

AMENDED AND RESTATED URBANA ANDCHAMPAIGN SANITARY DISTRICT  
SEWER USE AND PRETREATMENT PROGRAM  
ORDINANCE 737  
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URBANA AND CHAMPAIGN SANITARY DISTRICT  
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 737

AN AMENDED AND RESTATED ORDINANCE ENACTING REGULATIONS FOR THE CONSTRUCTION, CONNECTION, USE AND PRETREATMENT PROGRAM FOR PRIVATE AND PUBLIC SEWERS TRIBUTARY TO THE WATER POLLUTION CONTROL FACILITIES OF THE URBANA AND CHAMPAIGN SANITARY DISTRICT; PROVIDING FOR DISCHARGE PERMITS; PROVIDING FOR PENALTIES FOR VIOLATIONS OF PERMITS OR SANITARY DISTRICT ORDINANCES; AND PROVIDING FOR JURISDICTION WITH RESPECT TO THE MAINTENANCE OF SEWER LINES AND CERTAIN SEWER CONNECTION AND SEWER EXTENSION INSPECTION MATTERS.

BE IT ORDAINED, by the BOARD OF TRUSTEES OF THE URBANA AND CHAMPAIGN SANITARY DISTRICT, Champaign County, Illinois, as follows:

Ordinance 678 is hereby amended and restated in its entirety.

ARTICLE I

DEFINITIONS

Where reference is made herein to any federal or state statute, rules or regulations, either specifically or generally, the reference shall be to that statute, rules or regulation and to all amendments thereto now in force or which may be hereafter enacted.

No portion or provision hereof shall be taken to establish lesser or different requirements than those imposed upon persons by the state and federal governments for purposes of protecting and improving the environment, and to the extent such statutes and regulations are different from or in conflict with the provisions of this Ordinance, said state and federal statutes, rules and regulations shall govern.

101. Abbreviations

The following abbreviations shall have the designated meaning:

|       |   |
|-------|---|
| BOD   | Biochemical Oxygen Demand                       |
| CFR   | Code of Federal Regulations                     |
| COD   | Chemical Oxygen Demand                          |
| FOG   | Fats, Oils and Grease                           |
| IEPA  | Illinois Environmental Protection Agency        |
| mg/l  | Milligrams per liter                            |
| NCPS  | National Categorical Pretreatment Standards     |
| NPDES | National Pollutant Discharge Elimination System |
| POTW  | Publicly Owned Treatment Works                  |
| PSES  | Pretreatment Standards For Existing Sources     |
| PSNS  | Pretreatment Standards For New Sources          |

|       |  |
|-------|--|
| RCRA  | Resource Conservation and Recovery Act         |
| SIC   | Standard Industrial Classification             |
| SSTC  | Sanitary Sewer Technical Committee             |
| SWDA  | Solid Waste Disposal Act, 42 USC 6901 et. seq. |
| TSS   | Total Suspended Solids                         |
| TTO   | Total Toxic Organics                           |
| USC   | United States Code                             |
| USEPA | United States Environmental Protection Agency  |

102. "A" as in "Cyanide-A" shall mean amenable to alkaline chlorination.
103. "Act" shall mean the Federal Water Pollution Control Act also known as the Clean Water Act, as amended, 33 USC 1251 et. seq.
104. "Administrator" shall mean the Regional Administrator of Region V of the U.S. Environmental Protection Agency or Director in a NPDES State with an approved state pretreatment program.
105. "Annexation Boundary Limits" shall mean, for the purposes of this Ordinance, the annexation boundaries agreed to by and between the Municipalities located within the District.
106. "Applicable Pretreatment Standards" shall mean, for any specified pollutant, District prohibitive discharge standards, District's specific limitations on discharge, the State of Illinois pretreatment standards or the National Categorical Pretreatment Standards (when effective), whichever standard is most stringent.
107. "Approval Authority" shall mean the Administrator.
108. "Authority" shall mean the Urbana and Champaign Sanitary District.
109. "Authorized Representative of Industrial User" shall mean:
  - (i) a principal executive officer of at least the level of vice president, if the Industrial User is a corporation;
  - (ii) a general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively;
  - (iii) a duly authorized representative of the individual designated above. A person is a duly authorized representative only if the authorization is made in writing to the District by a person described above.
110. "Baseline Report" shall mean that report required by 40 CFR Section 403.12 b(1-7).

111. "Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedures as described in Standard Methods.
112. "Board of Trustees" or "Board" shall mean the Board of Trustees of the Urbana and Champaign Sanitary District.
113. "Bypass" shall mean the intentional diversion of waste streams from any portion of an Industrial User's treatment facility.
114. "Chemical Oxygen Demand (COD)" shall mean the quantity of oxygen consumed from a chemical oxidant (standard potassium dichromate solution) under standard laboratory procedures as described in Standard Methods.
115. "Collector Sewer" shall mean a sanitary sewer in existence on the effective date of this Ordinance which has been dedicated and accepted for public use, that is designated on the Official Map of the District as a "collector sewer", and also any sewer constructed after the effective date of this Ordinance and dedicated and accepted for public use whose principal function is the collection of sewage from lines servicing individual lots for transportation to an Interceptor Sewer (generally twelve-inches or smaller in diameter).
116. "Combined Waste Stream Formula" shall mean the formula as found in 40 CFR Section 403.6 (e) (1) (i).
117. "Commercial" shall mean such purpose, use or occupancy of property as involves the provision of services or sale of goods in finished form, whether for profit or not-for-profit.
118. "Compatible Pollutant" shall mean biochemical oxygen demand, chemical oxygen demand, FOG, suspended solids, pH and fecal coliform bacteria; plus any additional pollutants identified in the District's POTW's NPDES permit, where the POTW treats such pollutants and, in fact, does treat such pollutants to the degrees required by the POTW's NPDES permit.
119. "Composite Sample" shall mean a sample of wastewater based on a flow proportional or time proportional method.
120. "Connect" shall mean to make or effectuate in any manner an attachment to a sewer which results, or might result, whether directly or indirectly, in the introduction of material into such sewer.
121. "Control Authority" shall mean the Federal, State and/or Local Agency having authority under 40 CFR 403.11.
122. "Cooling Water" shall mean the water discharged from any use such as air conditioning, cooling on refrigeration, or to which the only pollutant added is heat.
123. "Corporate Limits" shall mean the lands presently within the boundaries or corporate area of the District, and all such lands hereafter duly annexed to and made a part thereof.

124. "Discharge" shall mean the discharge of treated or untreated wastewater to the District POTW.
125. "District" or "Sanitary District" shall mean the Urbana and Champaign Sanitary District.
126. "Executive Director" shall mean the chief administrative officer of the District or an employee or agent acting as his authorized representative.
127. "Existing Source" shall mean any building, structure, facility or installation from which there is or may be a discharge, which is not a new source.
128. "Facility" shall mean all present and future wastewater transport and treatment sites of District.
129. "Fats, Oil, or Grease (FOG)"
- (a) "Total FOG" shall mean any substance of animal, vegetable, or mineral origin that shows a positive yield when using a generally accepted analytical method for the determination of FOG.
  - (b) "Non-Polar FOG" shall mean any of the Total FOG substances that are not adsorbed by silica gel.
130. "Fecal Coliform" shall mean organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.
131. "Flow" shall mean volume of wastewater discharged.
132. "Fundamentally Different Factors Variance" shall mean a variation granted under the provisions of 40 CFR Part 403.13.
133. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.
134. "Grab Sample" shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
135. "General Pretreatment Regulations" shall mean General Pretreatment Regulations for Existing and New Sources, 40 CFR Part 403, as amended.
136. "IEPA" (Illinois Environmental Protection Agency) shall mean that agency or agencies of the State, any divisions thereof or successors thereto, authorized by present and subsequent acts of legislature thereof to regulate and control matters in respect to the management, maintenance and operations of the District facility.
137. "Incompatible Pollutant" shall mean all pollutants other than compatible pollutants as defined in Section 115.

138. "Indirect Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.
139. "Industrial User" shall mean a source of Indirect Discharge, including but not limited to, a manufacturing or process facility which is engaged in a productive or profit-making venture, or is engaged in the purchase or sale of goods, transaction of business or who otherwise renders services to the public, but shall not include wastewater hauler.
140. "Interceptor Sewer" shall mean a sanitary sewer in existence on the effective date of this Ordinance which has been dedicated and accepted for public use, and that is designated on the Official Map maintained by the District as an "Interceptor Sewer", and also any sanitary sewer constructed after the effective date of this Ordinance which is dedicated and accepted for public use and whose principal function is to transport sewage to the District's Plants from the tributary sewer systems, (generally fifteen-inches or larger in diameter).
141. "Interference" shall mean a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
- (a) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
  - (b) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Sub-title D of the SWDA), the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection, Research and Sanctuaries Act.
142. "Material" shall mean any form or mixture of liquid, solid or gas.
143. "National Categorical Pretreatment Standard" means any pretreatment standard specifying quantities or concentrations of pollutants which may be discharged to a POTW by Industrial Users in specific industrial subcategories as established in regulations promulgated from time to time by the USEPA in 40 CFR Chapter I, Subchapter N.
144. "National Pollutant Discharge Elimination System Permit (NPDES Permit)" shall mean a permit issued under the National Pollutant Discharge Elimination System for Discharge of Wastewaters to the Navigable Waters of the United States pursuant to the Act.
145. "New Source" shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after publication of a proposed Pretreatment Standard under Section 307(c) of the Act, which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

- (a) The building, structure, facility or installation is constructed at a site at which no other source is located; or
- (b) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- (c) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (b) And (c) but otherwise alters, replaces, or adds to existing process or production equipment.

Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

- (a) Begun, or caused to begin as part of a continuous on site construction program; any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

146. "Official Map of District" shall mean that map, or maps, on file with the District which reflects the location of all known sewer lines located within the District and which have been reviewed by and approved by the Board of Trustees of the District.

147. "Pass Through" shall mean 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).

An Industrial User significantly contributes to such permit violation where it:

- (a) Discharges a daily pollutant loading in excess of that allowed by permit with the POTW or by Federal, State, or Local law; or



- (b) Discharges wastewater which substantially differs in nature or constituents from the User's average discharge; or
  - (c) Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources; would result in a permit violation; or
  - (d) Knows or has reason to know that the POTW is, for any reason, violating its final effluent limitations in its permit and that such Industrial User's discharge either alone or in conjunction with discharges from other sources, increases the magnitude or duration of the POTW's violations.
148. "Permitted Wastewater Hauler Vehicle" means a vehicle used for hauling wastewater, which has been granted a permit under the requirements of this Ordinance.
149. "Person" means any individual, partnership, corporation, joint stock association, or the State of Illinois, a city, village, unincorporated town, or any other subdivision thereof, and includes any trustee, receiver, assignee or personal representative thereof.
150. "pH" shall mean the intensity of the acid or base condition of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration.
151. "Pollutant" shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
152. "POTW Treatment Plant" shall mean that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.
153. "Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.
154. "Pretreatment Requirements" shall mean any substantive or procedural requirements related to pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.
155. "Prohibitive Discharge Standards" shall mean any regulation developed under the authority of Section 307(b) of the Act and 40 CFR, Section 403.5.
156. "Property " shall mean any acreage, tracts, parcel or subdivided portion of real estate, whether improved or unimproved, and whether within or without the corporate limits of the District.
157. "Publicly Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the Act, owned by the District. This definition includes any interceptor sewers that convey wastewater to the POTW treatment plant regardless of ownership, but does not include pipes, sewers or other conveyances not connected to a facility providing

treatment. For the purposes of this Ordinance, POTW shall also include any sewers that convey wastewaters to the POTW from persons outside the District who are, by contract or agreement with the District, Users of the District's POTW.

- 158. "Qualified Professional" shall mean an individual with working knowledge of facility processes and wastewater discharge.
- 159. "Residential" shall mean such purpose, use or occupancy of property as involves habitation and living therein of individual persons.
- 160. Reserved.
- 161. "Sanitary Sewer" shall mean a sewer which carries sanitary and/or industrial wastewater, and to which storm, surface and ground water are not intentionally admitted.
- 162. "Sanitary Sewage" shall mean the type produced principally from Domestic (i.e., human related) sources with a normal strength of 200 mg/l of BOD and 250 mg/l of Suspended Solids, or less.
- 163. "Sanitary Sewer Technical Committee (SSTC) Sewer Construction Standards" means a set of sewer infrastructure construction standards mutually developed and adopted and by the District and Municipalities.
- 164. "Severe Property Damage" shall mean substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which 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.
- 165. "Sewer Connection " shall mean the sewer pipe from a point five (5) feet outside of the foundation line of a single building, or a system of sewer pipes from more than one building on a single property, to, and including, the connection to the Sanitary Sewer. Service connections are generally small diameter sewers, 4 in. and 6 in. diameter, that connect the individual building waste plumbing piping to the public sewer system. However, 8-inch or larger diameter sewer connections can be approved by the District and Municipalities if they only serve one parcel. Sewer connections are privately owned by property owner.
- 166. "Sewer Extension" shall mean a sewer, originating from an existing Sanitary Sewer, designed for the purpose of serving more than one property.
- 167. "Shall" is mandatory. "May" is permissive.
- 168. "Significant Industrial User" shall mean any Industrial User of the District's wastewater disposal system who
  - (i) is subject to a categorical pretreatment standard under 40 CFR Part 403; or
  - (ii) has a discharge flow of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewaters); or

- (iii) discharges an amount constituting 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - (iv) is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
169. "Significant Violation" means a violation of the Ordinance which remains uncorrected 45 days after notification of noncompliance; which is part of a pattern of noncompliance over a twelve-month period; which involves failure to accurately report noncompliance or which resulted in the District exercising its emergency authority under Article XI, paragraphs 1002, 1003 or 1004.
170. "Sludge" shall mean the settleable solids separated from the liquids during the wastewater treatment processes.
171. "Slug Load or Slug" shall mean any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 502 of this ordinance.
172. "Standard Methods" shall mean the laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation, and any other procedures recognized by the USEPA and IEPA.
173. "Standard Specifications" shall mean the specifications set forth in the latest edition of "Standard Specifications for Water and Sewer Main Construction in Illinois" prepared and published jointly by the Associated General Contractors of Illinois, the Illinois Municipal League, the Illinois Society of Professional Engineers, and the Underground Contractors Association.
174. "State" shall mean the State of Illinois, and each and every present and future department, agency, regulatory body or subdivision thereof.
175. "T" as in "Cyanide-T" shall mean total.
176. "Total Metals" shall mean the sum of the concentration of Copper, Nickel, Chromium and Zinc.
177. "Total Solids" shall mean the sum of suspended and dissolved solids.
178. "Total Suspended Solids (TSS)" shall mean total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtration as prescribed in Standard Methods.
179. "Total Toxic Organics" shall mean the summation of all quantified values greater than 0.01 milligrams per liter for the toxic organics as specified in the applicable regulation.

180. "United States Environmental Protection Agency" or "USEPA" shall include the Administrator or other duly authorized official of said agency, as appropriate.
181. "Unpolluted Water" shall mean water of quality equal to or better than the IEPA effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
182. "Upset" shall mean an exceptional incident in which there is unintentional and temporary noncompliance with applicable National Categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
183. "User" shall mean the owner, occupant, person, firm, partnership, corporation, entity, and the real estate identified by a permanent parcel number assigned by the Supervisor of Assessments of Champaign County, from which sewage is discharged into the District's sewerage system.
184. "Wastewater" shall mean the combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions including polluted cooling water.
- (a) Sanitary Wastewater shall mean the combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.
  - (b) Industrial Wastewater shall mean a combination of liquid and water-carried wastes discharged from any industrial establishment and resulting from any trade or process carried on in that establishment including the wastewater from pretreatment facilities and polluted cooling water.
  - (c) Combined Wastewater shall mean wastewater including sanitary wastewater, industrial wastewater, storm water, infiltration and inflow carried to the POTW treatment facilities by a sewer.
185. "Wastewater Discharge Permit" shall mean the document or documents allowing discharge to the POTW issued to a User by the District in accordance with the terms of this District Ordinance.
186. "Wastewater Hauler" means any person, partnership or corporation engaged in transporting sanitary wastewater as a commercial venture.
187. "Waters of the State of Illinois" shall mean all streams, lakes, ponds, marshes, water courses, waterways, 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 of Illinois or any portion thereof.

## ARTICLE II

### SEWER CONNECTION AND SEWER EXTENSION PERMITS

#### A. GENERAL

201. No person shall connect or cause to be connected any building or facility on property or any part thereof to any sewer unless the entire property shall first be situated within the corporate limits of the District.
202. (a) No person, not an authorized employee of the District, shall uncover, alter or disturb any District sewer, or open any manhole, vault, or any appurtenance thereof without first obtaining a written permit to do so from the Executive Director.
- (b) No person shall make any connection or opening into any sewer, the flow of which is directly or indirectly discharged into any District sewer, without first obtaining a connection permit, extension permit, and/or discharge permit as required by this Ordinance.
203. Failure of the property owner, or his authorized agent to secure the applicable permits shall cause said person to be subject to disconnection, or the fines and penalties provided for in the Ordinance. In addition, the property owner and/or contractor shall be refused any additional permits until such time as the discrepancies have been corrected in a manner satisfactory to the Executive Director.
204. Nothing contained in this Article II of this Ordinance shall be construed to prevent the District from providing service to any real property owned or controlled by the University of Illinois.
205. Prior to the issuance of a sewer connection permit for a condominium unit building, the District shall require that the developer of the building enter into an agreement with the District, the form of which is to be specified by the District, pertaining to the collection of user fees from condominiums. In addition, a copy of the homeowner's association bylaws shall be filed with the District.
- 208-209. Reserved.

#### B. SEWER CONNECTION PERMITS

210. Issuance of sewer connection permits shall be initiated by an application for connection permit. Said application shall be made on a form provided for such purpose by the District, and shall be fully completed by the property owner, or a duly authorized and knowledgeable officer, agent or representative thereof. If requested,

such person making application shall submit plans, specifications, detailed drawings, or other information as may be deemed necessary prior to approval by the Executive Director.

The District shall not allow any new sanitary sewer service connections to Collector or Interceptor Sewers to serve properties outside the corporate limits of one of the municipalities located within the District, unless the property to be served by such connection is the subject of a written Annexation, or Development Agreement, with the Municipality in whose Annexation Boundary Limits the land to be served by the sewer lies, or the property is on a list of subdivisions exempt from the annexation or development agreement requirements provided by the Municipalities. No subdivision constructed after June 30, 1992 (the effective date of the 1992 UCSD Agreement) shall be eligible to be on the list of exempt subdivisions.

211. There shall be a permit fee, established by the District Board annually which shall be payable at the time of the issuance of the connection permit.
212. If the application is in proper form, and the sewer connection indicated therein appears to be in accordance with this Ordinance and all District requirements and the permit fee and applicable inspection fee have been paid, the Executive Director shall issue the permit for connection to the sewer. If otherwise, the application for permit shall be denied by the Executive Director.
213. If the application is denied by the Executive Director, the Executive Director shall state the reason or reasons therefore in writing, mailed or personally delivered to the applicant, within five (5) days thereafter. The applicant shall have the right to either amend such application in conformity with the reasons given for denial or to have such application and denial reviewed by the Board, provided he shall give written notice of his request for such review within ten (10) days after receipt of denial. The Board shall review the permit application, the written denial and such other evidence or matters as the application and Executive Director shall present at its next regular meeting following receipt of request for its review, and the decision of the Board rendered publicly at said meeting shall be final.
214. No connection shall be made which is different in use from that specified in the permit granted. In the event of such difference, a new permit shall be required of and submitted by the applicant.
215. The person to whom a permit has been granted shall notify the proper municipal official authorizing a connection to a Collector Sewer within that Municipality's Annexation Boundary Limit, pay any required fees, and obtain that Municipality's authorizing document.
216. If a connection is to be made to an Interceptor Sewer, the District shall be notified no less than 48 hours prior to the time that the connection is to be made. The Executive Director or their designated representative, shall inspect the connection for compliance with these Ordinances. The inspection shall be made prior to any backfilling.

217. Reserved.
218. In addition to the foregoing requirements, for connections not inspected by the District, the District shall require an inspection report from the Municipality in which the connection is located in accordance with the Annexation Boundary Limits and in the event of a defect as a result of said inspection, the District shall require corrective action and a re-inspection by the Municipality (see Section 326).
219. All permits issued under this Section shall have an expiration date of one year after the date of issuance. Any sewer connection not constructed prior to the date of expiration shall have a new application submitted and a new permit issued prior to its construction.
220. Reserved.

### C. SEWER EXTENSION PERMITS

221. The District shall not permit or allow any person or entity to extend, or add to, any Interceptor Sewer or Collector Sewer unless the land served by such Sewer Extension is subject to an Annexation or Development Agreement with the Municipality in whose Annexation Boundary Limits the land to be served by the sewer lies. This Section 221 shall not be construed to prohibit the District from extending, or adding to, its Sewer System when such extension or addition is deemed necessary by the District for the effective operation of the District's Sewer System.
222. Issuance of sewer extension permits shall be initiated by an application for construction permit. Said application shall be made on forms provided by the IEPA, shall be fully completed by the applicable persons or parties, and shall be accompanied by a set of plans, specifications, and any other information as may be required by the Executive Director.
223. Plans and specifications shall be prepared and sealed by a registered professional engineer and approval thereof must be obtained from the Municipality having jurisdiction, prior to review by the District.
224. If the application is in proper form, and the sewer extension indicated therein appears to be in accordance with this Ordinance and all District, state and federal requirements, the Executive Director or their designee shall issue the District's construction permit letter and execute the IEPA permit forms. The IEPA permit must be obtained before any work can begin on construction of the proposed extension. Any construction permit approved by the District shall be valid within the time constraints contained in the permit issued by the IEPA.
225. An Interceptor Cost Recovery Fee (ICRF) shall be charged for a sewer extension in accordance with District Ordinance 691.

226. If the application is denied by the Executive Director, the Executive Director shall state the reason or reasons therefore in writing, mailed or personally delivered to the applicant. The applicant shall have the right to either amend such application in conformity with the reasons given for denial or to have such application and denial reviewed by the Board, provided he shall give written notice of his request for such review within ten (10) days after receipt of denial. The Board shall review the permit application, the written denial and such other evidence or matters as the applicant and Executive Director shall present at its next regular meeting following receipt of request for its review, and the decision of the Board rendered publicly at said meeting shall be final.
227. Prior to the application for, and issuance of, permits for sewer connections as regulated in this Ordinance, the person to which this permit was issued shall have his engineer submit certification that the extension was constructed in accordance with the plans and specifications; the results of the testing provisions of this Ordinance; complete accurate "as-built" plans showing all elevations as installed, as well as accurate measurements showing the locations of service connections, recorded copies of all operation and maintenance easements or a recorded subdivision plat showing all easements for sewers not built in the public right-of-way, and any other approvals as may be required by the Executive Director.

The engineer certifying the IEPA permit application shall inspect the construction, supervise the testing and certify the project to the satisfaction of the District. During the time period in which the sanitary sewer extension is under construction the engineer shall submit weekly progress reports to the District, if required by the District in the construction permit letter. The progress report shall describe construction activities for the reporting period; i.e., sewer sections installed, construction problems encountered, field orders issued, change orders requested, etc.. Any assignment of these responsibilities to another engineer shall have prior approval of the Executive Director.

In addition, the District shall receive a written certification from the Municipality in which the Sewer Extension is located, in accordance with the Annexation Boundary Limits. The certification shall indicate whether the Sewer Extension; 1) has been inspected, 2) conforms to the Municipality's ordinances, 3) has been completed by the developer to that Municipality's satisfaction, and 4) is accepted for operation and maintenance, or will be in the case of Collector Sewers constructed outside of the corporate limits of the Municipality, by the Municipality.(see Section 350).



## ARTICLE III

### STANDARDS AND SPECIFICATIONS

#### A. TRIBUTARY SEWER SYSTEMS

301. Where any sewer system under the jurisdiction of any City, Village or unincorporated town is tributary to that of the District, the same shall be regulated, limited, extended, denied or otherwise controlled in respect to connection of such sewer tributary to the District's system, whether or not the sewer into which the connection is made is directly under the jurisdiction of the District or not, in accordance with the terms and provisions of Section 7.2 of the "Sanitary District Act of 1917" (70 ILCS 2405/7.2). In respect to this section, the Board does find that the provisions of this section are conducive to the public health, comfort and convenience.
302. Any sewer system, sewage treatment works or sewage treatment facility constructed in, or within three (3) miles of, the limits of the District, which is tributary thereto and not within the limits of any other sanitary district, shall be constructed in accordance with the statutes, rules and regulations providing standards and specifications therefore by IEPA. Persons seeking to construct such systems, works and facilities shall make application for construction and discharge permits as required by the Ordinance hereof, and the District shall cause inspection of the construction of such sewer system, sewage treatment works and sewage treatment facility to be made to ascertain that it does comply with the standards and specifications therefore required by the District, in accordance with the terms and provisions of Section 7.3 of the "Sanitary District Act of 1917" (70 ILCS 2405/7/3).
303. No person shall discharge or cause to be discharged, either by gravity drain or force pump, any storm surface water, ground water, roof run off, sub-surface drainage, cooling water or unpolluted process waters to any sanitary sewer.
304. The Executive Director and the Executive Director's duly authorized employee or agent bearing proper credentials and identification shall at any time be permitted to enter upon all properties within the corporate limits, or three (3) miles thereof, of the District for the purpose of inspecting, observing, measuring, sampling and testing, as may be required in pursuance of the implementation and enforcement of the terms and provisions of this Ordinance.
305. Whenever the District shall acquire by purchase, condemnation or otherwise any real and personal property, right-of-way and privilege, either within or without its corporate limits that may be required for its corporate purposes, pursuant to Section 8 of the "Sanitary District Act of 1917" (70 ILCS 2405/8), or acquire such rights by lease or otherwise pursuant to Section 8.1 of the Act aforesaid (70 ILCS 2405/8.1), no part of the consideration therefore, or other agreement in respect to such acquisition shall be made, either directly or indirectly, as would permit connection by the seller or grantee of such rights, or any other person, to connect to such sewer or sewer system without having complied fully with all of the terms and provisions of this Ordinance.

306. Whenever any person shall acquire by purchase, condemnation or otherwise any real and personal property, right of way and privilege for the purpose of constructing and maintaining a sewer, no part of the consideration therefore, or any other agreement in respect to such acquisition shall be made, either directly or indirectly, as would permit connection by the seller or grantee of such right, or any other person, to connect to such sewer or sewer system without having complied fully with all of the terms and provisions of this Ordinance in regard to installation, connection and use of sewers, whether publicly or privately owned.

307-310. Reserved.

## B. SEWER CONNECTIONS

311. All sewers connecting directly or indirectly with any District sewers shall be constructed in accordance with the Sanitary Sewer Technical Committee (SSTC) Sewer Construction Standards, Standard Specifications, the rules and regulations of the IEPA, and the requirements contained in this Ordinance. Any deviation will be allowed only by written permission of the Executive Director. Such sewers shall be used to carry only sanitary sewage or approved industrial wastes. No rainwater downspouts shall be connected. No existing or new drain tile, foundation tile, or other tile which could or does collect surface or sub-surface water shall be connected either directly or indirectly by pumping or otherwise to any sewer tributary to any District sewer. No below grade plumbing fixtures shall be directly connected by gravity to any Sanitary Sewer, after January 2 2013.

312. A separate and independent sanitary sewer connection shall be provided for every building except that where one building stands at the rear of another on an interior lot and no building sewer is available or can be constructed to the rear building through the property or an adjoining alley, court, yard or driveway, the sewer from the front building may be extended to the rear building and the whole considered as one sewer (except for sewer connection charges accruing from such building or properties). In the case of "Zero Lot Line" or "Rowhouse" development, a separate sanitary sewer service line with a cleanout shall be provided for each dwelling unit.

313. The Executive Director shall have administrative authority to grant waivers from the Section 312 requirements for single family residential properties where is unlikely that any future subdivision of the lot could occur. Accessory dwelling units (ADU) and accessory structures such as garages, pool houses, and sheds shall be eligible for waivers by approval of the Executive Director.

314. Old sewers may be used for connection of a new building only when they are found on examination and test by the District, or applicable Municipality, to meet all requirements of this Ordinance and are adequate to serve the purposes of the new building and its use. A sewer connection permit shall be required for all new buildings reusing old sewer connections. Abandoned connections shall be effectively closed or sealed off as directed by the applicable municipal or District representative.

315. All sewer connections constructed within the boundaries of the District shall be in accordance with the Sanitary Sewer Technical Committee (SSTC) Sewer Construction Standards. Other pipe and fittings not specified in the SSTC Sewer Construction Standards may be used only when specifically authorized by the Executive Director..
316. In all buildings with below grade plumbing fixtures, all sewage from such fixtures shall be lifted by approved mechanical means and discharged into the building sewer.
- 317.
318. Each Municipality shall inspect newly-constructed Sewer Connections to all Sanitary Sewers within that Municipality's respective Annexation Boundary Limits. The degree of inspection will be the same whether or not the property to be served has been annexed or is subject to an Annexation Agreement. The result of such inspection shall be reported to the District by the Municipality. In the event the standards established by the Municipality and the standards established by the District differ, the standards of the District shall apply.
- 327-330. Reserved

#### C. SEWER EXTENSIONS

331. All sewer extensions shall be constructed in accordance with the SSTC Sewer Construction Standards, Standard Specifications, the rules and regulations of the IEPA and the requirements contained in this Ordinance. Any deviations will be allowed only by written permission of the Executive Director.
332. In the event that the sewer extension originates at a manhole under the jurisdiction of the District the connection shall be inspected and approved by the Executive Director, or their authorized representative, prior to the construction of the sewer extension. The District shall be notified at least 48 hours in advance of any construction of the sewer extension.
333. To protect the integrity of the total sewer system the Executive Director shall, from time to time, adopt review policies which shall govern proposed sewer extensions. All plans and specifications submitted to the District for review shall be subject to these policies.
334. No person shall at any time make connection of any source of storm runoff, ground water, or other sources of uncontaminated water directly or indirectly to a sewer extension, existing public or private sewer, or interceptor.
335. All sewer extensions constructed within the boundaries of the District shall in accordance with the Sanitary Sewer Technical Committee (SSTC) Sewer Construction Standards. Other pipe and fittings not specified in the SSTC Sewer Construction Standards may be used only when specifically authorized by the Executive Director

336. Manholes shall be installed at changes in grade or direction, and at distances not greater than 350 feet, or at the discretion of the Executive Director up to 400 feet. If the ground elevation at the manhole is changed at any time by the property owner, he shall reset the cover to the proper elevation at his own expense.
337. Special construction techniques shall be used for all crossings of storm and sanitary sewers. These construction techniques shall be in accordance with the SSTC Sewer Construction Standards..
338. Manholes which are five (5) feet or less in depth may be constructed without the use of a cone. The manhole shall be constructed with a precast concrete unit of the proper diameter and a precast concrete slab with an opening offset by not more than six (6) inches from the inside wall of the manhole.
339. A manhole shall be furnished within the dedicated right-of-way whenever a back lot line sewer crosses existing or proposed streets.
340. Each Municipality shall inspect, or cause to be inspected, all authorized extensions of Collector Sewers within that Municipality's Annexation Boundary Limits for compliance with the construction standards in the ordinances of that Municipality and the ordinances of the District. The District shall receive a written certification from the Municipality that shall indicate whether the Sewer Extension; 1) has been inspected, 2) conforms to the Municipality's ordinances, 3) has been completed by the developer to that Municipality's satisfaction, and 4) is accepted for operation and maintenance, or will be in the case of Collector Sewers constructed outside of the corporate limits of the Municipality, by the Municipality. Such written certification shall serve as notice to the District that the District may proceed with the issuance of connection permits for the Sanitary Sewer Service connections for the land to be served by the sewer, provided that all other requirements of this Ordinance have been satisfied. In the event the standards established by a Municipality and the standards established by the District differ, the standards of the District shall apply.

## ARTICLE IV

### USE OF PUBLIC SEWERS REQUIRED

401. It shall be unlawful for any person to place, deposit or discharge, or to cause to be placed, deposited or discharged, upon the surface of publicly or privately owned property, any wastewaters or material within the corporate limits of the District.
402. It shall be unlawful for any person to discharge to the environment any sewage, waste or material, industrial waste or any polluted water except where such person has made and provided treatment thereof rendering the content of such discharge in accordance with District, state and federal laws, ordinances and regulations.
403. Any person owning property situated within the corporate limits of the District, which property is improved with one or more residences, houses, buildings, or structures used or intended to be used for human use, occupancy, employment or any other similar purpose whatever, and which property is within two hundred (200) feet of a sanitary sewer from the nearest property line shall, within ninety (90) days after such sewer is in service, at his expense install suitable toilet and waste disposal facilities therein, extend the sanitary sewer across his property to make it available to adjoining properties, where applicable, and connect such facilities with the sewer in accordance with the terms and provisions of this Ordinance; provided, however, that in the event compliance with this section causes economic hardship to said person, he may apply to the Executive Director for exemption from this section. Such exemptions shall only be granted to residential users, and shall not apply to commercial and Industrial Users.
404. Such person as described in Section 401 through 403, inclusive, shall not avoid connection to such sewer by reason of actual distance from the building or structure to the connecting point at such sewer.
405. Where a public sewer is not available as set forth in this Ordinance, the building or structure shall be connected to a private sewer and disposal or treatment system constructed in compliance with the terms and provisions of all applicable county, state and federal laws and regulations.
406. Within ninety (90) days after a property served by such private sewer and disposal system shall become subject to the terms and provisions of this Ordinance, a direct connection shall be made to the public sewer according to the terms and provisions of this Ordinance, and all private sewers, disposal system, septic tanks, cesspools and other appurtenances of such private sewer and disposal system shall be disconnected and abandoned, and all openings, tanks or other containers of material shall be permanently filled with suitable material.
407. The District shall not be responsible in any way for the operation and maintenance of a private sewer or disposal system or facility.

408. No provision of this Ordinance shall be construed to alter, modify or provide lesser requirements for such private sewers and disposal systems as are presently or may hereafter be imposed and required by any other legal governmental body, the state and federal government.

## ARTICLE V

### WASTEWATER DISCHARGE REQUIREMENTS

#### A. PROHIBITIVE DISCHARGE STANDARDS

501. No person shall discharge or cause to be discharged any stormwater, foundation drain water, groundwater, roof runoff, surface drainage, cooling waters, or any other unpolluted water to any sanitary sewer.
502. No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW or pass through the POTW. The following general prohibitions shall apply to all Users of District's POTW whether or not a User is subject to National Categorical Pretreatment Standards or any other National, State or local Pretreatment Standards or Requirements. A User may not contribute the following substances to District's POTW:
- (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to create a fire or explosion hazard or be injurious to the POTW or to the operation of the POTW including but not limited to, waste streams with a closed-cup flashpoint of less than 140° F (60° C) using the test methods specified in 40 CFR 261.21. At no time, shall two successive readings on a meter capable of reading L.E.L. (lower explosive limit) at the point of discharge to the sanitary sewer, or at any point in the POTW, be more than five percent (5%) nor any single reading greater than ten percent (10%). Materials for which discharge is prohibited under this sub-section include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, poly-chlorinated biphenyls, polybrominated biphenyls, carbides, hydrides, stoddard solvents, and sulfides.
  - (b) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (½") in any dimension, feminine hygiene material, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, grass, straw, shavings, grass clippings, rags, spent grain, spent hops, waste paper, wood, plastics, tar, asphalt residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes, or tumbling and de-burring stones.
  - (c) Any waters or wastes having a pH lower than 6.0 or higher than 12.0 or having any other corrosive property capable of causing damage or hazard to sewers, structures, equipment and personnel of the sewage works.

- (d) Any wastewater containing incompatible pollutants in sufficient quantity, either singly or by interaction with other pollutants, that injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create an incompatible effect in the receiving water of the POTW, exceed the limitation set forth in a National Categorical Pretreatment Standard (when in effect), or in this Ordinance or create a public nuisance. An incompatible pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.
- (e) Any noxious or malodorous liquids, gases, or solids which either singularly or by interaction with other wastewaters are sufficient to create a public nuisance or hazard to life or which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (f) In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; or any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the RCRA, SWDA, the Clean Water Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- (g) Any substance which will cause the POTW to violate its NPDES Permit or the receiving water quality standards.
- (h) Any wastewater having a temperature at the point of discharge to the POTW which will inhibit biological activity in the POTW treatment plant resulting in interference; in no case shall wastewater be discharged which exceeds 65° C (157° F) or which exceeds 40° C (104° F) at the POTW treatment plant.
- (i) Any pollutants, including compatible pollutants released at a flow or pollutant concentration which a User knows or has reason to know will cause interference to the POTW or will pass through the POTW.
- (j) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by State or Federal regulations.
- (k) Any wastewater containing BOD, total solids, or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant; provided however, that a User may be permitted by specific, written agreement with the District, which agreement to discharge such BOD or TSS may provide for special charges, payments or provisions for treating and testing equipment.
- (l) Ammonia nitrogen in amounts that would cause District to fail to comply with regulations of IEPA.



- (m) Any discharge exceeding the Standards established in 35 Ill. Adm. Code 307.
- (n) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (o) Trucked or hauled wastewater, except at discharge points designated in accordance with Article VI of this Ordinance.

Compliance with the provisions of this Section 502 shall be required on the effective date of this Ordinance.

#### B. SPECIFIC LIMITATIONS ON DISCHARGE

503. Listed are the discharge limitations from each separate discharge of a User, as measured under the provisions of this ordinance. Discharges shall not exceed the numerical limits in the table below, based upon the type of sample collected and the average limit.

| Pollutant       | Monthly Average Limit, mg/L | Composite Sample Limit, mg/L | Grab Sample Limit, mg/L |
|-----------------|-----------------------------|------------------------------|-------------------------|
| Arsenic         | 1.0                         | 2.0                          | 5.0                     |
| Cadmium         | 0.1                         | 0.2                          | 0.5                     |
| Chromium, Hex   | 0.5                         | 1.0                          | 1.0                     |
| Chromium, total | 5.0                         | 10.0                         | 25.0                    |
| Copper          | 2.0                         | 4.0                          | 10.0                    |
| Lead            | 1.0                         | 2.0                          | 5.0                     |
| Mercury         | 0.0005                      | 0.0010                       | 0.0025                  |
| Nickel          | 2.1                         | 4.2                          | 10.5                    |
| Selenium        | 5.0                         | 10.0                         | 25.0                    |
| Silver          | 1.0                         | 2.0                          | 5.0                     |
| Zinc            | 5.0                         | 10.0                         | 25.0                    |
| Cyanide         | 1.2                         | Not Valid                    | 2.4                     |
| FOG (total)     | 100                         | Not Valid                    | 200                     |
| FOG (nonpolar)  | 50                          | Not Valid                    | 100                     |

Compliance with the provisions of this Section 503 shall be required on the effective date of this Ordinance.

504. Significant Industrial Users shall not exceed the concentrations for the compatible pollutants listed in the table below.

| Domestic Pollutant | Monthly Average Limit, mg/L | Composite Sample Limit, mg/L | Grab Sample Limit, mg/L |
|--------------------|-----------------------------|------------------------------|-------------------------|
| BOD                | 400                         | 800                          | 2,000                   |
| TSS                | 500                         | 1,000                        | 2,500                   |
| Ammonia Nitrogen   | 50                          | 100                          | 250                     |

Discharges in excess of typical domestic sewage shall incur a fee, based on the formula used by the District policy.

Compliance with the provisions of this Section 504 shall be required on the effective date of this Ordinance.

505. An exception to the mercury concentration specified in Section 503 shall be granted annually if all of the following conditions are met:
- (a) The discharger does not use mercury; or, the discharger uses mercury and this use cannot be eliminated; or, the discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of wastewater; and,
  - (b) The effluent mercury concentration is less than 0.003 mg/l, as determined by the averaging rules of Section 503; and,
  - (c) The discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness and sound engineering judgment. This may include no treatment for mercury; and,
  - (d) The discharger has an inspection and maintenance program likely to reduce or prevent an increase in the level of mercury discharges.

#### C. INCORPORATION OF NATIONAL CATEGORICAL PRETREATMENT STANDARDS

506. Upon the promulgation of the National Categorical Pretreatment Standard (NCPS) for a particular Industrial User, the said standard, if more stringent than the limitations imposed under this Ordinance for sources in that category, shall, when effective, immediately supersede the limitations and conditions imposed under this Ordinance and said standard shall be complied with by all Industrial Users subject to said National Categorical Pretreatment Standards. The Executive Director shall notify all known effected Users of the applicable reporting requirements under 40 CFR, Section 403.12.
507. National Compliance by existing sources with Categorical Pretreatment Standards shall be within 3 years of the date the Standard is effective unless a shorter compliance time is specified in the appropriate subpart of 40 CFR Chapter I, Subchapter N. Direct dischargers with NPDES permits modified or reissued to provide a variance pursuant to Section 301(i)(2) of the Act shall be required to meet

compliance dates set in any applicable National Categorical Pretreatment Standard. Existing sources which become Industrial Users subsequent to promulgation of an applicable National Categorical Pretreatment Standard shall be considered existing Industrial Users except where such sources meet the definition of a New Source as defined in 40 CFR 403.3(m). New Sources shall install and have in operating condition, and shall "start-up" all pollution control equipment required to meet applicable National Categorical Pretreatment Standards before beginning to Discharge. Within the shortest feasible time (not to exceed 90 days), New Sources must meet all applicable National Categorical Pretreatment Standards.

- 508. The District reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the POTW.
- 509. No User shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards (NCPS) (when effective), or in any other pollutant-specific limitation developed by the District or State.
- 510. Users may obtain a variance from the Specific Limitations on Discharge, Article V, Sections 503 and 504, upon compliance with the provisions of Article X, of this Ordinance.

#### D. SPILL CONTAINMENT

- 511. Each User having the ability to cause interference with the POTW treatment plant or to violate the regulatory provisions of this Ordinance shall provide protection from accidental discharge to the POTW of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and expense.

#### E. NOTIFICATION

- 512. Immediate Notification - In the case of a discharge of compatible or incompatible pollutants which causes, or may cause a violation of the User's Discharge Permit or violation of the regulatory requirements of this Ordinance, it shall be the responsibility of the User to immediately telephone and notify the District of the incident. Such discharges include, but are not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load. The notification shall include name of caller, location and time of discharge, type of wastewater, concentration and volume.
- 513. Written Report - Within fifteen (15) days following the incident the User shall submit to the Executive Director a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Follow-up reports may be required by the District as needed. Such report, or reports, shall not relieve the User of any expense, loss, damage or other

liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such report relieve the User of any fines, civil penalties, or other liability which may be imposed by this Ordinance or otherwise. Failure to report these discharges may, in addition to any other remedies available to the District, result in the revocation of the discharger's permit.

514. Notice to Employees - A notice in English and the language of common use shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a prohibitive discharge. Employers shall insure that all employees who are in a position to cause, discover, or observe such a discharge are advised of the emergency notification procedures.
515. Additional Remedies - In addition to the remedies set forth elsewhere in this Ordinance, if the District is fined by the IEPA or USEPA for violation of the District's NPDES Permit or violation of Water Quality Standards as the result of a Users discharge of a compatible or incompatible pollutant, then the fine, including all District legal, sampling, analytical testing costs and any other related costs shall be charged to the responsible User. Such charge shall be in addition to, and not in lieu of, any other remedies the District may have under this Ordinance, statutes, regulations, at law or in equity.
516. The User shall control production or all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.
517. All Users shall promptly notify the District in advance of any substantial change in the volume or character of pollutants in their discharge.
518. All Users who discharge hazardous waste shall notify the District of such discharges as follows:
  - (a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than

one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 517 of this Ordinance. The notification requirement in this section does not apply to pollutants already reported by Users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 705, 716, and 717 of this Ordinance.

- (b) Discharges are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a onetime notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the POTW, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (d) In the case of any notification made under this section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued there-under, or any applicable Federal or State law.

519-520. Reserved.

#### F. ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS

521. At least once every two (2) years, the District shall evaluate whether a Significant Industrial User needs an accidental discharge/slug control plan. The District may require any User to develop, submit for approval, and implement such a plan. . An accidental discharge/slug control plan shall address, at a minimum, the following:

- (a) Description of discharge practices, including non-routine batch discharges;
- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the District of any accidental or slug discharge, as required by Sections 512 - 514 of this Ordinance; and,

- (d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

522. Significant Industrial Users are required to notify the District immediately of any changes at its facility affecting the potential for a slug discharge.

## ARTICLE VI

### WASTEWATER HAULERS

601. Wastewater haulers shall have a valid Wastewater Hauler Discharge Permit before discharging wastes at the POTW. The application for the permit shall be on the form provided by the District and shall be accompanied by a fee to be determined by the Board.
602. Wastewater haulers shall discharge all sanitary wastes at the designated location at the POTW.
603. Reserved.
604. Each wastewater hauler shall provide his own hoses, clamps, couplers, etc. necessary to empty the contents of his vehicle into the District's wastewater dumping station.
605. All liquid waste hauling companies permitted by the District shall be licensed by the Illinois Department of Public Health. Employees of the company shall follow the Rules of Title 77, PART 905 from the Illinois Department of Public Health.
606. All wastewater being discharged by the wastewater hauler at the POTW shall comply with Article V of this Ordinance.
607. Reserved.
608. All procedures for discharging, for cleanliness and for general sanitary operation on District property as prescribed by the District shall be strictly adhered to by all wastewater haulers.
609. Wastewater from a domestic level User shall not be mixed with wastewater from an Industrial User.
610. In addition to remedies available to the District as set forth elsewhere in this Ordinance, failure of a wastewater hauler to comply with the provisions of this section shall be grounds for revocation of the hauler's Discharge Permit by the District.

## ARTICLE VII

### INDUSTRIAL WASTEWATER DISCHARGE PERMITS

#### A. PERMITS

701. It shall be unlawful for any Significant Industrial User, as defined in Section 167, to discharge wastewater to the District without an Industrial Wastewater Discharge Permit issued by the District in accordance with the provisions of this Ordinance. Other Industrial Users, as defined in Section 139, may be required to obtain an Industrial Wastewater Discharge Permit at the discretion of the Executive Director or his designated representative.
702. Reserved.
703. Industrial Wastewater Discharge Permit - Users required to obtain an Industrial Wastewater Discharge Permit shall complete and file with the District an application in a form to be prescribed and furnished by the District, and accompanied by a fee to be determined by the Board. Existing Significant Industrial Users shall apply for a Discharge Permit within 90 days after notification by the Sanitary District, and proposed new Significant Industrial Users shall apply at least 90 days prior to discharging to the POTW. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:
- (a) Name, address and location.
  - (b) NAICS number according to the North American Industrial Classification System, Office of Management and Budget, 1997, as amended.
  - (c) Wastewater constituents and characteristics including but not limited to those set forth in this Ordinance as determined by a reliable analytical laboratory.
  - (d) Time and duration of pollutant discharges.
  - (e) Average and maximum wastewater flow rates, including monthly and seasonal variations, if any.
  - (f) Site plans showing all pipe sizes, manholes and location of sanitary and storm sewers leaving the building or premises, together with all connections to lateral sanitary and storm sewers.
  - (g) Listing of each process activity.
  - (h) Line diagram and basic information, including capacity of existing or proposed spill containment areas and installation.
  - (i) Total number of employees and hours of operation of a plant.



- (j) Proposed or actual hours of operation of pretreatment system and the name of the IEPA certified pretreatment operator.
- (k) Name of authorized representative of the Industrial User.
- (l) User's source of intake water together with the types of usage and disposal sources of water and the estimated volumes of each category.
- (m) Listing of raw materials and chemicals that are used in the manufacturing process and are capable of being discharged into the POTW.
- (n) If additional User operation and maintenance or pretreatment techniques or installation will be required to meet the applicable pretreatment standards, the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.
- (o) Any other information as may be deemed by the District to be necessary to evaluate the permit application.

704. Discharge Permits - The District will evaluate the data furnished by the User and may require additional information within 45 days of submission by the User. After evaluation and acceptance of the data furnished, the Board shall issue the appropriate Discharge Permit subject to terms and conditions provided herein. No interim or temporary permit will be issued by the Board except as set forth in this Ordinance. Users submitting information required in this Section shall not be deemed to have a permit until the Board issues such a permit under the provisions of this Ordinance. Existing Users submitting timely information in accordance with this article shall not be subject to enforcement actions based on their failure to have a Discharge Permit during the time period set forth herein or during any extension of time allowed by this section.

705. Permit Modifications - Within 180 days after the effective date of a National Categorical Pretreatment Standard, or 180 days after a final administrative decision has been made upon a categorical determination submission in accordance with 40 CFR 403.6(a)(4) of the Industrial Pretreatment Regulations, whichever is later, existing Industrial Users subject to such National Categorical Pretreatment Standards and who have a current Industrial Discharge Permit shall apply for an Industrial Wastewater Discharge Permit modification. Industrial Users required to obtain a permit modification shall complete and file with the District, an application in a form to be prescribed and furnished by the District and payment of a fee to be determined by the Board. In support of the Permit Modification Application, the Industrial User shall submit, in units and terms specified in the application, the following information:

- (a) Name and address of the facility including the name of the operators and owners.

- (b) List of any environmental control permits held by or for the facility.
- (c) Brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such Users. This description shall include a schematic process diagram indicating points of discharge to the POTW from the regulated processes.
- (d) Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
  - (1) Regulated process streams, and
  - (2) Other streams as necessary to allow use of the combined waste stream formula of 40 CFR 403.6(e) of the General Pretreatment Regulations.
- (e) The Industrial User shall identify the National Categorical Pretreatment Standards applicable to each regulated process; and shall
  - (1) Submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration shall be reported. The sample shall be representative of daily operations.
  - (2) A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The District may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the User demonstrates that this will provide a representative sample of the effluent being discharged.
  - (3) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
  - (4) Take the samples immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, in order to evaluate compliance with the National Categorical Pretreatment Standards, the Industrial User shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of 40 CFR 403.6(e) of the General Pretreatment Regulations. Where an alternate

concentration has been calculated in accordance with 40 CFR 403.6(e) of the General Pretreatment Regulations, this adjusted limit along with supporting data shall be submitted to the District.

- (5) Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties, approved by the Administrator.
  - (6) Submit, only with District authorization, a Permit Modification Application which utilizes only historical data, so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
  - (7) Provide, for each report the time, date, and place, of sampling and methods of analysis and certification that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
- (f) The Industrial User shall provide a statement, reviewed by an authorized representative of the Industrial User and certified by a qualified professional, indicating whether National Categorical Pretreatment Standards are being met on a consistent basis, and if not, whether additional Operation and Maintenance (O and M) or additional pretreatment is required for the User to meet the National Categorical Pretreatment Standards and requirements.
- (g) If additional pretreatment or O and M will be required to meet the National Categorical Pretreatment Standards, the User will provide the shortest schedule which will provide such additional pretreatment or O and M. The completion date in this schedule shall not be later than the compliance date established for the applicable National Categorical Pretreatment Standard.
- (1) Where the Industrial User's National Categorical Pretreatment Standard has been modified by the combined waste stream formula (40 CFR 403.6(e) of the General Pretreatment Regulations), or a Fundamentally Different Factors Variance (40 CFR 403.13 of the General Pretreatment Regulations) at the time the User applies for the Permit Modification, the information required in paragraphs (f) and (g) of this Section shall pertain to the modified limits.
  - (2) If the National Categorical Pretreatment Standard for the Industrial User is modified after the application for an Industrial Wastewater

Discharge Permit is submitted, the User shall make any necessary amendments to information provided as a response to paragraphs (f) and (g) of this section and submit them to the District within 60 days after the modified limit is approved.

- (h) The following conditions shall apply to any schedule submitted in response to paragraph (g) of this section:
  - (1) 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 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.).
  - (2) No increment referred to in paragraph (h)(1) of this section shall exceed nine (9) months.
  - (3) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the District including, 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 taken by the Industrial User to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the District.
- (i) The District will evaluate the data furnished by the Industrial User and may require additional information within 45 days of submission of the Industrial User. After evaluation and acceptance of the data furnished, the District shall issue a Modified Industrial Wastewater Discharge Permit. No interim or temporary permit will be issued by the Board except as set forth in this Ordinance.

706. Existing Industrial Users who become subject to National Categorical Standard and do not have an Industrial Wastewater Permit shall submit the application and follow-up data specified in Sections 703 and 705. The time schedule for submission shall be in accordance with Section 705. At least 90 days prior to commencement of discharge, new sources who are subject to National Categorical Standards shall submit the information required in Section 703 and Section 705 (a thru e). New Sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information requested in Section 705(d) and 705(e).

707. Where an Industrial User has manufacturing processes which are regulated by more than one National Categorical Pretreatment Standard at the same permitted discharge location, the limitation in the Industrial Wastewater Discharge Permit shall be adjusted consistent with USEPA guidelines and regulations.
708. Permit Conditions - Discharge permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, User charges, and fees established by the District. Industrial Wastewater Discharge Permits shall contain when applicable the following:
- (a) Limits on the average and maximum wastewater constituents and characteristics.  
  
Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization for each separate discharge of a User.  
  
Best Management Practices that are required by a Categorical Pretreatment Standard, local limit, state or local law.
  - (b) Requirements for installation and operation of inspection, sampling, and monitoring facilities.
  - (c) Specifications for monitoring of pollutants (including Best Management Practices required by a Categorical Pretreatment Standard, local limit, state or local law) which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
  - (d) Compliance schedule, if necessary.
  - (e) Requirements for submission of technical reports or discharge reports.
  - (f) Requirements to retain for a minimum of three years records of documentation associated with Best Management Practices required by Categorical Pretreatment Standards, local limits, state or local law; records of monitoring activities and results relating to wastewater discharge; and for affording District access to said records.
  - (g) Requirements for notification of the District of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.
  - (h) Requirements to control slug discharges if determined by the District to be necessary in Section 521 of this Ordinance.
  - (i) Requirements that the permittee provide other information to the District from time to time as may reasonably be required.

- (j) Requirements that permittee allow the POTW or its representatives ready access upon presentation of credentials at reasonable times to all parts of its premises in which a discharge source or treatment system is located or in which records required by this Ordinance are kept for the purposes of inspection, sampling, examination and photocopying of said records and for the performance of any of their duties.
- (k) Other conditions as deemed appropriate by the District to ensure compliance with this Ordinance.

709. Sample Collection— Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- (a) Except as indicated in (b) and (c) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the sample 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 EPA methodologies may be authorized by the District, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- (b) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (c) For sampling required in support of baseline monitoring and 90-day compliance reports required by 40 CFR 403.12(b) and (d), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling are available, the District may authorize a lower minimum. For the reports required by 40 CFR 403.12(e) and 403.12(h), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

710. Change in Conditions- In the event the type, quality, or volume of wastewater from the property for which a discharge permit was previously granted is expected to materially and substantially change as reasonably determined by the permittee or the District, the permittee shall give a thirty (30) day notice in writing to the District and shall make a new application to the District prior to said change, in the same manner and form as originally made, provided that information previously submitted and unchanged need not be resubmitted by permittee. No permittees shall materially and substantially change the type, quality or volume of its wastewater beyond that allowed by its permit without prior approval of the District
711. Duration - Permits shall be issued for a specified time period not to exceed five (5) years. The District shall notify a User 180 days prior to expiration of the User's Permit. Within 90 days of notification, the User shall apply, on a form provided by the District, for re-issuance of the Permit. The terms and conditions of the permit may be subject to modification by the Board during the term of the permit as limitations or requirements as identified in this Ordinance are modified. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change.
712. Transfer - Wastewater discharge permits are issued to a specific User for the process activity specified in the permit. A Wastewater Discharge Permit shall not be assigned, transferred or sold to a new Owner or new User in different premises or to a new or changed operation in the same or different premises without the approval of the District.

If the premises are sold or otherwise transferred by the permittee to a new owner who will maintain the operation in the same premises, then the permit held by the seller shall be reissued by the Board to the new owner as a temporary permit; provided that the new owner shall immediately apply for a new permit in accordance with this Ordinance and further provided that the temporary permits shall only be effective for ninety (90) days after the date of sale or transfer. The District shall have the same remedies for violation of temporary permits as it has for violation of other discharge permits.

713-715. Reserved.

#### B. REPORTING REQUIREMENTS FOR PERMITTEE

716. Within 90 days following the date for final compliance with applicable Categorical Pretreatment Standards or in the case of a New Source following commencement of the introduction of wastewater into the District POTW, any Industrial User subject to Pretreatment Standards and Requirements shall submit to the District a report containing the information described in Sections 705(d), 705(e) and 705(f). For Industrial Users subject to equivalent mass or concentration limits established by the District 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 Industrial 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.

717. Periodic Compliance Reports - Any Industrial User subject to National Categorical Pretreatment Standards, after the compliance date of such applicable Pretreatment Standards or, in the case of a New Source, after discharge of wastewater to the District begins, shall submit to the District during the months of June and December for the proceeding two calendar quarters, a certified report indicating the nature and concentration of pollutants in the effluent which are limited by such applicable Categorical Pretreatment Standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period. At the discretion of the District, the discharge permittee shall sample, analyze and report to the District pollutants set forth in its wastewater discharge permit. At the discretion of the District and in consideration of such factors as a local high or low flow rate, holidays, budget cycles, the District may agree to alter the months during which the above reports are submitted.
718. The reports and/or information required in Section 705, 716 and 717 shall contain the results of sampling and analysis of the Discharge, including the flow and the nature and concentration, or production and mass where requested by the District, of pollutants contained therein which are limited by the applicable Pretreatment Standards. This sampling and analysis may be performed by the District in lieu of the Industrial User. Where the District performs the required sampling and analysis in lieu of the Industrial User, the User will not be required to submit the compliance certification required under 40 CFR 403.12(b)(6) and 403.12(d) of the Pretreatment Regulations. In addition, where the District itself collects all the information required for the report, including flow data, the Industrial User will not be required to submit the report.
719. If sampling performed by an Industrial User indicates a violation, the User shall notify the District within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation, except the Industrial User is not required to re-sample if:
- (a) The District performs sampling at the Industrial User at a frequency of at least once per month, or
  - (b) The District performs sampling at the User between the time when the User performs its initial sampling and the time when the User receives the results of this sampling.
720. The reports required in Section 717 shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period. The District shall require that frequency of monitoring necessary to assess and assure compliance by Industrial Users with applicable Pretreatment Standards and Requirements.



721. All analyses shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(h) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures including procedures suggested by the District or other parties, approved by the Administrator.
722. If an Industrial User subject to the reporting requirement in Section 717 monitors any pollutant more frequently than required by the District, using the procedures prescribed in Section 721, the results of this monitoring shall be included in the report.
723. The reports and/or information required by Sections 705, 716 and 717 shall include the certification statement as set forth in 40 CFR 403.6(a)(2)(ii), and shall be signed as follows:
- (a) By a responsible corporate officer, if the Industrial User submitting the reports and/or information is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
    - (1) A president, secretary, treasurer, or vice-president of a principal business function, or any other person who performs similar policy or decision-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) By a general partner or proprietor if the Industrial User submitting the reports and/or information is a partnership or sole proprietorship respectively.
  - (c) By a duly authorized representative of the individual designated in paragraph (a) or (b) of this Section if:

- (1) The authorization is made in writing by the individual described in paragraph 723(a) or 723(b).
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
- (3) The written authorization is submitted to the District.
- (d) If an authorization under paragraph (c) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph 723(c) of this section must be submitted to the District prior to or together with any reports to be signed by an authorized representative.

724-726. Reserved

#### C. DENIAL OF PERMIT AND APPEAL PROCEDURE

727. No discharge permit shall be issued by the District to any person whose discharge of material to sewers, whether shown upon his application or determined after inspection and testing conducted by the District, is not in conformity with District ordinances and regulations, unless a variance of such non-conformity is granted by the Board in the manner set forth in this Ordinance. The Executive Director shall state the reason or reasons for denial or requirements for variance in writing, which shall be mailed or personally delivered to the applicant within five (5) days after denial or determination of a need for a variance. Where a variance is required, Users shall follow the procedures set forth in this Ordinance. Such petition for variance shall be filed within fifteen (15) days of the receipt of the Executive Director's requirements for a variance.
728. If the permit application is deemed unsatisfactory by the Executive Director, or if the discharge indicated from the permit application or inspection is not in accordance with the requirements of this Ordinance, the User may obtain review of the denial by the Board, provided that the User shall give written notice of this request therefore, within thirty (30) days after receipt of such denial. The Board shall review the permit application, the written denial and such other evidence and matters as the applicant and Executive Director shall present at the Board's next regular meeting following receipts of request for review, and the decision of the Board shall be final.
729. In the event it is determined by the Executive Director that any discharge of wastewater to a sewer materially and substantially differs in type and volume from those characteristics set forth in the application and discharge permit issued based on

said application, the User shall be subject to revocation of discharge permit, disconnection, fine and other penalties as herein provided.

#### D. MONITORING FACILITIES

730. The District shall require to be provided and operated at the Significant Industrial User's own expense, monitoring facilities to allow inspection, sampling, and flow measurements of the building sewer or internal drainage systems. Where required by the District, additional control manholes or sampling chambers shall be provided at the end of each industrial process within a User's facility suitable for the determination of compliance with Pretreatment Standards. The monitoring facility will normally be situated on the User's premises but the District may, when such a location would be impractical or cause undue hardship to the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping, parked vehicles, or other activities of the User.
731. Whenever required by the District, the owner of any property serviced by a building sewer carrying non-residential wastewater shall install a large manhole or sampling chamber for each separate discharge in the building-sewer in accordance with plans and specifications approved by the Executive Director, installed and maintained at all times at User's expense, which shall have ample room in each sampling chamber to permit the District to take accurate composite samples for analysis. The chamber shall be safely, easily and independently accessible to authorized representatives of the District during the User's normal production hours.
- (a) When required, each sampling chamber shall contain a flow monitoring device approved by the District with a recording and totalizing register for measurement of the liquid quantity; or at the discretion of the District the metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated by the User that the metered water supply and waste quantities are approximately the same, or where a measurable adjustment agreed to by the District is made in the metered water supply to determine the liquid waste quantity.
  - (b) When required, samples shall be taken every hour or half hour, as determined by the District and properly refrigerated and preserved in accordance with Standard Methods and shall be composited in proportion to the flow for a representative 24 hour sample. Such sampling shall be done as prescribed by the District.
  - (c) The frequency of sampling, sampling chamber, metering device, sampling methods and analyses of samples shall be subject, at any time, to inspection and verification by the Sanitary District.
732. All measurements, tests, and analyses to which reference is made in this Ordinance shall be determined and performed in accordance with 40 CFR 403.12(g), as amended from time to time.

## E. INSPECTION, SAMPLING AND RECORDS KEEPING

733. The District may inspect the facilities of all Users to ascertain whether the purposes of this Ordinance are being met and if all requirements of the Ordinance are being complied with. Persons or occupants of premises in which a discharge source or treatment system is located or in which records are kept shall allow the District or its representatives ready access upon presentation of credentials at reasonable times to all parts of said premises for the purpose of inspection, sampling, examination and photocopying of records required to be kept by this Ordinance, and in the performance of any of their duties. The District shall have the right to set up on the User's property such devices as are necessary to conduct sampling, monitoring and metering operations. Where a User has security measures in force which would require suitable identification, necessary arrangements shall be made with their security guards so that upon presentation of suitable identification, personnel from the District shall be permitted to enter immediately for the purposes of performing their specific responsibilities.
734. The User and the District shall maintain records of all information resulting from any monitoring activities required by this Ordinance and shall include:
- (a) The date, exact place, method and time of sampling and the name of the person or persons taking the samples;
  - (b) The dates analyses were performed;
  - (c) Who performed the analyses;
  - (d) The analytical techniques/methods used; and
  - (e) The results of such analyses.

The District and the User shall maintain such records for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the User or the operation of the District pretreatment program, or when requested by the Regional Administrator or the Director of IEPA.

## F. PRETREATMENT

735. Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all applicable pretreatment requirements and standards within the time limitations as specified by appropriate statutes, regulations, and Ordinance. National Categorical Pretreatment Standards shall be incorporated in this Ordinance. Any facilities required to pretreat wastewater to a level acceptable to the District shall be properly operated and maintained at the User's expense. Detailed plans showing the pretreatment facilities shall be submitted to the District for review and must be acceptable to the District before construction of the facility. The User shall obtain all necessary construction-operating permits from

IEPA. Such pretreatment facilities shall be under the control and direction of an IEPA certified Wastewater Treatment Operator. The review of such plans shall in no way relieve the User from the responsibility of modifying its facility as necessary to produce an effluent acceptable to the District under the provisions of this Ordinance. Within a reasonable time after the completion of the wastewater treatment facility, the User shall furnish its operations and maintenance procedures to the District for review. Any subsequent significant changes in the pretreatment facilities or method of operation shall be reported to and be accepted by the District prior to the User's initiation of the changes.

#### G. CONFIDENTIAL INFORMATION

736. Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from District inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the District, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State Law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

## ARTICLE VIII

### ENFORCEMENT PROCEDURES AND PENALTIES

#### A. GENERAL

801. Should the District determine that a User has violated a condition of its discharge permit or a standard specified in this Ordinance, the District may, at its option, institute voluntary compliance proceedings or take such other actions as are authorized by this Ordinance, its policies, resolutions, statutes, regulations, at law or in equity. Additionally, should the District, at its option, elect to begin voluntary compliance proceedings and then determine that such proceedings are ineffective or futile or are likely to be ineffective or futile if continued, it may terminate said voluntary compliance proceedings at such point, and schedule a Show Cause Hearing or proceed with any other remedies authorized by this Ordinance, statutes, regulations, at law or in equity.

#### B. VOLUNTARY COMPLIANCE PROCEDURES

802. Voluntary Program - User Initiated

Should a User present to the District, at any time prior to being required to do so, information, data, plans, schedule and the like relating to a proposed procedure for the correction of violations to its discharge permit or the provisions of this Ordinance, the District may receive such material and initiate procedures for the preparation of a Compliance Directive relating to that User without initiating enforcement proceedings. Neither the presentation of material to the District nor the acceptance of such material by the District nor the commencement of procedures for the issuance of a Compliance Directive shall prevent the District from issuing any Notice of Violation nor does it exempt any User from the provisions of this Ordinance.

803. Voluntary Program - District Initiated

- (a) The following voluntary proceedings between the District and a User who has violated conditions of their discharge permit or any provisions of this Ordinance may be followed by the District in an effort to assist the User and to ensure compliance with this Ordinance without court action. The proceedings outlined in this section are voluntary and are not to be construed as conditions precedent for the Urbana and Champaign Sanitary District using any of the remedies set forth in Resolution "D" adopted by the District on July 16, 1984.
- (b) Should review of a complaint of violation by the District indicate a violation exists the District shall notify the User in writing (which notification is hereinafter called "Notice of Violation" as to the particulars of such alleged violation and the remedy required to meet compliance with the provisions of this Ordinance. Upon receipt of the Notice of Violation, the User may respond by submitting in writing the actions to be taken to comply with the

Ordinance. In the event that a response is not received by the District, a Compliance Meeting shall be scheduled, to be attended by representatives of the District and the User. The purpose of this meeting shall be to discuss and establish means of correcting the violation cited in the Notice of Violation as well as preventing any future violations of this Ordinance or the discharge permit.

804-805. Reserved.

### C. COMPULSORY COMPLIANCE PROCEDURES

806. Notice of Hearing to Show Cause - Should there be a violation by a User following a Compliance Meeting, or should a failure to reach an agreement to remedy the violation cited in a Notice of Violation occur, the District shall notify the User in writing through a "Notice of Hearing to Show Cause" as to the particulars of such violation or violations and set a time and place for a hearing (hereinafter called a "Show Cause Hearing"). The District may, upon determination that a violation has occurred, send the User a Notice of Hearing to Show Cause without first having a Compliance Meeting.

807. Show Cause Hearing

- (a) The Executive Director may serve notice to any User who causes a violation of this Ordinance to show cause before a Hearing Officer why enforcement action should not be taken. The notice served on the User shall specify the time and place of a hearing to be held, the reasons why the action is to be taken, the proposed enforcement action, and shall direct the User to show cause before the Board why enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.
- (b) The Hearing Officer shall conduct the hearing and;
  - (1) Issue in the name of the District notice of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing.
  - (2) Hear the evidence.
  - (3) Transmit a report of the proceedings, together with recommendations to the Board for action thereon.
- (c) The User may present his evidence.
- (d) At any hearing held pursuant to this Ordinance, testimony may be taken under oath and recorded. The transcript, so recorded, will be made available to any

member of the public or any party to the hearing upon payment of the actual cost thereof.

- (e) After the Board has reviewed the report of the Hearing Officer, it may issue an order to the User responsible for the violation directing: (1) that the discharge permit be revoked and the service be disconnected; (2) that following a specified time the permit shall be revoked and sewer service discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed and operated properly to comply with the discharge permit; (3) the User cease the unauthorized discharge effective after a specified period of time; (4) that such other relief as deemed necessary by the Board to abate the discharge be granted. Further orders and directives as are necessary may be issued.
- (f) Following an order of revocation, the User shall cease discharging to the District POTW. Failure to do so shall be evidence of continuing harm to the District and provide grounds for the granting of injunctive relief, temporary restraining orders or other remedies provided by law.

808. Compliance Directive - Following the completion of the hearing described in Section 806 and 807, the District may direct the User to investigate what may be required to control and prevent future violations, including pretreatment of wastewaters which contain or may contain pollutants subject to limitations on discharge.

If the District has sufficient information at the time of the Show Cause Hearing to determine necessary action, it may, at that time, direct the User to take such action, including pretreatment, without further investigation or study, and the User shall comply.

Following a directive by the Hearing Officer in writing, hereinafter called a "Compliance Directive", the User shall submit to the District for review a schedule for compliance and preliminary information regarding any pretreatment facilities to be provided. The Compliance Directive shall establish a schedule for the receipt of the required information but in no case will the established schedule be greater than 180 days.

The preliminary information shall include, without limitation, the design criteria, the nature and type of facilities and equipment proposed, their general location, and the degree of treatment anticipated. The District shall review and discuss the schedule and preliminary information with the User.

Acceptance by the District of the schedule and plans, modified as required by the District following discussions with the User, shall be subject to the approval of the Board of Trustees. Such acceptance does not release the User from responsibility for compliance with the provisions of this Ordinance, either before or after any pretreatment facilities are operational, nor does such acceptance constitute a liability of the District should the facilities fail to produce the pollutant concentrations set



forth in the User's Discharge Permit. Failure to comply with the Compliance Directive shall be deemed a violation of the provisions of this Ordinance.

The User shall keep the District informed as to the progress of work to provide required pretreatment facilities through written reports submitted monthly.

809-815. Reserved.

#### D. SUSPENSION OF SERVICE AND REVOCATION OF PERMIT

816. Responsibility of the Board of Trustees - The Board shall review all requests for revocation of discharge permits, disconnection of Users, revocation of variances granted under provisions of this Ordinance and appeals. Only the Board shall have the authority to approve such revocation of permits, variances, and disconnection of building sanitary sewers and only the Board shall be empowered to take final action on appeals.

817. Conditions for Revocation - Any User who violates this Ordinance, or applicable state and federal statutes and regulations is subject to having its discharge permit revoked in accordance with the procedures of Resolution "D" adopted by the District on July 16, 1984. Conditions for revocation include, but are not limited to the following:

- (a) Failure to factually report the wastewater constituents and characteristics of its discharge as determined by the User's or District's analysis.
- (b) Failure to report significant changes in process activity or wastewater constituents and characteristics.
- (c) Refusal of reasonable access to the User's premises by District representatives for the purpose of inspection or monitoring.
- (d) Failure to give notice to the District of an accidental discharge of a pollutant in a reportable quantity.
- (e) Failure to report an upset of User's treatment facilities.
- (f) Violations of conditions of the User's Discharge Permit.

818-820. Reserved.

#### E. UPSETS

821. An upset shall constitute an affirmative defense to an action brought for noncompliance with applicable categorical pretreatment standards if the following requirements are met.

822. An Industrial User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (a) An upset occurred and the Industrial User can identify the cause(s) of the upset;
  - (b) The facility was, at the time, being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;
  - (c) The Industrial User has submitted the following information to the District and Control Authority within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days):
    - (1) A description of the Indirect Discharge and cause of noncompliance;
    - (2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
    - (3) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.
823. Burden of Proof - In any enforcement proceeding the Industrial User seeking to establish the occurrence of an upset shall have the burden of proof.
824. User Responsibility in Case of Upset - The Industrial User shall control production of all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

#### F. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

825. The District shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of Industrial Users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The notification shall also summarize any enforcement actions taken against the Industrial User(s) during the same twelve months. The term significant noncompliance shall mean:
- (a) Chronic Violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six-(6-)month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other discharge violation that the District believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- (d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or,
- (h) Any other violation(s) which the District determines will adversely affect the operation or implementation of the local pretreatment program.

## ARTICLE IX

### BYPASSES

901. A User may allow a bypass to occur only if the bypass satisfies all of the following conditions:

- (a) The bypass is a result of the User performing essential maintenance that will assure efficient operation.
- (b) The bypass will not violate any provision of Article V of this Ordinance.
- (c) The bypass will not violate any provision of the User's discharge permit.
- (d) The bypass will not violate any requirements of the General Pretreatment Regulations.
- (e) The bypass will not violate any National Categorical Pretreatment Standard.

The bypasses which satisfy all of the above conditions are not subject to the remaining provisions contained in this Article.

902. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the District, if possible at least ten days before the date of the bypass.

903. An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the District within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The District may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

904. A bypass, excluding that which satisfies Section 901, is prohibited, and the District may take enforcement action against an Industrial User for a bypass, unless;

- (a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

(c) The Industrial User submitted notices as required under Sections 902 and 903.

905. The District may approve an anticipated bypass, after considering its adverse effects, if the District determines that it will meet the three conditions listed in Section 904.

## ARTICLE X

### VARIANCES

1001. To the extent consistent with the applicable provisions of the Act and the Illinois Environmental Protection Act (Ch. 111 1/2, Ill. Rev. Stat., Secs. 1001 et seq.), the Board may grant variances beyond the limitations prescribed in this Ordinance, provided that the petitioner has demonstrated that failure to receive a variance would work an arbitrary or unreasonable hardship on the petitioner. The burden of showing such arbitrary and unreasonable hardship shall be on petitioner who shall, before such variance is granted, show such arbitrary and unreasonable hardship to the Board by clear and convincing proof. In no case shall the Board grant any variance whose terms might or could cause "Interference" or "Pass Through" as such terms are defined in this Ordinance.

1002. Any User seeking a variance from any provision in Article II, III, IV, VI and Section 504 shall do so by filing a petition for variance with the Executive Director. In granting a variance, the Board may impose such conditions, exceptions, time limitations, duration and other limitations as the policies of this Ordinance, the Illinois Environmental Protection Act and the Act may require.

1003. Any User seeking a variance from any Ordinance requirement other than those covered by Section 1002 shall do so by filing a petition for variance with the Executive Director on forms provided by the District. Within 21 days of receipt of the petition, notice of the petition shall be published in the largest daily newspaper once a week for three weeks. If any person files a written objection to the granting of such variance within 15 days from the date of publication of the petition in the newspaper, then a hearing shall be held under the provisions of Article VIII, Section 807 of this Ordinance and the burden of proof shall be on the petitioner.

In granting a variance under this section, the Board may impose such conditions, expectations, time limitations, duration and other limits as the policies of this Ordinance, the Illinois Environmental Protection Act and the Act may require, including limitations that will assure that Petitioner will be in compliance by the end of the variance period. Any variance under this section, granted by the Board shall not exceed two (2) years and shall be granted upon the condition that the person who received such variance shall make such periodic progress reports as the Board shall specify. Such variances may be extended twice for up to two years each time by affirmative action of the Board, but only if satisfactory progress has been shown. However, no petitioner shall receive any variances, including any extension, exceeding a combined total of five years for any specific pollutant.

1004. The District shall specify information required to be submitted by the petitioner. To enable the District to rule on the petition for variance, the following information, where applicable, shall be included in the petition:

- (a) Clear and complete statement of the precise extent of the relief sought, including specific identification of the particular provisions of the Ordinance from which the variance is sought;
- (b) Data describing the nature and extent of the present failure to meet the numerical standards or particular provisions from which the variance is sought and a factual statement why compliance with the Ordinance was not or cannot be achieved by the required compliance date or why compliance with the Ordinance is not possible;
- (c) A detailed description of the existing and proposed equipment or proposed method of control to be undertaken to achieve full compliance with the Ordinance, including a time schedule for the implementation of all phases of the control program from initiation of design to program completion and the estimated costs involved for each phase and the total cost to achieve compliance;
- (d) Past efforts to achieve compliance including costs incurred, results achieved and permit status;
- (e) A discussion of the availability of alternate methods of compliance, the extent that such methods were studied, and the comparative factors leading to the selection of the control program proposed to achieve compliance;
- (f) A statement, if applicable, acknowledging the petitioner will be in compliance by the end of the variance period.
- (g) A concise factual statement of the reasons the petitioner believes that compliance with the particular provisions of the Ordinance would impose an arbitrary or unreasonable hardship; and
- (h) Such other things as required by the District.

1005. The Executive Director shall investigate such petition, consider the views of persons who might be adversely affected by the granting of a variance and make a report to the Board of the disposition of the petition. If the Board in its discretion concludes that a hearing would be advisable, then a hearing shall be held under the Provisions of Article VIII, Section 807 of this Ordinance and the burden of proof shall be on the petitioner.

1006. If the limits of a variance are exceeded or any terms of a variance are violated by the person granted a variance, a violation of this Ordinance is deemed to have occurred and the variance may be revoked on thirty (30) days notice.

## ARTICLE XI

### PENALTIES AND COSTS

1101. Any User who is found to have violated an order of the Board of Trustees or who has failed to comply with any provision of this Ordinance and the orders, rules and regulations and permits issued hereunder, shall be fined in an amount not to exceed one thousand dollars (\$1,000.00) for each violation in accordance with the terms and provisions of Section 6.1 of the "Sanitary District Act of 1917" (Ill. Rev. Stat. Ch. 42, Sec. 305.1). For the purpose of this section, each day in which any such violation shall occur, shall be deemed a separate violation, and a separate violation shall be deemed to have occurred for each constituent listed in this Ordinance found to exceed the limits established in the Ordinance during any such day. In addition to the penalties provided herein, the District may recover reasonable attorney's fees, court costs, and other expenses of litigation by appropriate suite at law against the person found to have violated this Ordinance or the orders, rules, regulations and permits issued hereunder.
1102. In addition to the fine levied upon a violator, the Board of Trustees may, where the circumstances of the particular case so dictate, direct the attorney for the Sanitary District to seek injunctive relief to prohibit the User from discharging into the sanitary sewer system, or to provide such affirmative relief as may be appropriate.
1103. The District may, upon discovering an ongoing or potential discharge of pollutants to the District POTW which reasonably appears to present an imminent danger to the health or welfare of persons, seek from the Circuit Court of Champaign County a temporary restraining order to halt or prohibit such discharge. Prior to the filing of such petition, the discharger may be given informal notice of the District's intention to file such action. Methods of informal notice shall include, but not be limited to, any of the following: Personal conversation between discharger and District employees, telephone calls, letters, hand delivered messages or notices posted at the discharger's premises or point of discharge. Personal contact between District personnel and the discharger shall be attempted, but shall not be condition precedent to District's petition for and obtaining of a temporary restraining order.
1104. The District may, upon discovering an ongoing or potential discharge to the District POTW which presents or may present a danger to the environment or which threatens to interfere with the operation of the POTW, immediately issue an order to the discharger to show cause before the Board of Trustees why District would not suspend service, revoke the discharger's Discharge Permit or seek injunctive relief to prohibit the discharger from making the discharge. Procedures to be followed by the Board of Trustees in said Show Cause Hearing and in subsequent actions by the Board shall be in accordance with this Ordinance.
1105. The remedies herein above provided shall not be exclusive and the Sanitary District may seek whatever other remedies are authorized by statute, at law or in equity, against any person violating the provisions of this Ordinance.



1106. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance or wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall be guilty of a misdemeanor and upon conviction, be punished by a fine of not more than \$1,000.00 or shall be incarcerated in a penal institution other than the penitentiary for a period not to exceed six (6) months.
1107. Any person who shall violate any provision of this Ordinance shall, following a hearing before the Board of Trustees, be subject to immediate disconnection of the sewer servicing the property upon or in connection with which the violation occurred.

## ARTICLE XII

### JURISDICTION AND MAINTENANCE OF SEWER LINES

1201. Interceptor Sewers shall be owned, operated and maintained by the District in all cases.
1202. Collector Sewers that lie wholly within a Municipality shall be owned, operated and maintained by that Municipality.
1203. In the case of Collector Sewers that lie outside the corporate limits of any municipality, such Collector Sewers shall be owned, operated and maintained by the District. Upon over fifty percent (50%) of the length of such Sewer between any two (2) manholes coming within the corporate limits of any Municipality, that Collector Sewer shall then be owned, operated, and maintained by that Municipality. The transfer shall be acknowledged in writing by the District and the Municipality.

## ARTICLE XIII

### SEWER PUMP STATIONS AND FORCE MAINS

The District shall own, operate, maintain, and approve all new publicly-owned Sanitary Sewer Pump Stations and Force Mains within the District. Sewer ejector stations are considered to be a part of the gravity system and shall continue to be owned, operated, and maintained by the entity that installed the sewer ejector station.

## ARTICLE XIV

### DISCONNECTION OF SERVICE

1401. The District shall retain control over all connections to its treatment facilities and retain the right to revoke connection permits within the District. When a violation of any District ordinance is committed by a property owner, and/or agent, said permit can be revoked and the property disconnected from service. Nothing contained in this Ordinance shall be construed as restricting the District from terminating the service in any manner provided for by law. From and after the effective date of this Ordinance, the District shall send written notification to the respective Municipality in whose corporate limits the property lies when it has revoked a sanitary sewer connection permit. Such notice shall request that the Municipality take such steps as are necessary to designate the affected property as unfit for occupancy.
1402. If the District, after the notice of disconnection has been sent to the Municipality involved, subsequently permits such affected property to be re-connected to the sanitary sewer system, the District shall notify the Municipality in writing of such reinstatement of the connection permit.

## ARTICLE XV

### GENERAL

1501. Nothing contained in this Ordinance shall be construed to modify the Rules and Regulations of the District regarding the treatment of sewage, nor shall it affect contracts between the District and others regarding treatment services and related services.
1502. Any existing written and legally binding contractual obligations of the District with respect to the transportation of sewage by the District which are in effect as of the date of this Ordinance and which would conflict with the Ordinance shall be exempted from the provisions of this Ordinance.
1503. To the extent that a Municipality is granted certain rights and privileges by this Ordinance, and such Municipality fails, or refuses to participate in such rights, the District may proceed with the implementation of this Ordinance without reference to the rights and privileges of the Municipality, it being the intent of this Ordinance that the District will attempt to cooperate with each Municipality as stated herein, but shall not be restricted by the failure of the Municipality to participate where such a right or opportunity is afforded that Municipality.

## ARTICLE XVI

### VALIDITY OF ORDINANCE

1601. In the event any one or more of the provisions of this Ordinance for any reason, shall be held to be illegal or invalid, such illegality or invalidity shall not effect the other provisions of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein.

## ARTICLE XVII

### ORDINANCE IN FORCE

1701. This Ordinance shall be in full force and effect ten (10) days after its publication as provided by law, Section 5, "Sanitary District Act of 1917" (70 ILCS 2405/5). All Ordinances, or part of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed on the effective date hereof.

## CERTIFICATE

I, Charles Nerone, Clerk of the Board of Trustees of the URBANA and CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS, hereby certify that the foregoing is a true and correct copy of Ordinance No. 737, which was passed at a regular meeting of the Board of Trustees of the Urbana and Champaign Sanitary District of Champaign County, Illinois, held at the offices of the Administration Building at the Sewage Treatment Works, Urbana, Illinois, on the 7<sup>th</sup> day of May 2024 , as the same appears in the minutes of said Board as of this date now in my custody and keeping and that I am the lawful custodian of the records and seal of said Sanitary District.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Urbana and Champaign Sanitary District this 7<sup>th</sup> day of May, 2024.

\s/   
Clerk of the Board

{SEAL}




ARTICLE XVIII


REVOCATION OF PRIOR ORDINANCE

1801. Ordinance No. 678 is hereby revoked in its entirety concurrently with the effective date of this Ordinance.

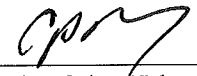
PASSED AND ADOPTED by the Board of Trustees of the URBANA AND CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS, this day of.

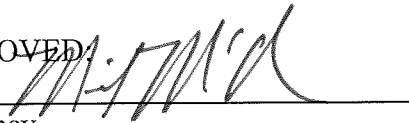
\s/   
Clerk of the Urbana and Champaign  
Sanitary District and of its Board of Trustees

APPROVED BY THE PRESIDENT OF THE URBANA AND CHAMPAIGN SANITARY DISTRICT and of its Board of Trustees, this 7<sup>th</sup> day of May 2024

\s/   
President of the Urbana and Champaign  
Sanitary District and of its Board of Trustees

ATTEST:

\s/   
Clerk of the Urbana and Champaign  
Sanitary District and of its Board of Trustees

APPROVED:  
\s/   
Attorney  
Urbana and Champaign Sanitary District

PUBLISHED:  
May 7, 2024