedule by which the User will provide such additional Pretreatment and/or O&M must be submitted to CCWRD, in written format as part of the Baseline Monitoring Report. If the User does not provide such a plan, CCWRD

will create one for the User.

8. All Baseline Monitoring Reports and Compliance Reports must be signed and certified in accordance with Section 4.8.10.

4.8.2 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (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 Wastewater Collection System, any User subject to such Pretreatment Standards and Requirements shall submit to the Director of Utilities a report containing the information described in Baseline Monitoring Reports (Section 4.8.1(C) (4-6)) of this Rule. Information reported shall be true, accurate, complete and current and be based on actual production activities and operational data. For Users subject to equivalent mass loading or concentration limits established in accordance with the procedures in 40 CFR 403.6 (c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant Discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All reports must be signed and certified in accordance with Section 4.8.1 (C) (8) of this Rule. Sampling requirements for this report will be the same as the Baseline Monitoring Report.

4.8.3 Periodic Compliance Reports

A. All Significant Industrial Users (SIUs) must submit periodic compliance reports no less than twice per year (June and December) unless the Director of Utilities requires more frequent submittals and/or submissions on different months. These reports shall indicate the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards, and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Director of Utilities or the Pretreatment Standard necessary to determine

the compliance status of the User. Periodic compliance reports shall be signed in accordance with Section 4.8.10.

1. Where the Clermont County Water Resources Department has performed a portion of the sampling required for the reporting period on behalf of the industrial user, the industrial user shall submit all the information specified in Section 4.8.3.A for the remaining sampling events.

2. Where the Clermont County Water Resource Department has performed all the sampling required for the reporting period on behalf of the industrial user, the industrial user shall only be required to submit the following in its periodic compliance report:

a. The measured or estimated average and maximum daily flows for the reporting period;

b. A statement of whether the industrial user had performed self-monitoring of any regulated pollutant at the permitted sampling location during the reporting period; and

c. If the industrial user had performed the self-monitoring described in paragraph A.2.b (above), the periodic compliance report shall indicate the nature and concentration of the measured pollutants, in accordance with Section 4.8.

B. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

C. A facility determined to be a Non-Significant Categorical Industrial User by the Director of Utilities must annually submit the following certification statement signed in accordance with the signatory requirements in Section 4.8.10. This certification must accompany an alternative report required by the Director of Utilities:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR [categorical pretreatment standard], I certify that, to the best of my knowledge and belief that during the period from [month, day, year] to [month, day, year]:

(a) The facility described as

[facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 2.1 and 40 CFR 403.3(v)(2).

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and

(c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information."

(Appropriate justification in support of this statement must be included with this certification statement. Appropriate justification may include water billing records, production records, etc.)

D. The Director of Utilities may authorize the Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:

1. The Director of Utilities may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.

2. The monitoring waiver is valid only for the duration of the effective period of the individual discharge permit or general discharge permit, but in no case longer than 5 years. The industrial user must submit a new request for the waiver before the waiver can be granted for each subsequent discharge permit.

3. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

The request for a monitoring waiver must be signed in accordance with Section 4.8.10. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

4. Any grant of the monitoring waiver by CCWRD must be included as a condition in the industrial user's discharge permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by CCWRD for 3 years after expiration of the waiver.

5. Upon approval of the monitoring waiver and revision of the User's permit by CCWRD, the Industrial User must certify on each report with the statement below, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 4.8.3(A)."

6. In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 4.8.3(A) or other more frequent monitoring requirements imposed by CCWRD; and notify the IWPT coordinator.

7. This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

E. Industrial users shall report all sampling results of regulated pollutants where the samples were collected at the appropriate monitoring location, collected in accordance with Section 4.8.7, and analyzed in accordance with Section 4.6.4. Such information shall be included in the periodic compliance report regardless of whether the pollutant(s) were monitored

more frequently than required by the discharge permit or Director of Utilities.

4.8.4 User Report of Violation

If sampling performed by an industrial user indicates a violation, the user shall notify the Clermont County Water Resources Department by telephone within 24 hours of becoming aware of the violation. The report shall contain the following information:

- A. The times at which the discharge occurred, and was discovered.
- B. The approximate amount and characteristics of the discharge.
- C. The circumstances which created the discharge.
- D. The remedial steps that are being taken.

The user shall submit a written report containing the above information to the Director of Utilities within five (5) days of discovery.

The user shall also repeat sampling and analysis and submit written results of both initial and repeat analyses to the Department within 30 days of becoming aware of the violation. Resampling and reporting in accordance with these regulations will also occur within 30 days for violations discovered during sampling performed by the POTW. The user is not required to resample if:

- A. The Department performs sampling of the user for the violating parameter at a frequency of at least once per month; or,
- B. The Department performs sampling of the user for the violating parameter between the time when the user performs its initial sampling and the time when the user receives the results of the sampling.

4.8.5 Notification of Change in Volume/Character

All industrial users shall notify the IWPT coordinator at least five (5) days prior to any substantial changes in the volume, quality, or character of pollutants in their discharge.

4.8.6 Inspections and Monitoring

The Director of Utilities or his authorized representative has the authority pursuant to Ohio Revised Code §6111.05 to enter upon all

parts of the user's facility at reasonable times during normal working hours, or at other times, to inspect, observe, measure pretreatment facilities operation, collect samples and/or test the discharge therefrom or from the industry, and to independently assess user's compliance with these regulations. At all times, the Director of Utilities or his authorized representative shall have access to all records pertaining to the operation of any pretreatment facilities and the quality of the discharge to the sewers therefrom and shall have rights to make copies of these records.

4.8.7 Monitoring Facilities

(A) When required by the Director of Utilities, all industrial users shall install, operate and maintain, at its own expense, appropriate monitoring facilities for each regulated process which discharges wastewater to Department POTWs. The facilities shall be designed to allow inspection and representative sampling of regulated process discharges. Required facilities shall be accessible and safely located and shall be constructed in accordance with plans approved by the Director of Utilities.

(B) All wastewater samples must be representative of the User's discharge in accordance with OAC 3745-3-06(H) and 40 CFR 403.12(g) (3). Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge. All sample collection procedures will be in accordance with OAC 3745-3-06(H) and 40 CFR 403.12(g) (3&4).

(C) Grab samples shall be used for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, twenty-four-hour composite samples shall be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Director of Utilities. Where time-proportional composite sampling or grab sampling is authorized by the Director of Utilities, the samples shall be representative of the discharge.

(D) Using protocols (including appropriate preservation) specified in 40 C.F.R. 136 and appropriate USEPA guidance, multiple grab samples collected during a twenty-four-hour period may be composited prior to the analysis as follows: for hexavalent chromium, cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease

the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved USEPA methodologies may be authorized by the Director of Utilities, as appropriate.

(E) For Baseline Monitoring Reports and the Report on Compliance with Categorical Pretreatment Standard Deadline described in Sections 4.8.1 and 4.8.2, a minimum of four grab samples shall be used for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide, and volatile organics for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Director of Utilities may authorize a lower minimum number of grab samples.

(F) For periodic compliance reports described in Section 4.8.3(A), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

4.8.8 Confidential Information

Information and data furnished to the Department with respect to the nature and frequency of discharges shall be available to the public or other governmental agency without restriction, unless the discharger specifically requests and is able to demonstrate to the satisfaction of the Director of Utilities that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets or proprietary information. Wastewater discharge constituents and characteristics shall not be recognized as confidential information.

When so requested by a discharger furnishing a report, the Department shall not make available to the public the portions of a report which may disclose trade secrets or secret processes. Such portions shall, however, be made available, upon written request, to governmental agencies for uses relating to these Regulations, to NPDES permits, and/or the industrial waste pretreatment programs. In addition, these portions of a report shall be available for use by any state agency in judicial review or enforcement proceedings.

4.8.9 Records Retention

Each user and the Director of Utilities shall keep and maintain, in accordance with 40 CFR Part 403.12, records of all information related to industrial discharges into the Department wastewater works. These records shall be kept for a minimum of three (3) years,

or longer if pertinent to the resolution of any pending litigation. Said records shall be made available for inspection and copying by USEPA, Ohio EPA, the Director of Utilities, the County Prosecutor, or their authorized representatives or any member of the public. These records include but are not limited to information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the industrial user independent of pretreatment requirements, and documentation associated with BMPs. Sampling records shall include the date, exact place, method, and time of sampling, the, and the name of the person(s) taking the samples, the dates analyses were performed, who performed the analyses, the analytical techniques or methods used, and the results of such analyses.

4.8.10 Signatory Requirements

Any pretreatment reports required of a user shall be signed by an authorized representative of the user, as defined in Section 2.1.

(A) The following certification statement shall be included in all Baseline Monitoring Reports (Section 4.8.1), Report on Compliance with Categorical Pretreatment Standard Deadline (Section 4.8.2), Periodic Compliance Reports (Section 4.8.3), and monitoring waiver requests:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

4.8.11 Compliance Schedule Progress Reports

The following conditions apply to the compliance schedule required by Section 4.8.1(C) (7):

(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 contract for major components, commencing construction, completing construction, etc.).

(B) No increment referred to above shall exceed 9 months.

(C) The User shall submit a progress report to the Director of Utilities no later than 14 days following each date in the schedule and the final date for compliance. This progress report shall include, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to CCWRD.

4.9 Appeal of Administrative Orders

A user may appeal any permit or administrative order issued to it by the Director of Utilities by requesting a hearing before the Board of Commissioners of Clermont County. A written request for hearing must be received by the Clerk of the Board of Commissioners within five (5) days following the user's receipt of the administrative order. The written request for hearing shall set forth the basis of the objection to the Director of Utilities' administrative order.

The Clerk of the Board of Commissioners shall notify the user of the date, time and place of the hearing. The hearing shall occur within ten (10) working days following receipt of the request for hearing, unless continued by the Board for good cause. The user may appear in person or by his attorney, present his position, arguments, or contentions in writing, and present evidence and examine witnesses appearing for and against him. The Board of Commissioners or its designee shall render a written opinion setting forth the basis for its decision either upholding, reversing, or modifying the administrative order of the Director of Utilities.

The decision of the Board of Commissioners or its designee may be appealed as provided by law.

4.10 Enforcement

Any violation of the requirements mandated pursuant to these Regulations shall result in enforcement actions as set forth in the

permit, Sections 4.11 and 4.12 below, the CCWRD IWPT Enforcement Response Plan (ERP), and Article VII of these Regulations. The remedies provided for in this ordinance are not exclusive. The Director of Utilities may take any, all, or any combination of enforcement actions against a noncompliant industrial user.

4.11 Suspension and/or Termination of Service

The Director of Utilities may suspend or terminate a user from discharging into the Department's POTW where the actual or threatened discharge may result in harm to public health, safety, welfare, the environment, violate the provisions of these Regulations or a permit or Administrative order, or interfere with the operation of the POTW. Any user notified of suspension or termination shall immediately cease all discharge to the POTW. In the event of a user's failure to immediately comply voluntarily with a suspension or termination order, the Director of Utilities may suspend water service and shall take such steps as he deems necessary to terminate the user's discharge to the POTW, including severing or plugging of the sewer connection. Nothing in this section shall be interpreted as requiring a hearing or notice of violation prior to any emergency suspension under this section.

4.12 Injunction; Civil and/or Criminal Action

No person shall violate or fail to perform any duty imposed by these Regulations or violate any permit or order issued by the Director of Utilities.

The prosecuting attorney, upon written request of the Director of Utilities, shall bring an action for an injunction against any person violating or threatening to violate any order issued by the Director of Utilities. In an action for injunction to enforce any final order of the Director of Utilities brought pursuant to this section, the finding by the Director of Utilities after opportunity for hearing, is prima facie evidence of the facts found therein.

The prosecuting attorney, upon written request of the Director of Utilities, may commence a civil and/or criminal action against any person who violates any provision of these Regulations or order. Penalties shall be in an amount not less than one thousand dollars per day for each violation.

CCWRD may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling

and monitoring expenses, and the cost of any actual damages incurred by the POTW.

4.13 Publication of Industrial Users in Significant Non-Compliance

In accordance with OAC 3745-3-03(C) (2) (h) and 40 CFR 403.8(f) (2) (viii), CCWRD will at least annually, publish in a newspaper of general circulation, notice of Industrial Users that were in significant noncompliance, as defined in Section 2.1, during the previous 12 months.

ARTICLE V

**CONSTRUCTION OF WATER MAINS AND
SERVICE CONNECTIONS**

	<u>Page</u>
5.1 Application for Water Service.	69
5.2 Use of Private Capital for Development and Extension of Department Water Facilities. . . . .	.69
5.3 Construction by Private Entities. . . . .	.71
5.4 Limited Connections.	79
5.5 Water Meters. . . . .	.80
5.6 Temporary Water Service.	80
5.7 Cross-Connection Control	81
5.8 Declaration of Water Emergency -- Mandatory Water Reduction . . . . .	.89
5.9 Fire Hydrants.	91
5.10 Department Construction.	91
5.11 Special Provisions. . . . .	.92

ARTICLE V

CONSTRUCTION OF WATER MAINS AND SERVICE CONNECTIONS

5.1 Application for Water Service

A permit to connect to the Department water system must be obtained from the Clermont County Permit Central Office. An application for water service, whether new or existing, is made through the Clermont County Office of Management and Budget. See Schedule 3 of these Regulations for complete information regarding application and permit fees and charges.

An application for water service constitutes a license for the Department to send authorized employees onto the property of the applicant for the purpose of installing, reading, maintaining, repairing, removing a water meter, or engaging in any other activity with regard to water service that may be reasonably necessary.

5.2 Use of Private Capital for Development and Extension of Department Water Facilities

5.2.1 General

This Section covers the extension of Department-owned water service facilities by private capital where facilities to be constructed are proposed to be integrated with Department facilities in such areas as residential developments; industrial parks; or individual residential, commercial and industrial installations.

5.2.2 Cost Sharing with Department

The Department may share in the cost of installing water service facilities for a private development provided that any portion of that development is constructed in manner, capacity, or size to serve existing or future connections off-site of the development.

5.2.2.1 Method of Cost Sharing

The cost of the work eligible for cost sharing may be paid by the Department in a lump sum; by furnishing materials; and/or, by

Department construction of off-site facilities and lump sum payment to the Department by the developer.

5.2.2.2 Determination of Share

The amount the Department will share in the cost of an eligible portion of a project shall be determined during the planning phase of the development by negotiations between the Director of Utilities and the developer. A developer must obtain at least three bids for the work and the Department will pay its share based on the amount of the lowest bid.

Off-site cost may be ineligible for cost sharing if the work is not undertaken in accordance with Department plans or if the work's value to the Department cannot be determined.

5.2.3 Recoupment of Costs Borne by Private Developer

In cases where a private developer wishes to fund the extension of water service facilities, the developer may recoup part of the costs of such extension from users who may, in the future, wish to tap into the private developer's extension. Such costs may be recouped by means of a reimbursement resolution.

A developer who wishes to recoup costs by means of a reimbursement resolution must obtain at least three bids for the work proposed to be performed. Costs to be recouped are based on the lowest of the bids.

A reimbursement resolution, prepared and adopted by the Board of County Commissioners pursuant to the provisions of Ohio Revised Code §307.73, may be requested where a private developer proposes to construct a water main and wishes to recoup the expense. The terms of the request for reimbursement must be provided prior to construction. The following must be provided to the Director of Utilities at the time of making the request:

- A) Request for reimbursement of construction costs.
- B) Completed reimbursement resolution form.
- C) Tax maps with names of all affected properties.
- D) Copies of property deeds including tax identification and parcel numbers, school Department, book, page and plat number, if applicable.
- E) Three itemized bids for project.
- F) Two blue line drawings of approved plans.

A ten-year limit exists on a developer's ability to obtain recoupment. A property otherwise benefited by water service pursuant to this Section but lacking or with minimal road frontage will be assumed to have a minimum of one hundred feet of benefited road frontage for the purpose of calculating its share of the project cost.

Upon passage of the Resolution by the Board of Clermont County Commissioners, the developer must file the Resolution with the County Auditor. Clermont County assumes no responsibility for filing a reimbursement resolution with the County Auditor.

5.2.4 Specifications and Inspections

All work by private developers which will be dedicated to, operated by, or otherwise made a part of the Department's system shall be constructed in accordance with the Department's standard drawings, specifications, and directives. Such standard drawings and specifications are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer. All work shall be inspected by the Department and receive final approval of the inspector before acceptance by the Sanitary Engineer. Information concerning inspection fees and permits are set forth in these Regulations.

5.3 Construction by Private Entities

No person or entity shall open any street, land, roadway, highway, easement or public way for the purpose of connecting to or disconnecting from the Department water system without first receiving written authorization from the appropriate authorities.

5.3.1 Review and Approval of Plans

No person or entity shall construct or install a water system which will connect to the Department system until the plans therefore have been submitted to and approved by the Director of Utilities. The Department shall make a charge, as set forth in Schedule 3, for such review. If the plan developer does not obtain a permit within one year of initial plan review and approval, the plan shall be subject to another plan review and an additional plan review fee.

Drawings and specifications of the facilities proposed to be constructed shall meet, but not be limited to, the following requirements:

1. Submitted in triplicate.
2. Drawings shall be on standard size sheets, 24" x 36".
3. The location and profile of the water service facilities shall be shown on the drawings.
4. Pavements, utilities, driveways, culverts, inlets, drains, sanitary sewers, manholes, water mains, valve boxes, fire hydrants, and other miscellaneous structures or topographic features shall be shown on the drawings.
5. Drawings of the proposed treatment plant facilities shall be shown in sufficient detail to permit a contractor to construct the facility without the aid or necessity of supplemental explanatory drawings.
6. All plans shall be accompanied by an area plan showing all existing and proposed water service facilities within the area to be served together with copies of all pertinent computations of the design of the water service facilities.
7. Construction plans shall be drawn to a minimum scale of one (1) inch equal fifty (50) feet. Area plans shall be drawn to a scale of one (1) inch equal two hundred (200) feet.
8. All horizontal surveying control shall be based on the North American Datum of 1983 (NAD 83), Ohio State Plane Coordinate System-South Zone (3402). All vertical control shall be based on the North American Vertical Datum 1988 (NAVD 88). GPS control monumentation locations and coordinate data can be obtained from the Clermont County Engineer's Office.
9. All plans shall bear the signature and seal of the registered professional engineer who prepared them.

In granting an approval of the plans, the Director of Utilities may include such modifications and conditions as the public health and prevention of pollution may require.

If the plan developer does not obtain a permit within one year of initial plan review and approval, the approval expires and the plan shall be subject to another plan review and an additional plan review fee.

5.3.2 Design and Construction Standards

The design and construction standards and specifications adopted by the Sanitary Engineer for use in connection with these Regulations are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer.

5.3.2.1 Persons Qualified to Perform Work

No person shall perform work on, install, or make connections to a facility proposed to connect to the Department's system unless he has been approved by the Director of Utilities. The Director of Utilities may disapprove the request for approval of any person if in the opinion of the Director of Utilities, the person is not qualified. The Director of Utilities may cancel his approval in the event the work performed by the person does not meet applicable standards of performance.

5.3.2.2. Required Materials

All water service lines two inches (2") or smaller between the water main and the water meter shall be copper tubing, type K. All water service lines larger than two inches (2") shall be copper or ductile iron pipe from the water main through the pit to a distance of three feet (3') on the building/structure side of the pit. On all water service lines four inches (4") or larger fittings shall be ductile iron. Suitable fittings shall be used, where required, on water service lines smaller than four inches (4").

5.3.2.3 Water Mains on Steep Slopes

Water mains with slopes of fifteen percent (15%) or greater shall be ductile cast iron pipe, Class 53. Key block anchors shall be used as shown on the standard drawings.

5.3.2.4 Use of Casing Pipe

When required by the applicable regulatory authority, water mains and water service lines shall be installed in casing pipe conforming to the standards of the Department, the County Engineer's Office, the State of Ohio, political subdivision, or railroad, that applies to the improvement to be constructed.

5.3.2.5 Booster Pumps

Where a booster pump has been installed on the service line to or within any premises, it must comply with OAC 3745-95-07, except that the low pressure cutoff for booster pumps not intended to be used for fire suppression shall be twenty (20) pounds per square inch gauge or less. The consumer shall maintain the low pressure cut-off device, the low suction throttling valve, or the variable speed suction limiting control in proper working order and certify to the Director of Utilities, at least once every twelve (12) months that the minimum suction pressure sustaining method is operable and maintained in continuous operation.

5.3.2.6 Water Service Line Minimum Diameter Requirements

Water service lines between the water main and the meter serving a premises shall be constructed or installed by the Department unless the line is part of a fire line, is six inches (6") or larger in diameter, or serves a 3" or larger water meter.

The service line shall meet the following minimum diameter requirements:

Single-family residence: 3/4"
Multi-family residence (2-4 units): 1"
Multi-family residence (5-11 units): 1-1/2"
Multi-family residence (12 units or more): 2"
Sizes for other installations shall be determined by the Director of Utilities.

Public water mains shall be eight inches (8") or larger and shall be installed by a licensed and qualified contractor or plumber. Six inch (6") water mains may be approved by the Director of Utilities, if they meet the following requirements:

1. The water main has a maximum of two (2) fire hydrants
2. The water main is no longer than 1,000 feet
3. The water main will serve a maximum of 12 single family equivalents (SFEs)
4. The water main will not and cannot be extended to exceed the requirements of items 1 through 3

5.3.2.7 Water Service Line Maintenance

The portion of any water service line between the water main and the property or right-of-way line shall be maintained by the Department.

The portion between the property or right-of-way line and the building served shall be maintained by the owner of the property. That section of the water service line to be maintained by the Department shall be installed for ease of maintenance, see Section 5.3.3.4, below.

5.3.3 Placement of Water Service Facilities

5.3.3.1 Location of Water Service Line

No water service line shall be installed to serve property which does not have frontage on or abut the street or road on which a water main is located without the Director of Utilities' approval.

Unless otherwise authorized by the Director of Utilities, every building, structure, or facility where water is used shall have a separate water service line and meter. No water connection into more than one building shall be made from any one water service line without the Director of Utilities' written approval. In granting such authorization, the Director of Utilities may impose such conditions as he deems appropriate to protect the Department water system and the health of the public.

5.3.3.2 Perpetual Easement Required for Water Main

Persons proposing to construct a water main to be connected to the POTW must obtain and/or grant a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or reinstalling water mains and all incidental fixtures required in, on, under and across the grantor's property. Such easement shall be in favor of the Clermont County Board of County Commissioners.

5.3.3.3 Separation from Other Utilities

Water lines must be constructed to maintain a minimum clearance of 10 feet horizontal and eighteen inches vertical between sanitary sewer lines. A minimum separation of 5 feet horizontal and eighteen inches vertical must be maintained between storm sewers, and other utilities, unless otherwise approved by the Director of Utilities. Water mains may not be placed in the same trench as sanitary sewer mains.

5.3.3.4 Placement for Ease of Maintenance

Water mains shall be constructed ten feet off one edge of the easement to allow for utilization of the remaining twenty feet. Water mains and water service lines shall not be placed in driveways or in any location where maintenance or repairs will be, in the judgment of the Director of Utilities, difficult or costly to perform or where either the user or Department will have significant problems or costs to initiate and complete repairs to the main.

If a water main or water service line is placed in such a location without specific, prior approval of the Director of Utilities, the person who caused such work to be done shall bear the expense of repairing and removing such water mains or water service lines.

5.3.3.5 Depth of Installation

All water service lines shall be installed at least forty-two inches (42") deep. The depth of installation of water mains is set forth in the Department standard specifications and drawings.

5.3.3.6 Service by Interconnecting Lines Prohibited

No premises or property shall be supplied through two or more connecting water service lines.

5.3.4 Water System Construction Permits

Upon approval of the plans and specifications by the Director of Utilities and OEPA, the plan developer may apply for a construction permit. No person shall construct or install water mains or appurtenances that will be connected directly or indirectly to the Department water system, or make a change in such facilities, without a permit issued by the Department.

The exact location of the proposed installation of a water service line shall be shown on the plans accompanying the permit application form.

When the permit application is made, the Department shall furnish the property owner a stake. Before the water service line is installed, the owner shall drive the stake at the location on the property where the meter is to be set. Failure to properly place the stake shall be sufficient cause to withhold water service line installation.

Applications for permits shall be accompanied by the permit fee and inspection fee, set forth in Schedule 3, plus three copies of detailed drawings and specifications of the facilities proposed to be constructed. No permit will be issued without payment in full. All permits expire one (1) year from date of issuance.

5.3.5 Inspection During Construction

All water system facilities, including but not limited to, water supply, distribution, treatment, pumping services, and storage facilities, shall be inspected during construction by the Director of Utilities to ensure compliance with the standards set forth herein, approved plans and specifications, and these Regulations. No water system facilities shall be covered or enclosed until they have been inspected and approved. Any facility covered before inspection shall be uncovered at the direction of the Director of Utilities, and at the cost of the plan developer, for the purpose of inspection and approval.

The inspection fee, set forth in Schedule 3, is payable at the time of application for a construction permit.

5.3.6 Water System Capacity Charge

A system capacity charge, set forth on Schedule 1, shall be required of each user proposing to connect, directly or indirectly, to the Department water system. The system capacity charge is based on the type and size of connection as set forth in Schedule 1. This charge must be paid in full at the time of making application for a permit to construct/connect.

Indirect connections consist of connections made into any line which provides or shall provide water from a Department facility, whether the receiving line being tapped is Department owned or privately owned.

5.3.7 Surety for Private Construction

Water distribution systems installed pursuant to Section 5.3 shall be guaranteed by the developer against any and all defects of workmanship and materials for a period of twelve months from the date of notice by the Board of County Commissioners tentatively accepting and placing the systems in service. The guarantee shall be a surety bond in a form satisfactory to and approved by the Board of County

Commissioners in an amount equal to five percent (5%) of the estimated construction costs as determined by the Director of Utilities, but not less than one thousand dollars (\$1,000). Such bond shall be effective not more than four weeks prior to its approval by the Board.

During the guarantee period, the components of the privately developed system shall be maintained by such person in good and proper operation and repair. The developer guarantees payment of the cost of all labor, materials, tools, equipment, and any incidentals required to repair and replace any part of such system to maintain it in good and proper working order. Such activities may include, but are not limited to street repair, refilling of trenches, and restoration of lawns, sidewalks, yards, streets and shrubs.

5.3.7.1 Bonding and Assurance of Completion

The Water Resources Department will accept bonds for the construction of water system infrastructure. These bonds will be in compliance with Article VIII, Section 801.B of the Clermont County Subdivision Regulations.

5.3.8 Submission of Record Drawings

After completion of construction and prior to the Director of Utilities' recommending acceptance of any components of a privately constructed water distribution system, the developer shall submit record drawings to the Director of Utilities complete with the seal of a registered professional engineer indicating actual field elevations and alignment of all constructed facilities. All record drawings and record drawing submittals shall meet the requirements set forth in Schedule 11.

5.3.9 Dedication of Private Construction

Upon completion of the construction and the final inspection and approval by the Director of Utilities of the facility proposed to be dedicated to the County, the owner shall, by proper deed, transfer ownership of said components, including lands, rights-of-way or easements, to the Clermont County Board of County Commissioners. Upon completion of the construction and the final inspection and approval by the Director of Utilities of the facility, the owner shall, by proper deed, transfer ownership of said components, including lands, rights-of-way or easements, to the Clermont County Board of County

Commissioners. Upon acceptance, the facilities shall become the property of the County.

No privately developed water system will be accepted unless a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or reinstalling water utility mains and appurtenances thereto required for the transportation of water in, on, under and across the grantor's property is provided to the Board of County Commissioners by the developer and unless approved record drawings have been provided by the developer. The water main shall be constructed ten feet (10') off one edge of the easement to allow for utilization of the remaining twenty feet (20').

5.4 Limited Connections

The owner of premises that do not abut a water main may connect to the Department water system, upon approval of the Director of Utilities, subject to the following conditions:

- A. Only one parcel of property separates the premises proposed to be served and the water main;
- B. The owner of the intervening property executes a permanent, ten foot (10'), water easement in favor of the owner of the property requesting service;
- C. The owner of the property requesting service executes a limited tap-in agreement with the Department.
- D. At the discretion of the Director of Utilities, easements for ingress, egress, and utility purposes may be accepted for water service. This exception may be considered if, and only if, the ingress, egress, and utility easement area only serves one (1) parcel.

The Department will record the Limited Tap-In agreement. See Limited Tap-in Agreement, Schedule 8. The execution of such limited tap-in agreement in no way limits the Board of County Commissioners from assessing such premises for water service (See Sections 5.10.1 and 5.10.2 below) and thereafter rescinding the limited tap-in agreement and discontinuing water service through the connection made pursuant to that agreement.

5.5 Water Meters

Water meters shall be of a type and installed in compliance with Department standards. Each water service line shall be metered separately.

5.5.1 Water Meter Testing

When requested by a water customer, the Department shall remove and test water meters for accuracy of reading. The cost of testing shall be paid by the customer if the accuracy of the meter is within five percent (5%) of its correct reading. If the meter accuracy is not within five percent (5%) of the correct reading, the cost of the testing shall be borne by the Department, and the Department shall provide and install a new or repaired and tested meter at no cost to the customer. The charges for removal, testing, and reinstallation of water meters are set forth in Schedule 5.

5.5.2 Water Service Line for Fire Protection

Meters may be omitted on water service lines that are used solely for fire protection and/or sprinkler systems where such lines have no outlets that would allow other uses or consumption.

5.5.3 Water Service Shutoff Valves

Water service settings are installed with a shutoff valve located within the meter pit. The shutoff valve is generally used to isolate the meter setting for any necessary meter maintenance or for service termination due to non-payment. Customers may request water service to be shutoff within the meter pit due to home vacancy, home maintenance activities, etc. However, customers are advised to use a shutoff valve located within the structure served. The County is not responsible for property damage caused by water that passes the valve and meter assembly.

5.6 Temporary Water Service

Water for temporary use will be supplied as provided below:

5.6.1 Temporary Meter

A temporary meter is available in certain cases, for example, to serve a construction site. Where a temporary meter has been installed

by the Department, water required shall be secured only from a temporary water service line connected to the water main serving the site. The person who desires temporary water service shall make application for a permit to connect to the system and use water temporarily.

At the time of application, the owner shall pay a permit fee and meter installation fee. The installation fee is based on the size of meter requested and is set forth in Schedule 2. The rates for water use, based on meter size, are set forth in Schedule 4.

The temporary water service line and meter shall be installed by the Clermont County Water Resources Department. The meters shall be removed by the Department when temporary water service is discontinued.

5.6.2 Permanent Meter

The owner of premises on which a new building is to be constructed may obtain water service during construction on a temporary basis.

The Department shall install the water service connection and meter. Upon request of the owner of the premises, the Department will shut off water service off until the newly constructed building is occupied or sold. No minimum or other charge shall be made while water is shut off. Water service shall not be restored until the new owner and/or occupant makes formal application to the Department for service.

5.6.3 Removal and Tampering Prohibited

No person shall, for any reason, remove or tamper with a Department meter.

5.7 Cross-Connection Control

5.7.1 Cross-Connection Policy

Cross-connection is not permitted at any premises served by the Department. The purpose of this prohibition is:

- A. To protect the public water supply from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the Department's waterworks.

- B. To promote the elimination of existing and potential cross-connections between the Department's and consumers' potable water systems and non-potable water systems, plumbing fixtures, and sources or systems containing process fluids.
- C. To provide for a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the Department's and consumers' water systems.

5.7.2 Backflow Prevention Policy

The Director of Utilities shall be responsible for protection of the public water system from contamination due to backflow of contaminants through the water service connection. If, in the judgment of the Director of Utilities or his authorized representative, a backflow prevention device is required, a notice shall be given to the consumer to install such an approved backflow prevention device at each service connection to his premises. The consumer shall immediately install such approved device or devices at his own expense, and failure, refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

5.7.3 Cross-connections Prohibited

No water service connection shall be installed or maintained to any premises where a cross-connection between the Department's potable water system and a consumer's water system exists or may be installed until such cross-connection is eliminated or the potential for installing a cross-connection is controlled to the satisfaction of the Director of Utilities.

No connection shall be installed or maintained whereby an auxiliary water supply may enter the Department's potable water system or a consumer's wastewater system unless the auxiliary water supply, the method of connection, and the use of such supply has been approved by the Director of Utilities or the OEPA as required by Ohio Revised Code §6109.13 and other provisions of law.

5.7.4 Survey and Investigations

A consumer's premises shall be open at all reasonable times to the Director of Utilities or his authorized representative to permit surveys and investigations of water use practices within the consumer's premises and for the determination of whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the Department's water system.

At the request of the Director of Utilities or his authorized representative, a consumer shall furnish information on water use practices within his premises.

The water consumer shall conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or the Department's potable water system.

5.7.5 Cross-connection Protection Required

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving a premises where the Director of Utilities or the Director or OEPA determines an actual or potential hazard to the Department's potable water system exists.
- B. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving a premises where the following conditions exist:
 - 1. Premises having an auxiliary water supply, unless the auxiliary supply is accepted as an additional source by the Director of Utilities, and the source is approved by OEPA.
 - 2. Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to the Department water systems including premises having sources or systems containing process fluids or waters which are not under the control of the Director of Utilities.
 - 3. Premises having internal cross-connections that, in the judgment of the Director of Utilities, are not correctable or have intricate plumbing arrangements which make it

impractical to determine whether or not cross-connections exist.

4. Premises in which, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
 5. Premises having a history of cross-connections being established or reestablished.
 6. Others as determined by the Director of Utilities.
- C. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the following types of facilities, unless the Director of Utilities determines that no actual or potential hazard to the Department's water system exists:
1. Hospitals, mortuaries, clinics, nursing homes
 2. Laboratories
 3. Piers, docks, waterfront facilities
 4. Sewage treatment plants, sewage pumping stations, or storm water pumping stations
 5. Food or beverage processing plants
 6. Chemical plants
 7. Metal plating facilities
 8. Petroleum processing or storage plants
 9. Radioactive material processing plants or nuclear reactors
 10. Car washes
 11. Others facilities as determined by the Director of Utilities or the Director of OEPA
- D. An approved backflow prevention device shall be installed at any point of connection between the Department's or consumer's water system and an auxiliary water supply unless such auxiliary supply is accepted as an additional source by the Director of Utilities and the source is approved by OEPA.

5.7.5.1 Type of Cross-Connection Protection Required

The type of protection required under Section 5.7.5.B, above, shall depend on the degree of hazard which exists as follows:

- A. An approved air gap separation shall be installed where the Department's water system may be contaminated with substances that could cause a severe health hazard.
- B. An approved air gap separation or an approved interchangeable connection shall be installed where the Department's water system may be contaminated with a substance that could cause a hazard to the system or a health hazard.
- C. An approved air gap separation, an approved reduced pressure principle backflow prevention device, or an approved double check valve assembly shall be installed where the Department's water system may be polluted with substances that could cause a pollution hazard.

Where an auxiliary water supply is used as a secondary source of water for a fire protection system, the provisions of Section 5.7.5.1.A, above, do not apply except under the following circumstances:

- A. At premises where the auxiliary water supply may be contaminated with substances that could cause a hazard to the system or a health hazard, the Department's or consumer's potable water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device.
- B. At all other premises, the Department's or consumer's potable water system shall be protected against backflow by installation of either an approved reduced pressure principle backflow prevention device or an approved double check valve assembly.
- C. At premises where the water in the fire protection system is used for fire protection only with no domestic use of water from the fire protection system, the system shall be isolated from the Department's water system by an approved detector check valve arrangement.

5.7.5.2 Backflow Prevention Devices

Any backflow prevention device required by these Regulations shall be approved by the Director of Utilities and the Clermont County General Health Department and shall comply with the following:

- A. An air gap separation shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.
- B. A double check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the Director of Utilities and shall appear on the current list of approved backflow prevention devices of OEPA.
- C. A dual check valve shall be the minimum acceptable device for standard residential and commercial service which poses no threat to the Department's water system.

Existing backflow prevention devices approved by the Director of Utilities or OEPA at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of Section 5.7.5.2.A, above, provided the Director of Utilities determines that they will satisfactorily protect the Department's water system. Whenever an existing device is moved from its present location, requires more than minimum maintenance, or when the Director of Utilities finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of these Regulations.

5.7.5.3 Installation of Backflow Prevention Devices

Backflow prevention devices required by these Regulations shall be installed at a location and in a manner approved by the Director of Utilities and/or the Clermont County General Health Department, depending on jurisdiction, and shall be installed by and at the expense of the water consumer. Any backflow prevention device required by 5.7.5.B.2 and 5.7.5.B.3, above, shall be installed at a location and in a manner approved by OEPA as required by Ohio Revised Code §6109.13 and other provisions of law.

Backflow prevention devices installed on the service line to a consumer's water system shall be located on the consumers side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

Pits or vaults shall be of water-tight construction, located and constructed to prevent flooding and shall be maintained free from standing water by means of either a sump pump or a suitable drain. The sump pump or drain shall not connect to a sanitary sewer and shall not permit flooding of the pit or vault by reverse flow from its point of discharge. An access ladder shall be provided to permit maintenance inspection and testing of the backflow prevention device.

Backflow prevention devices may be installed inside the building in a location prior to any connection and as close as possible to the point of entry of the service line.

Reduced pressure principle backflow prevention devices shall be installed inside of the building and above the existing grade where positive drainage can be provided. Reduced pressure principle backflow prevention devices shall not be installed in underground vaults.

5.7.6 Inspection and Maintenance

The owner of any premises containing a backflow prevention device other than the dual check valve shall have the device inspected, tested, and overhauled by a certified technician in accordance with the following schedule or more often where inspection so indicates.

- A. Air separation shall be inspected at installation and at least every twelve months thereafter.
- B. Double check valve assemblies shall be inspected and tested for tightness at installation and at least every twelve months thereafter or whenever overhauled. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty months.
- C. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at installation and at least every twelve months thereafter or whenever overhauled. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five years.
- D. Residential dual check valves need not be tested unless there is an indication they have ceased to function properly.

Inspections, tests, and overhauling of backflow prevention devices shall be at the expense of the water consumer and shall be performed by a person approved by the Director of Utilities as qualified and

certified by the State of Ohio to inspect, test and overhaul backflow prevention devices.

All inspections and tests shall be certified by the person performing such tests or repairs. The certification shall be submitted to the Director of Utilities and the Clermont County General Health Department.

Whenever backflow prevention devices required by these Regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement, including a comprehensive record of all tests, inspections, repairs, and overhauls. Such records shall be submitted to the Clermont County General Health Department annually.

Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without the Director of Utilities' and Clermont County General Health Department's specific written authorization.

5.7.7 Booster Pumps

Where a booster pump has been installed on the service line to or within any premises, it must comply with OAC 3745-95-07, except that the low pressure cutoff for booster pumps not intended to be used for fire suppression shall be twenty (20) pounds per square inch gauge or less. The consumer shall maintain the low pressure cut-off device, the low suction throttling valve, or the variable speed suction limiting control in proper working order and certify to the Director of Utilities, at least once every twelve (12) months that the minimum suction pressure sustaining method is operable and maintained in continuous operation.

5.7.8 Penalties for Violation of Backflow Regulations

The Director of Utilities shall deny or discontinue, after reasonable notice to the occupant thereof, the water service to any premises in which any backflow prevention device required by these Regulations is not installed, tested, and maintained in a manner acceptable to the Director of Utilities, or where the backflow prevention device has been removed or bypassed, or where an unprotected cross-connection exists, or a low pressure cut-off required by these Regulations is not installed and maintained in working order.

Water service to such premises shall not be restored until the consumer has corrected or eliminated conditions or defects in conformance with these Regulations and to the satisfaction of the Director of Utilities.

5.8 Declaration of Water Emergency -- Mandatory Water Reduction

The Department shall exert every effort to supply water at normal pressures. Nothing in these Regulations constitutes a guarantee, by implication or otherwise, that Clermont County will provide continuous uninterrupted water supply or any specific water pressure. Further, the Board of County Commissioners, upon recommendation of the Director of Utilities, may declare a water emergency upon determination of an imminent threat to the public health, welfare, or safety, and may prohibit or limit non-essential water use in the event of water supply shortages or water supply contamination.

The emergency may be declared for a portion of the distribution system or on a Department-wide basis. Publication of a water emergency declaration may be given by means of any of the following: television or radio broadcasts, newspaper publication, web publication, or written notice to the water user in the form of either a letter or a posted notice at the supplied premises.

5.8.1 Non-essential Uses Defined

The term "non-essential water use" shall include, but is not limited to, the following:

- Watering of lawns and gardens
- Non-commercial washing of motor vehicles
- Filling of private recreational pools and ponds
- Private recreational activities involving water consumption
- Construction water
- Other similar uses as determined by the Director of Utilities

Uses directly related to sustaining life or health of persons, domestic animals, or livestock are exempted from this definition.

5.8.2 Penalties for Violation of Water Emergency Regulations

Non-essential uses of water shall be prohibited or limited upon the declaration of a water emergency. Any person or other party who violates the declaration of a water emergency through the non-essential use of water shall be subject to the following action:

- A. **FIRST VIOLATION:** The Department will send a letter to the user warning that a water emergency prohibiting non-essential use of water has been declared and that failure to adhere to rules pertaining to the declaration will result in additional consequences.
- B. **SECOND VIOLATION:** A person who has received the warning letter described above and who continues to violate the rules pertaining to the use of water during the pendency of a declared water emergency shall be billed for all water use at the highest rate level then existing for actual water consumption during that billing cycle.
- C. **THIRD VIOLATION:** A person who violates the rules pertaining to the use of water during the pendency of a declared water emergency for a third time shall be billed for all water and sewer use at twice the highest rate level then existing. No credit shall be given as otherwise permitted under these Rules and Regulations.
- D. **FOURTH VIOLATION:** The Department shall shut off water service to the premises where water is being improperly used so that a fourth violation of the rules pertaining to the use of water during the pendency of a declared water emergency exists.

Each determination of a violation of non-essential water use occurring more than twenty-four (24) hours after the previous violation is a new and separate violation.

In addition to any other provision herein, the Department may request the Office of the Prosecuting Attorney to obtain injunctive relief in a court of competent jurisdiction for the purpose of prohibiting consumption of water in contravention of the water emergency declaration. The failure to seek injunctive relief shall not be deemed a waiver of any enforcement provided herein.

5.8.3 Requests for Exemption from Emergency Rules

Any person desiring a specific exemption for non-essential water use may apply for an exemption in writing to the Director of Utilities

setting forth the identity of the applicant, his/her current address, the usage for which exemption is sought, the approximate water consumption anticipated, the time or times of day said usage is to take place, and any other pertinent information to enable the Director of Utilities to determine the basis and need for the requested exemption. The Director of Utilities or his authorized representative shall review any exemption requests within two working days of receipt and may make any further inquiry necessary to ensure adequate review of the application.

Within three working days of receipt, the Director of Utilities shall notify the applicant in writing of the rejection or approval of the exempted activity and may set forth any such terms or conditions as he determines appropriate which shall become a part of the exemption. Service of such notification shall be made to the applicant in person or by leaving a copy at the address of the person as set forth in the application.

5.9 Fire Hydrants

Fire hydrants are installed for the exclusive use of fire departments and the Department. Fire hydrants connected to the Department's water system shall be of a type provided for in the Department's standards and specifications, available at the Office of the Sanitary Engineer.

No person other than an employee of the Department, Fire Department, or the Director of Utilities shall connect to or in any way use a fire hydrant on the Department's water system. Except in case of emergency, no person shall use any wrench or tool other than the regulation Department spanner on a Department fire hydrant.

5.10 Department Construction

The construction of extensions to previously installed water distribution systems to serve areas or streets not already supplied with water shall be in accordance with one of the following procedures:

5.10.1 By Petition

All of the property owners to be benefited by any water improvement or extension may, by petition to the Board pursuant to Revised Code §6103.11, request the improvement. Such property owners are subject to assessment for the cost of the improvement.

5.10.2 By Assessment

The Department may determine that it is necessary to construct water service improvements and, pursuant to Revised Code §6103.081, assess the property owners to be benefited by such improvements for the cost of such construction.

5.10.3 Revenue Bonds or Department Capital Improvement

The Department may construct or extend water mains to serve dedicated streets, township roads, county roads, and state highways if additional revenue bonds can be issued under and in full compliance with the terms of the bond resolution and trust agreement or if there are sufficient funds in the capital improvement fund.

5.11 Special Provisions

5.11.1 Pollution Prohibited

No person, firm or other entity shall deposit any deleterious substance upon, cause any damage to, or create a nuisance of any kind upon the property of the Department's water system or any part of the system. In addition, all source water pollution plans endorsed by Ohio EPA, shall be enforced under this Section of the Rules and Regulations.

5.11.2 Tampering Prohibited

No person without specific authorization from the Director of Utilities shall tamper with, harm or attempt to harm any portion of the Department's water system upon the premises of private or public owners.

5.11.3 Removal of Meters Prohibited

No person other than an authorized employee of the Department shall remove a meter without permission of the Director of Utilities.

When a meter has been unlawfully removed, it shall be unlawful to use water supplied by the water service line to which the meter was attached. Where a meter is found to have been unlawfully removed, the Department shall shut off service immediately. Service to that water service line shall not be restored until the meter is

reinstalled, payment has been made for the estimated amount of water used, any penalties that may have been imposed, and other required fees set forth in these Regulations.

ARTICLE VI

DEPARTMENT ACCOUNTING AND USER RATES AND FEES

6.1 GENERAL	<u>PAGE</u>
6.1.1 Funds	95
6.1.2 Records and Accounts	95
6.1.3 Annual Review	96
6.1.4 Billing Categories	96
6.2 WATER SYSTEM	
6.2.1 Water Line Construction Charges	97
6.2.2 Application for Water Service	98
6.2.3 Temporary Water Service	100
6.2.4 Water Service Billing and Payment	101
6.2.5 Penalties and Collections	102
6.2.6 Voluntary Discontinuation of Water Service	105
6.2.7 Temporarily Inactive Accounts	105
6.2.8 Miscellaneous Charges	105
6.3 SEWER SYSTEM	
6.3.1 Sewer Plan Review Fee	106
6.3.2 Sewer Inspection Fee	106
6.3.3 Connections to the Sewer System	106
6.3.4 Liability for Payment for Sewer Service	107
6.3.5 Sewer Service Rates	108
6.3.6 Billing and Payment for Sewer Service	108
6.3.7 Penalties & Collection of Delinquent Sewer Bills	111
6.3.8 Voluntary Discontinuation of Sewer Service	113
6.3.9 Miscellaneous Sewer Charges	113

ARTICLE VI

DEPARTMENT ACCOUNTING AND USER RATES AND FEES

6.1 GENERAL

6.1.1 Funds

Fees and charges collected for service rendered in connection with the maintenance and operation of the Department POTW shall be kept separate from County funds and accounts. These funds shall only be used to pay the cost of maintenance, repair, operation, replacement, extension and improvement of the POTW; acquisition of property or facilities for use by the Department; the review of plans and specifications of POTW facilities; or the conduct of studies and analyses and the preparation of plans, reports, specifications and other documents related to the POTW; and other matters associated with the operation, repair maintenance, replacement, development, extension, and improvement of the POTW.

The following funds shall be established and used for the various activities of the Department's sewage system and water system: revenue, debt service, replacement, capital improvements.

6.1.2 Records and Accounts

The Water Resources Department shall maintain its accounting records according to Generally Accepted Accounting Principles as needed to manage operations efficiently. Expenses relating to system operations shall be subdivided within the categories noted by type of expense, such as salary and wages, maintenance and repair, replacement, utilities, materials and supplies, professional services.

A proper and adequate system of cost accounting shall be established and placed into operation by the Department to ensure proper distribution of credits and charges to the correct account or fund for water and sewer revenues and expenses. This accounting system is required by the respective "Bond Resolution" authorizing issuance of revenue bonds for various subDepartments or improvements and the Ohio Revised Code. The books of the Department shall be audited annually by an independent auditor. Six (6) copies of his report, containing his findings and recommendations, shall be submitted to the Board, with additional copies sent to the County Auditor, County Treasurer, Director of Utilities and Prosecuting Attorney as provided in the bond resolutions.

6.1.3 Annual Review

The Director of Utilities shall review annually the contribution to Department revenues of the public wastewater system and wastewater service users and user classes, the total costs of operation and maintenance of the Department, and the user charge regulations. On the basis of this review, the Director of Utilities shall recommend to the Board of County Commissioners any revisions in the user charges and/or regulations which the Director of Utilities may deem necessary to accomplish the following:

- A. Maintain the proportionate distribution of operation and maintenance costs among users and classes; and,
- B. Generate sufficient revenue to pay to the total costs necessary for the proper operation and maintenance (including replacement) of the Department water and wastewater systems.

6.1.4 Billing Categories

Billing categories are: single family residential, multi-family residential, commercial, and public water supplier. Where more than one single family residence is served by a single meter, e.g. mobile home parks, condominiums, that single meter shall be billed based on the number of single family units.

All users shall share equitably in the costs of operation and maintenance, replacement and administration of the Department water and wastewater works in proportion to the costs for providing each user with water and sewer service. Discounts shall not be provided to large volume wastewater dischargers.

6.1.4.1 Residential Use

A premises is considered to be in "residential use" when it is primarily occupied as a dwelling.

6.1.4.2 Other Use

All users of any class other than residential consuming water from or discharging wastewater into the POTW.

6.2 WATER SYSTEM

The connection of a water service branch, pursuant to Article V of these Regulations, is accomplished by submitting an application for water service and paying the related fees. No permits will be issued without payment in full of all fees, including, but not limited to, permit, system capacity, meter and installation. In the case of assessment projects, assessments of fees to property taxes may be considered payment in full.

6.2.1 Water Line Construction Charges

6.2.1.1 Water Line Plan Review Fee

At the time of plan submission for Department approval, pursuant to Article V of these Regulations, a fee, shown in Schedule 3, shall be required for plan review. Plans shall be subject to a new plan review and plan review fee if commencement of construction does not take place within twelve months of the date of the initial approval letter. All plan approvals expire twelve months from the date of issuance.

6.2.1.2 Water Line Inspection Fee

Prior to commencement of water line construction, a fee, shown in Schedule 3, shall be required for the inspection of the proposed construction.

6.2.1.3 Water Line Connection Permit Fee

The application for a Permit to Connect shall be accompanied by the permit fee as set forth in Schedule 3.

6.2.1.3.1 Water System Capacity Charge

A separate service connection and meter is required for each structure for which the Department provides water service, either directly or indirectly, except as authorized by the Director of Utilities. A system capacity charge, based on type and size of connection, shall be required for each structure utilizing Department water facilities and is set forth on Schedule 1. The system capacity charge must be paid in full before the Department will provide service.

Indirect connections consist of connections made into any line which conveys or shall provide water from a Department facility, whether the line being tapped is Department-owned or privately owned.

6.2.1.4 Water Meter Fee

A fee set forth in Schedule 2 shall be paid to cover the actual cost of the water meter plus 10%.

6.2.1.5 Water Line Installation Fee

The cost of installation by the Department shall be determined based on the appropriate meter size, as shown on Schedule 2.

6.2.2 Application for Water Service

All persons or entities wishing to obtain water service from the Department shall sign an Application for Service as shown in Schedule 9. The owner of the property to be served, if different from the applicant, shall also sign the Application. This Application becomes a binding agreement upon the applicant, the property owner, and the Department.

6.2.2.1 Application Procedure and Fee

All persons or entities wishing to obtain water service, whether on new or existing water service lines, shall make written application on a form provided by the Department. Such application must include the name and address of the property owner, the name of any occupant of the premises if not the owner, the address where bills shall be mailed, and the address of the premises served.

An executed application for service provides the Department with a license to go on to a user's premises for the purpose of installing, maintaining, repairing and/or replacing a water meter and all appurtenances thereto.

An application fee, as set forth in Schedule 3, is required where service will commence through an existing water service line. Where service will be through a new water service line, such fee is part of the fee for the permit to connect.

The Department will permit the commencement of service before the application is signed. The applicant must, however, sign the

application and pay the associated application fee for water service within thirty (30) days of the initial date service is provided. If the signed application is not received by the Department within this (30) day period, water service shall be discontinued.

No application for water service shall be approved and no water shall be supplied to any applicant where the applicant is indebted, at the time of application, to the Department for service supplied, work performed, material furnished or penalties imposed by the Department.

6.2.2.2 Customer responsibility for accessibility to water meter

Customers who receive water and/or sewer service from the Department grant a license to the Department permitting Department employees to enter onto their premises to read, inspect or maintain the water meter serving those premises, or for any other reasonable purpose. Further, customers are responsible for maintaining the area surrounding water meter in such condition as to permit ease of access to Department employees for the above-described purposes and in such a way as to maintain the integrity of the water meter and its setting.

Department employees who determine that a meter has become inaccessible for some reason or that the water meter setting has been compromised will file a written report describing the problem. If, as the result of the meter's inaccessibility, the Department is unable to read the meter, the customer will receive an estimated bill for that billing period. In any case, the Department will notify the customer of the specific problem reported, giving the customer thirty days in which to resolve it at the customer's expense.

If, after the Department inspects the meter and discovers that the problem has not been solved, the Department may discontinue water service to the premises. Thereafter, water service will not be restored until the meter has been made accessible and all fees associated with service restoration have been paid in full.

6.2.2.3 Owner Liability for Payment of Water Bills

The application for water service constitutes a binding agreement upon those persons who sign, and they are jointly and severally liable for payment of any and all water service charges which accrue to the property whose address is noted in the application.

In the event a water bill becomes delinquent, the Department reserves the right to use every effort to collect the amount due from any or all of the signatories to the application.

6.2.2.4 Landlord/Tenant Responsibilities for Water Bills

The Clermont County Water Resources Department will attempt to collect water service charges from tenants whose names appear on the Application for Service. The owner of property (landlord) shall, however, be ultimately responsible for payment of all charges for service incurred by the tenant while on the landlord's premises.

When a tenant's bill is delinquent, the landlord shall be notified of the delinquent amount. If the landlord and/or tenant fail to pay the bill within forty days of the due date printed on the bill, the Department will commence collection procedures as set forth below.

When the applicant/tenant on file moves, the applicant/tenant shall notify the Department to shut off the water.

6.2.3 Temporary Water Service

6.2.3.1 Application

The permit application shall be accompanied by the fee set forth in Schedule 3. The water service connection shall be made and will include a meter.

6.2.3.2 Payment

Bills for water used, service rendered, or other miscellaneous charges shall be rendered by the Department. Such bills shall be paid when due, and if not paid on or before such date, the water meter shall be removed and the water shut off. Water service and minimum charges are shown in Schedule 4.

6.2.3.3 Discontinuation of Temporary Service

Upon request, water service shall be shut off until the building is occupied or sold. No minimum or other charge shall be made while water is shut off. The water shall not be turned on for a new occupant or purchaser until the occupant or purchaser has made application to the Department according to the provisions set forth above and has paid unpaid balances due the Department.

6.2.4 Water Service Billing and Payment

6.2.4.1 Billing for Water Service

Bills for water service, including minimum charges and penalties, shall be mailed to the person and address specified on the water service application. The person's failure to receive bills for water service shall not relieve the person from responsibility for timely payment. A duplicate bill may be obtained upon request to the Department. Bills shall indicate date of billing and the last date upon which payment may be made before a penalty will be imposed.

The Department will send a bill to the person and address specified on the application for other services performed or to be performed, and for materials furnished, labor, inspection, connection charges, etc. For new connections, water service charges commence when a meter is set at the property, unless prior arrangements by the applicant and the Department have been made for a different date. For existing connections, water service commences at the time the Department takes a beginning read after a new request for service is made.

6.2.4.2 Water Rates, Fees and Charges

6.2.4.2.1 Standard Rates

The charges for water use shall be determined by metering of the water, or a reasonable estimate, on the basis shown in Schedule 4.

6.2.4.2.2 Minimum Charges

All water service lines or connections are subject to a minimum charge based on the size of the water meter for commercial users and on the number of dwelling units for residential users. Such charges are shown in Schedule 4. The minimum charge may apply where water service has been available for fifteen (15) days or more, or the Department may pro-rate the minimum charges based on actual days of service.

6.2.4.2.3 Fire Suppression Systems

6.2.4.2.3.1 Installation Fee

The fee for installation of this type of connections is based on the actual meter size as set forth on Schedule 2. A service charge, set forth in Schedule 6, will be assessed for the administration

and maintenance of this special connection, the initial payment for which must be made at the time of permit application.

6.2.4.2.3.2 Billing

On limited area fire suppression systems for residential or small businesses where a two inch (2") or one and one-half inch (1-1/2") service branch is required, a special connection is available to provide both fire protection and domestic water supply. Billing for water service and system capacity charges for domestic use will be based on a three-quarter inch (3/4") meter size (commercial or residential) and usage will be evaluated annually. In the event that the average annual bi-monthly billing exceeds by fifty percent (50%) the current minimum for a metered service, the minimum charges shall be based on the next higher meter size and the difference in corresponding system capacity charges shall be due. Should the average annual bi-monthly billing fall below the minimum established for the next lower meter size, the minimum shall be lowered to that meter size. No refund will be made of previously paid system capacity charges.

6.2.4.3 Credits

Credits on water service charges shall be given for leakage where it appears that the leakage was not caused by negligence of the owner and/or occupants of the premises. This credit shall be in the form of a reduction of the water rates such that the rate charged does not exceed the second rate step as set forth in Schedule 4. This credit shall be available only once in a twelve-month period.

To obtain such credit, the owner must make diligent efforts to provide repairs and provided either a plumber's receipt or letter itemizing any parts and repairs provided by the owner. Upon submission of proof of repair of the leak, the Department will evaluate, determine and apply the appropriate credit.

6.2.5 Penalties and Collection of Delinquent Water Bills

6.2.5.1 Penalties

Where bills for water service are not paid on or before the date stated on the bill, a penalty of ten percent (10%) of the amount due shall be added to the bill.

6.2.5.2 Payment Agreements

With the approval of the Fiscal Officer, a water service customer may enter into a payment agreement involving partial payments in the amount of ten dollars (\$10.00) or more per month to bring a delinquent account up to date. Failure to make payment under such payment agreement will render the agreement null and void and cause the Department to undertake the collection methods set forth below.

Partial payments made without such formal agreement will be accepted but will not prevent the Department from undertaking the collection methods set forth below.

6.2.5.3 Collection of Delinquent Water Bills

Once a penalty has been imposed on a delinquent bill, all subsequent charges which accrue and remain unpaid will likewise be considered delinquent and subject to additional penalties. The Department reserves the right to take any or all of the following measures to collect delinquent water service charges and penalties:

6.2.5.3.1 Termination of Service

If the water service charges and penalties have not been paid within (40) forty days of original billing date, the Department may terminate water service to the premises. Ten days prior to termination of service, notices regarding the date that water service will be discontinued will be sent to both the owner and the occupant of the premises as being jointly liable for payment of the bill. An individual who is served a shut-off notice may request a meeting or hearing with the Fiscal Officer to explain why service should not be terminated.

If there are delinquent charges on a bill incurred on behalf of an apartment building or other non-owner occupied building, the Department will send termination of service notices to the owner, tenant, and/or other users of water service.

If the building is a multi-family, tenant occupied dwelling, the Department will post the shut-off notice and in the hallway of each floor of the dwelling and/or on all entrances to the building and/or its separate units.

A turn-on/turn-off fee set forth in Schedule 3, will be charged to every customer who receives a shut-off notice and thereafter fails to make payment or acceptable arrangements before the scheduled shut-off date where such failure results in a Department employee's being sent to the customer's premises for the purpose of

termination of service, whether or not such service is terminated at that time.

6.2.5.3.2 Certification As Lien Against Property

In cases where the owner occupies the premise to which water service is provided by the Department and where such owner has an Application for Service on file, the owner's failure to submit payment for service with any penalties may result in the certification of the charges with penalty to the County Auditor for placement upon the real property tax list and duplicate against the property served by the connection pursuant to §6103.02(A) of the Ohio Revised Code. The lien will be released upon payment in full of the certified amount to the County Treasurer. No partial payments will be accepted for unpaid charges after certification of a delinquent bill to the County Auditor.

6.2.5.3.2.1 Certification Fee

In cases where the Department certifies delinquent water bills as liens upon property, the Department will impose a Certification Fee, set forth in Schedule 3.

6.2.5.3.3 Collection by the Prosecutor's Office

If the water service charges and penalties have not been paid within (40) forty days of original billing date, the Department may turn the delinquent bill over to the Office of the Prosecuting Attorney for any and all appropriate legal action.

6.2.5.3.4 Cancelled Application for Service

When water has been turned off for more than thirty (30) days, the meter may be removed and the Application for Service deemed cancelled. Applications for Service deemed cancelled require a reinstallation fee.

6.2.5.3.5 Restoration of Discontinued Water Service

When water service is discontinued because of payment delinquencies, the Department will not restore service until all amounts due and unpaid have been paid in full. If owner or occupant information changes between the time of shut-off and restoration, a new application for water service must be signed and submitted to the Department before service will be restored and an application fee will be required.

6.2.6 Voluntary Discontinuation of Water Service

When the property receiving water service is sold or when the occupant moves out, the original applicant and/or person liable for the bills shall notify the Department to shut off the water service and provide names of the new owner, resident or vacancy status. The original applicant and/or person(s) liable for the bill remains liable for water service charges at the address for which the original applicant and/or person(s) liable have requested service until the service is turned off by the Department.

6.2.7 Temporarily Inactive Accounts

Water shall be turned on or off at any water service line or connection upon request of the water service applicant. In the case of applicants' requesting temporary discontinuation of service which would result in no minimum billings, the applicant must notify the Department of the request, have the property's meter shut off by a Department employee, and pay the turn-on/turn-off fee set forth in Schedule 3. At that time, the account will become inactive and minimum charges will not apply. In order to re-connect service, the applicant must notify the Department of the date water is to be restored and pay the turn-on fee set forth in Schedule 3.

6.2.8 Miscellaneous Charges

6.2.8.1 Dishonored Checks/Bad Check Fee

Any check which is dishonored, whether due to insufficient funds or any other reason, shall be subject to a "Bad Check Fee" as shown in Schedule 3. After the imposition of a "Bad Check Fee," the Clermont County Water Resources Department may require the customer to make future payments by certified check, money order, or cash.

If the customer fails to make payment on the dishonored check, water service will be discontinued until such time as all outstanding delinquent balances and fees are paid in full.

6.2.8.2 Meter Testing Fees

The charges for removal, testing, and reinstallation are set forth in Schedule 5.

6.3 SEWER SYSTEM

6.3.1 Sewer Plan Review Fee

At the time of plan submission for Department approval, pursuant to Article III of these Regulations, a fee, set forth in Schedule 3, shall be required for plan review. Plans shall be subject to a new plan review and additional plan review fee if commencement of construction does not take place within twelve months of the date of the initial approval letter. All plan approvals expire twelve months from the date of issuance.

6.3.2 Sewer Inspection Fee

Prior to commencement of sewer line construction, pursuant to Article III of these Regulations, a fee, set forth in Schedule 3, shall be required for inspection of the proposed construction.

6.3.3 Connections to the Sewer System

The connection to a sewer service branch pursuant to Article III of these Regulations is accomplished by the submission of an application for a Permit to Connect and payment of the related fees. No permits will be issued without payment in full of all fees, i.e., Permit to Connect and System Capacity.

6.3.3.1 Permit to Connect Fee

The application for a permit to connect shall be accompanied by a permit fee, set forth in Schedule 3.

6.3.3.2 Sewer System Capacity Charge

A separate service connection is required for each structure for which the Department provides sewer service except as authorized by the Director of Utilities. A system capacity charge, based on type and size of connection, shall be required for each structure utilizing Department sewer facilities and is set forth on Schedule 1. The system capacity charge must be paid in full before the Department will make a building lateral inspection.

6.3.3.3 Application for Sewer Service

All persons or entities wishing to obtain sewer service, whether on new or existing service branches, shall make written application on a form provided by the Department. Such application must include

the name and address of the property owner, the name of any occupant of the premises if the occupant is not the owner, the address where bills shall be mailed, and the address of the premises served.

The Department requires an application fee, as set forth in Schedule 3, where service will commence through an existing service branch. No additional fee is required for sewer service for a new branch where a fee for Permit to Connect has been paid. Where water and sewer service are initiated simultaneously, the Department will charge only one application fee, see Schedule 3.

The Department will permit the commencement of service before the application is signed. The property owner must, however, sign the application and pay the associated application fee within thirty (30) days of the date initial service is initially provided. If the signed application is not received within this (30) day period, sewer service shall be discontinued.

No application for sewer service shall be approved and no service shall be supplied to any applicant where the applicant is indebted, at the time of application, to the Department for services supplied, work performed, material furnished or penalties imposed by the Department.

6.3.4 Liability for Payment for Sewer Service

The application for sewer service constitutes a binding agreement upon those persons who sign, and they are jointly and severally liable for payment of any and all sewer service charges which accrue to the property whose address is noted in the application.

In the event a sewer bill becomes delinquent, the Department reserves the right to use every effort to collect the amount due from any or all of the signatories to the application.

6.3.4.1 Landlord/Tenant Responsibilities for Sewer Bills

The Clermont County Water Resources Department will attempt to collect sewer service charges from tenants whose names are listed on the Application for Service. The owner of property (landlord) shall, however, be ultimately responsible for payment of all charges for service incurred by the tenant while on the landlord's premises.

When a tenant's bill is delinquent, the landlord shall be notified of the delinquent amount. If the landlord and/or tenant fail to pay the bill within forty days of the due date printed on the bill,

the Department will commence collection procedures as set forth below.

When the tenant-applicant moves, the tenant-applicant shall notify the Department to discontinue service.

6.3.5 Sewer Service Rates

6.3.5.1 Standard Sewer Rates

The charges for sewer use as determined by metering of the water, discharge, or a reasonable estimate shall be computed as shown in Schedule 4. Rates for sewer customers who do not have County water service are also shown in Schedule 4.

6.3.5.2 Minimum Sewer Charges

All sewer service branches or connections are subject to a minimum charge based on the size of the water meter as shown in Schedule 4. The minimum charge applies only where sewer service has been available for fifteen (15) days or more; otherwise, the Department will pro-rate the minimum charges based on actual days of service.

6.3.5.3 Miscellaneous Charges

See Schedule 3.

6.3.6 Billing and Payment for Sewer Service

6.3.6.1 Billing for Sewer Service

Bills for sewer service, including minimum charges and penalties, shall be mailed to the person and address specified on the sewer service application. The person's failure to receive bills for sewer service shall not relieve the person from responsibility for timely payment. A duplicate bill may be obtained upon request to the Department. Bills shall indicate date of billing and the last date upon which payment may be made before a penalty will be imposed.

The Department will send a bill to the person and address specified on the application for other services performed or to be performed, and for materials furnished, labor, inspection, connection charges, etc. For new connections, sewer service charges commence when the Department's inspection pursuant to Section 3.3.4 is complete. For existing connections, sewer service charges commence

at the time the Department takes a beginning read after a new request for service has been received.

6.3.6.2 Seasonal Billing for Residential Users

For single family, residential customers, seasonal billing periods are established to provide an equitable means of billing sewer charges during summer months when the entire volume of metered water may not find its way into the sewer system due to lawn, pool, and garden uses.

6.3.6.2.1 Winter Billing

Effective: Sewer bills issued in billing periods January, February, March, and April.

Rate: The rate per thousand gallons is the same whether the bill is a summer bill or winter bill.

Minimum bill: Based on minimum usage per Schedule 4.

Maximum bill: The number of gallons charged each customer during winter billing is the actual, metered volume of water used. The highest level of consumption recorded during this period will establish the maximum level that will be billed for the following summer period. This usage is reestablished annually.

6.3.6.2.2 Summer Billing

Effective: Sewer bills issued in billing periods May, June, July, August, September, October, November, December

Rate: The rate per thousand gallons is the same whether the bill is a summer or winter bill.
See Schedule 4 for the rate.

Minimum bill: Based on minimum usage per Schedule 4.

Maximum bill: The number of gallons charged each customer during the summer billings shall not exceed the previous winter's highest usage recorded for a full billing period. Customers who have no winter use of record will have their "summer cap" established after

their first full billing period at actual usage or 7,500 gallons per month, whichever is lower.

6.3.6.3 Time of Payment for Sewer Service

Charges for sewer service rendered, including minimum charges, miscellaneous charges and penalties, shall be payable on or before the date stated on the bill.

6.3.6.4 Sewer Rates, Fees and Charges

6.3.6.4.1 Standard Rates

The charges for sewer use shall be determined by metering of the water, or a reasonable estimate, on the basis shown in Schedule 4. Rates for sewer customers who do not have a connection to the County water service are shown on Schedule 4.

6.3.6.4.2 Minimum Charges

All sewer service branches or connections are subject to a minimum charge based on the size of the water meter for commercial users or number of dwelling units for residential users. Such charges are shown on Schedule 4. The minimum charge may apply where sewer service has been available for fifteen days or more, or the Department may pro-rate the minimum charge based on actual days of service.

6.3.6.5 Credits

Credit on sewer charges shall be made for leakage where it appears to the Department that the leakage did not find its way into the sanitary sewer and that the leakage was not caused by fault of the owner and/or occupants of the premises. This credit shall be a reduction from the billed amount to the highest winter usage on record as determined by the bills from January through April. The credit shall only be available once in a twelve month period. The owner must make diligent efforts to provide repairs. To receive the above credit, the owner/occupier must produce either a plumber's receipt or letter itemizing any parts and repairs made whereupon the Department will evaluate, determine and apply the appropriate credit.

6.3.7 Penalties and Collection of Delinquent Sewer Bills

6.3.7.1 Penalties

Where bills for sewer service are not paid on or before the date stated on the bill, a penalty of ten percent (10%) of the amount due shall be added to the bill.

6.3.7.2 Payment Agreements

With the approval of the Fiscal Officer, a sewer service customer may enter into a payment agreement involving partial payments in the amount of ten dollars (\$10.00) or more per month to bring a delinquent account up to date. Failure to make payment under such payment agreement will render the agreement null and void and cause the Department to undertake the collection methods set forth below.

Partial payments made without such formal agreement will be accepted but will not prevent the Department from undertaking the collection methods set forth below.

6.3.7.2.1 Collection of Delinquent Sewer Bills

Once a penalty has been imposed on a delinquent bill, all subsequent charges which accrue and remain unpaid will likewise be considered delinquent and subject to additional penalties. The Department reserves the right to take any or all of the following measures to collect delinquent sewer service charges and penalties.

6.3.7.2.2 Termination of Service

If the sewer service charges and penalties have not been paid within (40) forty days of original billing date, the Department may terminate sewer service to the premises. Ten days prior to termination of service, notices regarding the date that sewer service will be discontinued will be sent to both the owner and occupants of the premises served. An individual who is served a shut-off notice may request a meeting or hearing with the Fiscal Officer to explain why service should not be terminated.

If the building is a multi-family, tenant occupied dwelling, the Department will post the shut-off notice and in the hallway of each floor of the dwelling and/or on all entrances to the building and/or its separate units.

A turn-on/turn-off fee set forth on Schedule 3 will be charged to every customer who receives a shut-off notice and thereafter fails

to make payment or arrangements for payment before the scheduled shut-off date where such notice and customer's failure results in a Department employee's going to the customer's premises for the purposes of discontinuing service.

6.3.7.2.3 Re-connection of Discontinued Sewer Service

When sewer service is discontinued because of payment delinquencies, the Department will not restore service until all amounts due have been paid in full.

If owner/occupant information changes subsequent to the discontinuation of service, a new application for sewer service must be signed and submitted to the Department before service will be restored and an application fee will be required. In addition, a re-connection charge, equal to the actual cost to the Department for the disconnection and re-connection of the service, see Schedule 3, shall also be paid. A turn-on fee will be required.

6.3.7.2.4 Certification As Lien Against Property

Failure to submit payment for service with penalty may result in the certification of the charges with penalty to the County Auditor for placement upon the real property tax list and duplicate against the property served by the connection pursuant to §6117.02(A) of the Ohio Revised Code. The lien will be released upon payment in full of the certified amount to the County Treasurer. No partial payments will be accepted for unpaid charges after certification of a delinquent bill to the County Auditor.

6.3.7.2.4.1 Certification Fee

In cases where the Department certifies delinquent water bills as liens upon property, the Department will impose a Certification Fee, set forth in Schedule 3.

6.3.7.2.5 Collection by the Prosecutor's Office

If the sewer service charges and penalties have not been paid within (40) forty days of original billing date, the Department may turn the delinquent bill over to the Office of the Prosecuting Attorney for any and all appropriate legal action.

6.3.7.2.6 Cancelled Application for Service

When sewer service has been turned off for more than thirty (30) days, the meter may be removed and the Application for Service

deemed cancelled. Applications for Service deemed cancelled require a reinstallation fee.

6.3.7.2.7 Restoration of Discontinued Sewer Service

When sewer service is discontinued because of payment delinquencies, the Department will not restore service until all amounts due and unpaid have been paid in full. If owner or occupant information changes between the time of shut-off and restoration, a new application for service must be signed and submitted to the Department before service will be restored. An application fee will be required.

6.3.8 Voluntary Discontinuation of Sewer Service

When premises receiving sewer service is sold or when the occupant moves out, the person(s) liable for the bills shall notify the Department to discontinue the sewer service and provide names of the new owner and/or occupant or information regarding the vacancy of the premises. The owner of the premises remains liable for sewer service charges unless and until the premises have been conveyed to a new owner.

6.3.9 Miscellaneous Sewer Charges

6.3.9.1 Dishonored Checks/Bad Check Fee

Any check which is dishonored, whether due to insufficient funds or any other reason, shall be subject to a "Bad Check Fee" as shown in Schedule 3. After the imposition of a "Bad Check Fee," the Clermont County Water Resources Department may require the customer to make future payments by certified check, money order, or cash.

If the customer fails to make payment on the dishonored check, sewer service will be discontinued until such a time as all outstanding delinquent balances and fees are paid in full.

6.3.9.2 Industrial Waste Pretreatment Program Cost Recovery Charges

The costs of maintaining an IWPT program, as required by federal and state regulations, shall be recovered from users subject to the IWPT program requirements. The Department has established a cost accounting system to identify annual costs associated with the IWPT operation. These costs shall be characterized as: administration, user monitoring and reporting, and special treatment of industrial waste pollutants.

The costs to any particular user over any particular period of time shall be based on that user's contribution to the total costs for each cost center:

- A. Monitoring and reporting costs shall be distributed on the basis of frequency and complexity of monitoring each industry's discharge.
- B. Administrative and special treatment costs shall be distributed on the basis of the quantity of pollutants requiring such treatment discharged by each industry. Surcharges for extra-strength pollutants shall be added to the basic charges for sewer service. The general and unit cost surcharges for various pollutants shall be based upon the formula set forth in Schedule 7.

ARTICLE VII

**ENFORCEMENT OF
DEPARTMENT REGULATIONS**

	<u>Page</u>
7.1 General.	116
7.2 Cease and Desist Order	116
7.3 Nuisance. . . . .	.116
7.4 Termination of Service	117
7.5 Falsifying Information.	117

ARTICLE VII

ENFORCEMENT OF DEPARTMENT REGULATIONS

7.1 General

In addition to the penalties and enforcement provisions set forth in the previous Articles, the Department reserves the right to enforce the regulations using the methods and procedures set forth below.

7.1.1 Notice of Violation

Any person violating any provision of these regulations shall be served a written notice of violation by the Director of Utilities or his designee stating the nature of the violation(s) and providing an appropriate time for the satisfactory correction thereof. If more than one provision of these regulations is violated, each separate violation shall be considered a separate offense. The offender shall, within the period of time stated in the notice, remedy and permanently cease all violations.

7.1.2 Emergency Action

In the event of an emergency, the Director of Utilities may take action necessary to prevent or end a violation.

7.2 Cease and Desist Order

The Department may, where a violator of these Regulations has failed to comply with a notice of violation, issue a cease and desist order to the violator. In the event a violation causes a public health problem or causes the Department to violate its NPDES permit limits, the Department may request the Board of Health to issue a cease and desist order or evacuation order.

7.3 Nuisance

In the event a violation constitutes a nuisance as defined by Ohio law, the Department will issue a cease and desist order. Should the violator fail to comply with such order, the Department will request Office of the Prosecuting Attorney to file a complaint for injunction in the Clermont County Court of Common Pleas and obtain a temporary restraining order to end the violation.

7.4 Termination of Service

At all times the Department reserves the right to terminate service to any user who is found by the Department to be in violation of any of the Regulations set forth herein. Service will not be restored until the violation is corrected and any necessary fees associated with correction of the violation and restoration of service are paid in full.

7.5 Falsifying Information

Any person who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed with the Department or required to be maintained pursuant to these regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations, shall be criminally prosecuted as allowed by law. Each false report shall constitute a separate violation.

SCHEDULE 1

SYSTEM CAPACITY CHARGES

AND

SYSTEM REPLACEMENT FEES

User Class	Non-Centralized Sewer	Sewer	Water
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Residential

Single Family Residence	\$3,180	\$3,340	\$1,970
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Single Family Residences include individual manufactured housing structures covered under section 3701-27 of the Ohio Administrative Code and designed for single family residential usage whether served by individual meters or by a master meter and multifamily residences within a single structure with separate ownership interest

Multi-Family

Residential dwelling structures owned by a single entity that include three or more family units in the same structure (this does not include structures whose occupants are primarily transient in nature such as hotels/motels) shall pay a system capacity charge based on the number of bedrooms in each unit, in accordance with the following schedule:

One Bedroom:	\$1,400	\$830
Two Bedroom:	\$1,990	\$1,170
Three Bedroom:	\$2,670	\$1,570

Assisted/Independent Living Facilities

Facilities utilized for independent living, assisted living, nursing care or convalescent care regardless of the number of dwelling units which provide **both** living space and community facilities for medical/skilled nursing care, food services and laundry services shall pay a system capacity fee equal to 50% of the capacity fee as determined by using the Multi-Family user classification **plus** 50% of the capacity fee as determined by using the Non-Residential user classification. The Bi-monthly minimum water and sewer use charges for this user class will be calculated in this same manner. This user class will not be subject to Seasonal Billings as defined in Schedule 4.

Non-Residential

Structures not occupied or used as defined in the residential classification shall pay a system capacity charge based on the size of the water meter in accordance with the following schedule:

	Sewer	Water
5/8" X 3/4"	\$4,450	\$2,220
5/8" X 3/4" w/ Food Service	\$4,900	\$2,220
1"	\$11,040	\$5,510
1" w/ Food Service	\$12,150	\$5,510
1-1/2"	\$25,660	\$12,800
1-1/2" w/ Food Service	\$28,230	\$12,800

2"	\$41,050	\$20,480
2" w/ Food Service	\$45,160	\$20,480
3"	\$71,200	\$35,520
3" w/ Food Service	\$78,320	\$35,520
4"	\$111,250	\$55,500
4" w/ Food Service	\$122,380	\$55,500
6"	\$222,500	\$111,000
6" w/ Food Service	\$244,750	\$111,000
8"	\$356,000	\$177,600
8" w/ Food Service	\$391,600	\$177,600

Miscellaneous

These charges and fees may not be changed or waived except by official legislative action by the Board of County Commissioners.

Any changes in user class may result in the recalculation of system capacity charges.

Payment of the applicable system capacity charge, and compliance with other applicable Rules and Regulations, authorizes the purchaser of the water/sewer permit to tap into the Clermont County Sewer District system for one year from the date of payment. If the tap(s) is/are not effected within one year, new permit application(s), together with all fees and charges required at the time of the new application, must be submitted. Fees and charges previously paid by the applicant, except water permit fees and sanitary sewer permit fees, will be credited toward the fees and charges due.

Public Water Supplier System Capacity Charges

"Public Water Supplier" means a person who owns or operates a "public water system" as defined in OAC 3745-81-021, that is also a "water works company" as defined in R.C.4905.03(A) (8), that is subject to the jurisdiction of the Public Utilities Commission of Ohio or owned by a political subdivision. Public water supplier does not include a person who provides water solely or principally to mobile housing structures.

The system capacity charge for a public water supplier shall be based on the number of gallons of water that the public water supplier requests that the District reserve for it ("reserved capacity"), or the size of the public water supplier's meter, whichever the customer chooses.

(1)	Reserved capacity	
X		\$ 2.06
	- OR -	

(2) Meter Size	Fee	Maximum Authorized Peak Daily Average Use (GPD)
3"	\$347,357	168,480
4"	\$593,773	288,000
6"	\$1,238,017	600,480
8"	\$1,781,320	864,000
10"	\$2,870,894	1,392,480
12"	\$4,257,355	2,064,960

The amount of reserved capacity shall not be less than the number of gallons of water that the Clermont County Sewer District anticipates will be used by the public water supplier during peak use (referred to below as "peak daily average use" ("PDAU")). Peak daily average use shall be calculated by (1) determining the two-month billing cycle during the preceding calendar year when the customer's total water use was highest, (2) dividing the number of gallons of water used during that cycle by the number of days in the cycle, and (3) adjusting the result to reflect any changes in the use of the public water supplier's system since the previous peak use period.

The reservation of capacity does not guarantee that the amount of water reserved will be available at all times. A public water supplier is subject to all applicable rules of the Clermont County Sewer District, and has the same rights and interests in District water as other user classes.

If a public water supplier exceeds its reserved capacity, the PDAU for the preceding year or its maximum authorized PDAU by 10% or more, the public water supplier shall pay additional system capacity charges that reflect the increased usage.

If a public water supplier's PDAU exceeds the maximum PDAU authorized for the meter size by 10% or more, the public water supplier shall upsize its meter to accommodate its PDAU.

Notwithstanding the foregoing, a public water supplier may not exceed its reserved capacity or maximum PDAU by 10% or more without authorization by legislative action of the Board of County Commissioners.

Public Water Supplier Usage Fees

The per gallon usage fee for a public water supplier shall be the same as the lowest usage fee in effect at the time of usage. For the first five years after the public water supplier's first use of water, the usage fee shall be 80% of the reserved capacity or actual consumption, whichever is greater. Thereafter, usage water fees shall be based on actual consumption.

Effective October 1, 2011

Schedule 2

Water Meter and Installation Fees

Meter Size	Full Service Installation	Meter Fee
5/8" x 3/4"	\$760.00	\$167.00
1"	\$1,035.00	\$207.00
1 1/2"	\$2,080.00	\$489.00
2"	\$2,315.00	\$577.00
3"	n/a	\$1,314.00
4"	n/a	\$2,222.00
6"	n/a	\$3,899.00
8"	n/a	\$6,187.00

- Meter Prices include screens if required
- Meter Prices include Transmitter Unit
- Full Service settings available up to 2"
- Settings of 3" and larger meters require a meter vault to be constructed by private contractor

Rates Effective October 1, 2016

Schedule 3
Other Fees and Charges

	Water	Sewer
Plan Review Fee	\$0.35/Linear Foot	\$0.35/Linear Foot
Inspection Fee	\$0.95/Linear Foot	\$1.95/Linear Foot (Includes Bond Televising)
Permit Fee	\$25.00	\$50.00
Application Fee	\$25.00	\$25.00
Turn Off/Turn-On Fee	\$35.00	Actual cost to disconnect and restore sewer service branch based on labor and material cost at the time work is performed
Bad Check Fee	\$25.00	\$25.00
Certification Fee	\$50.00	\$50.00

Effective October 1, 2011

Schedule 4

Water and Sewer Use Rates

Water Use Rates

The charges for and the amount to be paid for water used, as determined by metering of the water, shall be computed in accordance with the following schedule:

Minimum Water Service Charges:

All water service branches or connections shall be subject to a minimum bi-monthly charge based on the size of the water meter or on the number of residential units served by one meter, whichever is greater, as set forth in the following table:

Meter Size	Bi-Monthly Usage included in minimum	Bi-Monthly Minimum Charges	Rate per 1000 gallons
¾" Residential	5,000 gallons	\$ 18.00	\$ 3.60
¾" Commercial	8,000 gallons	\$ 28.80	\$ 3.60
1"	20,000 gallons	\$ 72.00	\$ 3.60
1 ½"	40,000 gallons	\$ 144.00	\$ 3.60
2"	64,000 gallons	\$ 230.40	\$ 3.60
3"	128,000 gallons	\$ 460.80	\$ 3.60
4"	200,000 gallons	\$ 720.00	\$ 3.60
6"	400,000 gallons	\$ 1,440.00	\$ 3.60
8"	640,000 gallons	\$ 2,304.00	\$ 3.60
10"	920,000 gallons	\$ 3,312.00	\$ 3.60
Multifamily per residential unit	5,000 gallons per unit	\$ 18.00 per unit	\$ 3.60

Water Rates for consumptions in excess of minimum:

Usage Range	Rate per 1000 Gallons Usage
Minimum to 1.5(X)	\$2.71
1.5(X) to 2.0(X)	\$3.92
Over 2.0(X)	\$5.36

X – greater of Highest Winter Usage or the meter minimum

Highest Winter Usage – Established individually by account on an annual basis.

Read periods from January-April are Winter Usage bills.

The larger consumption of the customers' two winter bills sets the Highest Winter Usage for that customer for the following 12 month period (May-April).

Winter Usage for new customers is to be established during their first full bi-monthly billing period.

Effective July 1, 2015

Public Water Supplier Systems:

Usage Range	Rate per 1000 Gallons Usage
Minimum(per contract)	\$2.48
Over minimum	\$2.48

Temporary Water – Metered As detailed above based on meter size
Temporary Water – Not metered \$200.00 per day

Effective July 1, 2015

Sewer Use Rates

The charges for sewer service provided by the District shall be based on the amount of metered water used, as established by the Board pursuant to the following methodology:

Formulas

1. Basic User Charge Formula: $UC = OMR/BG = \$/1000$ gallons
 UC - User Charge
 OMR - Operation, Maintenance and Replacement Cost
 BG - Billable Gallons, in thousands of gallons

2. Basic Sewer Service Charge:
 $SSC = UC + ((DS + OCC)/BG) = \$/1000$ gallons
 SSC - Sewer Service Charge per thousand gallons
 DS - Debt Service
 OCC - Other Capital Cost

3. Rate Adjustment:
 RA = Annual increase/decreased costs for Electric, Chemicals, Gas, Sludge Disposal per 1000 gallons billable.

4. Billing Charge:
 $BC = Q * (SSC (+/-) RA + (S_{u/p1} + S_{u/p2} + S_{u/p3} + \text{Etc.}))$
 Q = Quantity of water used during the period
 $S_{u/p}$ = Surcharge for extra strength pollutants (See Schedule 7)

Sewer Rates:

The charges for and the amount to be paid for sewer services, as determined by metering of the water or waste discharge, shall be computed in accordance with the following:

Minimum Sewer Service Charges:

All sewer service branches or connections shall be subject to a minimum bi-monthly charge based on the size of the water meter or on the number of residential units served by one meter, whichever is greater, as set forth in the following table:

Meter Size	Bi-Monthly Usage included in minimum	Bi-Monthly Minimum Charges	Rate per 1000 gallons
¾" Residential	5,000 gallons	\$ 22.20	\$ 4.44
¾" Commercial	8,000 gallons	\$ 35.52	\$ 4.44
1"	20,000 gallons	\$ 88.80	\$ 4.44
1 ½"	40,000 gallons	\$ 177.60	\$ 4.44
2"	64,000 gallons	\$ 284.16	\$ 4.44
3"	128,000 gallons	\$ 568.32	\$ 4.44
4"	200,000 gallons	\$ 888.00	\$ 4.44
6"	400,000 gallons	\$ 1,776.00	\$ 4.44
8"	640,000 gallons	\$ 2,841.60	\$ 4.44
10"	920,000 gallons	\$ 4,084.80	\$ 4.44
Multifamily per residential unit	5,000 gallons per unit	\$ 22.20 per unit	\$ 4.44

Effective July 1, 2015

Sewer Rates for consumptions in excess of minimum:

Usage Range	Rate per 1000 Gallons Usage
Over minimum	\$ 4.44

Seasonal Billings

Seasonal billing periods are established for residential users to provide an equitable means of billing sewer charges during summer months.

1. Sewer bills issued for read periods in May, June, July, August, September, October, November and December are to be Summer Cap bills
2. Sewer bills issued for read periods in January, February, March and April are to be Winter Usage bills.
3. Summer Cap bills shall not be less than minimum. Summer Cap bills shall not exceed highest Winter Usage bill of that year. Highest Winter Usage is to be established annually.
4. During non-summer periods, read periods January through April, sewer billing will be based on the actual metered volume of water used or waste discharged by a customer or the appropriate minimum for a non-metered customer.
5. Summer Cap for new residential customers is to be established during their first full bi-monthly billing period.

Effective July 1, 2015

SCHEDULE 5

CHARGES FOR WATER METER TESTING

<u>Meter Size</u>	<u>Charge</u>
5/8" x 3/4"	\$ 50.00
1"	100.00
1-1/2" and 2"	200.00
3" and 4"	250.00
6"	275.00
8"	300.00
10"	375.00
12"	400.00

SCHEDULE 6
FIRE SUPPRESSION FEES

Initial Fire Suppression Fee (Permit Application January - June)	\$200
Initial Fire Suppression Fee (Permit Application July - December)	\$100
Annual Fire Suppression Fee (Due on or before January 14)	\$200

SCHEDULE 7

SURCHARGES FOR EXTRA STRENGTH POLLUTANTS

Surcharges for extra strength pollutants shall be added to the basic charges for sewer service. Unit cost surcharges for various pollutants shall be based upon the following formula:

$$S_{u/p} = \frac{(C_p/dis) - (C_p/std)}{C_p/std} * \%OMR_p * SSC$$

$S_{u/p}$	=	Unit surcharge for extra strength pollutants
C_p/dis	=	Pollutant strength in wastewater discharge
C_p/std	=	Pollutant strength in standard wastewater
$\%OMR_p$	=	Percent OM&R costs allocated to treatment of a particular pollutant
SSC	=	Sewer Service Charge

Surcharges shall be based in the OM&R costs for the recipient waste treatment plant only. Negative surcharges (i.e. - credits for discharges of less than standard concentrations) shall not apply.

The % OMR_p cost allocations shall be as follows:

For plants not required to remove ammonia

40% to volume treated

30% to BOD₅ removal

30% to SS removal

For plants required to remove ammonia

35% to volume treated

30% to BOD₅ removal

20% to SS removal

15% to NH₃N

where:

BOD₅ = Five-Day Biochemical Oxygen Demand (mg/l)

SS = Suspended Solids (mg/l)

NH₃N = Ammonia Nitrogen (mg/l)

SCHEDULE 8

**LIMITED TAP-IN AGREEMENT
ON
RESTRICTED BASIS**

This Agreement, is executed by and between _____
_____, whose mailing address
is _____, hereinafter referred to
as "Owners" and the **Clermont County Water Resources Department**, hereinafter
referred to as "**Department.**"

WHEREAS, Owners desire to obtain (water) (sewer) service from Department from
an existing (water) (sewer) main which does not serve owners' property by way of
tap-in through an extended (water) (sewer) line passing through property owned by
other than Owners, and

WHEREAS, Department, although not required to do so under the existing
circumstances, desires to cooperate with Owners in providing water service to the
premises of Owners while at the same time insuring the cooperation of Owners and
any future extensions of the (water) (sewer) main beyond the Owners' premises for
the welfare of future property owners in any areas where the said main might be
extended,

NOW, THEREFORE, Owners and Department agree as follows:

1. In consideration of the Department making special concession to Owners to
allow a tap-in on a main not serving Owners' specific premises and the
mutual covenants and agreements herein contained, together with payment by
Owners of the tap-in fees and service charges provided by the rules and
regulations of the Department, Department hereby agrees that Owners may,
upon obtaining a duly executed and recorded easement through the required
property, tap-in to the existing (water) (sewer) line located approximately
_____ feet _____ of the Owners' premises.
2. The parcel of real estate subject to this specific restricted tap-in is
located in the County of Clermont, State of Ohio, in _____ Township,
and is more particularly described as follows:

3. Owners may install a one inch service line from their property to the existing Clermont County (water) (sewer) main and agree to pay a present tap-in fee and any other present expenses as required by the rules and regulations of the Department. Said installation of the (water) (sewer) line tap-in will be supervised and installed according to the specifications of and final approval of the Department, its agents, employees or representatives.
4. Owners further agree that all expense relating to the installation and maintenance of said one inch service line from their premises to the existing (water) (sewer) main will be maintained at Owners' sole expense and that said service line will be used only to provide water service to one principal residence and appurtenant buildings thereto on Owners' property.
5. Owners further agree that in and for consideration for the restricted tap-in, Owners agree for themselves and their successors, heirs and assigns, that they will, upon determination by Department to extend the existing (water) (sewer) main to Owners' property or beyond, pay their proportionate share of any expenses incurred by all property owners located in the extended portion of the line for the purpose of obtaining (water) (sewer) service to any additional property owners as a result of said extension. Said fees and charges shall be determined at the time of said extension and shall be in accordance with the then existing rules and regulations of the Department.
6. Owners further agree for themselves and their successors, heirs and assigns, that they will upon such extension or relocation of the (water) (sewer) main, terminate their service easement contemplated in this agreement and will at their sole and exclusive expense remove the said water meter under the direction and control of the Department and relocate service to the main within the confines of their property and will then tap-in to the (water) (sewer) main as extended for service to their property and that this restricted tap-in shall be null and void and of no further effect.
7. Owners acknowledge that at the time of the signing of this agreement, they have obtained, at no expense to Department, necessary easements in order to run the service line described herein and that said easements shall be properly recorded of record at Owners' expense and that any agreements with the owners of the servient estates regarding installation, construction, maintenance or removal shall be performed by Owners at Owners' expense.
8. Owners further agree that any expenses relating to the relocation of their specific (water) (sewer) service which is required by the rules and regulations of the Department to be performed by the Department shall be billed to Owners or their successors, heirs and assigns and shall be paid prior to approval of the relocated tap-in.
9. Owners understand and acknowledge for themselves, their successors, heirs and assigns, that this agreement is a restricted and conditional agreement of a temporary nature and that upon failure of the Owners to comply with the terms hereof, said restricted tap-in can and will be, upon written notice to owner, terminated by Department and that said (water) (sewer) service may be terminated for failure to undertake the relocation of the service line as specified herein; failure to pay and keep current any bills for (water) (sewer) usage, and any violation or infraction of the rules and regulations of the Department. Owners further agree for themselves, their successors, heirs and assigns, that this agreement shall be in the form of a

conditional easement upon land of owner and shall be a covenant running with the land and agrees to notify any subsequent purchasers of the existence of this temporary tap-in and its conditional nature.

10. Owners further agree to notify Department immediately upon any transfer of ownership in said property specifying in said notice the name of the transferee and affirmatively stating that the transferee has been notified of the conditional and restricted nature of the tap-in service and of the transferee's obligation in the event of any extension of the (water) (sewer) main as provided herein.

IN WITNESS WHEREOF, the said Owners and Department have hereunto set their hands to this agreement this _____ day of _____.

Signed in the presence of:

Owners:

Clermont County Water Resources
Department:

By: _____

Printed Name & Title

STATE OF OHIO,

SS:

COUNTY OF CLERMONT,

On this _____ day of _____, before me, a Notary Public, in and for said County, personally came _____

Owners, and acknowledged the signing thereof to be their voluntary act and deed.

WITNESS my official signature and seal on the day last above mentioned.

(SEAL)

Notary Public

My Commission Expires

STATE OF OHIO,

SS:

COUNTY OF CLERMONT,

On this _____ day of _____, before me, a Notary Public, in and for said County, personally came _____

Clermont County Water Resources Department, Sanitary Engineer, and acknowledged the signing

thereof to be his voluntary act and deed.

WITNESS my official signature and seal on the day last above mentioned.

(SEAL)

Notary Public

My Commission Expires

SCHEDULE 9

APPLICATION FOR WATER AND/OR SEWER SERVICE

BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY
CLERMONT COUNTY WATER RESOURCES DEPARTMENT
101 EAST MAIN STREET
BATAVIA, OHIO 45103

This Agreement is entered into between the Board of County Commissioners of Clermont County, Ohio, (hereinafter "Board"), by and through the Clermont County Water Resources Department (hereinafter "CCWRD"), and the undersigned customer (hereinafter "Customer") for the express purpose of providing water and/or sewer service to Customer to be paid for by Customer at the rate currently established in the Rules and Regulations of the CCWRD as adopted by the Board. In all cases where Customer is not the owner of the premises to be served pursuant to this Agreement, all references to Customer below apply equally to Customer and the owner of the premises to be served. By signing this Agreement, Customer agrees to be bound by the terms set forth below and all applicable Rules and Regulations of the CCWRD.

Customer may be required to pay a \$25 fee for the processing of this Application by the CCWRD. This fee will be included with the Customer's first billing.

(Please Print)

Customer Name: _____ Phone #: _____

Billing Name (if different from Customer Name): _____

Service Address: _____

Billing Address (if different from Service Address): _____

Name of Owner of Premises (if not Customer): _____

Type of Service Requested:

- Water only
- Sewer only (specify water service provider: _____)
- Both Water and Sewer

Intended Usage:

- Residential
- Non-Residential - Must complete Commercial and Industrial Sewer Use General Questionnaire

(Business Name, if different from Customer Name: _____)

_____(Type of Business: _____)

RULES AND REGULATIONS. Customer hereby applies for service from the CCWRD's water and/or sewer system. The requested service will be provided at the premises located at the above Service Address. In consideration for the provision of the requested water and/or sewer service, Customer agrees to comply with all duly adopted Rules and Regulations of the CCWRD. Customer hereby acknowledges that failure to comply with such Rules and Regulations may result in the termination of water and/or sewer service.

ACCESS TO METER. By signing this Application, you grant permission to employees of CCWRD to enter onto your premises to read, inspect or maintain the water meter serving your premises, or for any other reasonable purpose. Further, your signature is an acknowledgment that you are responsible for maintaining the area surrounding water meter in such condition as to permit ease of access to Water Resources Department employees. Should you fail to do so, with reasonable notice your service will be disconnected.

CHARGES FOR SERVICE. If Customer is a tenant of the premises to be served by this Agreement, both the Customer and the owner of the premises are jointly and severally responsible for all water and/or sewer charges, and both are required to sign this Agreement.

The CCWRD will send a bi-monthly bill to Customer at the address set forth above. Customer hereby agrees to pay total water and/or sewer charges by the due date printed on the bill. Customer's failure to pay such charges by the due date will result in the CCWRD's adding a penalty to the amount due. Further, should charges remain unpaid for 40 days from the original billing date, the CCWRD reserves the right to disconnect Customer's service and take all other measures provided by law to collect such unpaid charges. Customer agrees to hold the Board harmless from any and all damages which may accrue as the result of termination of water and/or sewer service provided pursuant to this Agreement. Should service be scheduled for disconnect for non-payment of charges, Customer is required to pay all administrative charges associated with shut-off.

Account No:

Date Received:

To Be Completed by OMB Office Personnel

SCHEDULE 9 (Cont'd)

CHANGE IN OWNERSHIP. Customer shall notify the CCWRD of any sale or transfer of the premises at the Service Address and provide the CCWRD with the name of the new owner of the premises. Customer agrees to remain responsible for all charges until Customer requests termination of service or an application for service is received from the new owner.

Change in ownership subjects the premises to inspection by the CCWRD to insure compliance with the CCWRD's Regulations regarding proper use of the CCWRD's water and sewer system. The owner of the premises is responsible for the expense of any repairs or alterations necessary to bring the premises into compliance with the Regulations. Such repairs and alterations are required to be made before permanent service is available.

WASTEWATER BACKUPS. The CCWRD inspects and maintains the water and sewer system on a regular basis. Customer is advised, however, that from time to time wastewater or other types of back-ups from the CCWRD's system can occur onto Customer's premises. In the event of such back-up, Customer is required to notify the CCWRD immediately at 732-7040 during office hours, 732-5153 after hours. The CCWRD will respond as quickly as possible to evaluate and remedy the cause of the back-up and provide assistance in any clean-up which may be necessary to preserve the health and safety of Customer and other members of the public.

Customer is advised that such back-ups may be prevented by the installation of a back-water preventer on Customer's premises, and Customer is advised to contact a licensed plumber to evaluate the benefits of such a device. Customer is further advised not to store property on the lowest level of Customer's premises where such back-ups may occur, and Customer is advised to contact their insurance agent about obtaining replacement-value property damage insurance with a specific endorsement for water back-up of sewers and drains. The CCWRD cannot pay for property damage.

I HAVE READ AND UNDERSTAND THE FOREGOING AND HEREBY AGREE TO BE BOUND BY THIS AGREEMENT.

Signature of Customer

Signature of Owner of Premises to be Served (if different from Customer)

Address of Owner

***FAILURE TO RETURN THIS AGREEMENT WITHIN 30 DAYS FROM THE DATE OF THE LETTER WILL RESULT IN TERMINATION OF WATER AND/OR SEWER SERVICE. ***

Schedule 10

Septage Receiving Charges

Truck Size	Fee
To 1,500 gallons	\$40.00
1,501-2,000 gallons	\$60.00
2,001-2,500 gallons	\$80.00
2,501-3,000 gallons	\$100.00
3,001-3,500 gallons	\$120.00

Effective for all receipts starting October 1, 2011

Schedule 11

Record Drawing / "As-Built" Submittal Guidelines

After completion of construction and prior to the Sanitary Engineer's recommending acceptance of any components of a privately constructed facility proposed to be connected to the POTW, the owner shall submit record drawings to the Sanitary Engineer complete with the seal of a registered professional engineer indicating actual field elevations and alignment of all constructed facilities. Record drawings must meet the following requirements:

1. Both a hard copy (paper) and an electronic copy must be submitted. The electronic copy will be in AutoCAD format (dwg or dxf files). The hard copy must be stamped "As-Built".
2. All horizontal surveying control shall be based on the North American Datum of 1983 (NAD 83), Ohio State Plane Coordinate System-South Zone (3402). All Vertical control shall be based on the North American Vertical Datum 1988 (NAVD 88). GPS control monumentation locations and coordinate data can be obtained from the Clermont County Engineer's Office. All electronic drawings submitted must be in Ohio State Plane Coordinate System-South Zone (3402).
3. Each utility will be on a separate layer in AutoCAD. Additionally, valves, fire hydrants, manholes, miscellaneous appurtenances will also be on separate layers.
4. The following items must be field verified by survey and updated on the drawings as part of the Record Drawing submittal:

Water

Hydrants
Valve Lids
All other above ground appurtenances

Sewer

Manhole Lid (location & elevation*)
Pipe Inverts*
Wetwell (location & invert*)
Lateral (clean-out location & depth)
*all elevations must be to the nearest one-hundredth of a foot.

As part of the "As-Built" submittal, the following items must be updated on the plans:

- a) Pipe Size
- b) Pipe Material
- c) Length & Depth
- d) Grade of pipe**-gravity sewer only-to the nearest one-hundredth of a percent
- e) Valve Type
- f) Fitting Type & Location

****Sewer Grade Variance Policy**

In general, all sanitary sewers that are to be dedicated to the Clermont County Board of Commissioners shall be constructed in strict accordance with the approved plans, to the extent possible. Should a sewer be installed at less than the approved grade, it must have at least the minimum grade as established in the most current edition of the Recommended Standards for Wastewater Facilities (aka Ten State Standards) as demonstrated below:

Nominal Sewer Size (inches)	Minimum Installed Slope in Feet per 100 Feet
8	0.40
10	0.28
12	0.22
15	0.15
18	0.12
21	0.10
24	0.08

If the sewer is installed at less than the "Minimum Installed Slope", as defined above, the Sewer Department will require the sewer to be relayed at the required grade or increased in size, as determined by the Water Resources Department. Therefore, it is highly recommended that sanitary sewers are designed with slopes greater than the minimum installed slopes to accommodate any deviations.

5. Upon submittal of record drawings, a "layer name decoder" (see example) will be included that will detail what each of the layer names represent.

DIGITAL SUBMISSION DECODER (SAMPLE)

Layer Name	Layer Description
Sewer_Arc	All sanitary sewer pipes installed that will be accepted into the Clermont County sanitary sewer system.
Manhole	All sanitary manholes installed that will be accepted into the Clermont County sanitary sewer system.
S_Misc	All miscellaneous sanitary sewer structures installed that are not shown in the sewer_arc, manhole, or s_tap_arc layers. These include pipe caps, cleanouts, lift stations, and valve chambers.
S_Tap_Arc	All sanitary sewer laterals installed as part of the project.
Water_Arc	All water main pipes installed that will be accepted into the Clermont County water system.
Hydrants	All fire hydrants installed that will be accepted into the Clermont County water system
Valves	All valves installed that will be accepted into the Clermont County water system
W_Misc	All miscellaneous water structures installed that are not shown in the water_arc, hydrants, or valves layers. These include structures such as pipe caps, tees, reducers, booster stations, and wells.

Schedule 12

**CLERMONT COUNTY WATER RESOURCES DEPARTMENT
CLERMONT COUNTY, OHIO
SEWER TAPPER'S BOND**

KNOW ALL MEN by these present that we

(Business Name)

(Licensee)

(Mailing Address)

(City)

(State)

(Zip Code)

(Business Phone)

And _____ surety (sureties) are held and firmly bound unto the Clermont County Water Resources Department, in the sum of Ten Thousand Dollars (\$10,000.00): for the payment of which we hereby jointly and severally bind ourselves and our legal representatives.

Sealed with our seals and dated at Clermont County, this _____ day of _____ A.D. 20____.

The condition of the above obligation is such that, whereas, the above named principal has made application to the Director for a license as a sewer tapper, for the period ending December 31, 20____, to carry on the business, undertake the employment and do the work of tapping and making connections with the public sewers and drains of the Clermont County Water Resources Department of Clermont County, Ohio, and of building for private use such lateral drains, with approved fixtures and laterals to connect therewith, as the Director might from time to time authorize in each particular case to be made in accordance with applicable Clermont County Water Resources Department Rules and Regulations and in compliance with Federal, State and local safety laws and regulations including, but not limited to, Occupational Safety and Health Administration (OSHA) requirements.

Now, if the said principal shall well, faithfully and in a workmanlike manner make and perfect the several connections with necessary fixtures and laterals, which he may be called on to construct in the course of his employment during the term for which said license is issued, and if the said principal shall indemnify and save the Clermont County Water Resources Department of Clermont County, Ohio, harmless from all loss or damage that may be occasioned in any wise by accident or the want of care or skill on his part in the prosecution of such work, or that may be occasioned by reason of any opening by him made or caused to be made in any street, lane, avenue, market place or common, in the making of any connections with any public or private sewer as foresaid;

And further, if he will promptly, at the proper time, replace and restore the street over such opening to as good a state and condition as he found it previous to opening the same;

And further, if said principal shall conform in all respects to the rules and regulations of the Clermont County Water Resources Department which may from time to time be established by said Director in relation to the putting in junctions and tapping any of the public sewers and drains, then this obligation shall be null and of no effect, otherwise of full force and virtue.

Approved as to form by the Office of
the Clermont County Prosecutor:

Company Name

Owner/Contractor Printed Name

Assistant Prosecuting Attorney

Owner/Contractor Signature

By: _____
Surety/Company Name

By: _____ SEAL
Attorney-In-Fact Signature

INSTRUCTIONS TO APPLICANTS

1. Fill in the blanks and provide the proper signatures.
2. Attach the certified Power of Attorney.
3. Submit the above noted items directly to the Clermont County Water Resources Department, 4400 Haskell Lane, Batavia, OH 45103. Phone number (513) 732-8864. The Clermont County Water Resources Department will present the items to the Office of the Prosecuting Attorney for approval.

No permits will be issued until the Clermont County Water Resources Department has the signed bond form approved by the Assistant Prosecuting Attorney.